

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
September 1, 2009
6:00 p.m.**

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

MEMBERS ABSENT:

OTHERS PRESENT: John Weaver; Pat Hartley; Anne Wright; Paul Whitten; Janet Carter; Arrigo Carotti; 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 6:04 p.m.

INVOCATION: Mr. Allen gave the invocation.

PLEDGE: Mr. Foxworth led the pledge.

PUBLIC INPUT:

1. Tom Trollinger was to speak on delinquent tax sales but was absent.
2. Tim and Dee Wolfe spoke on cancer awareness and "Live Strong" week.
3. Robert Kelly gave details on the upcoming Freedom Fest event.

Chairman Gilland closed public input at 6:20 p.m.

CHANGES TO THE AGENDA:

Ms. Gilland requested to add Resolution R-121-09 to the Consent Agenda. Mr. Schulz moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Ms. Gilland requested to defer Resolution 116-09 to the next meeting. Mr. Worley moved to approve, seconded by Mr. Allen. The motion passed unanimously.

Mr. Schulz moved to defer Resolution 110-09, seconded by Mr. Schwartzkopf. The motion passed unanimously.

Mr. Schulz announced a recusal from voting on Ordinance 66-09 and Ordinance 77-09.

Mr. Allen announced a recusal from voting on Ordinance 69-09 and Ordinance 70-09.

Mr. P. Prince requested to remove Ordinance 80-09 from the Consent Agenda.

Mr. Foxworth moved to remand Ordinance 62-09 to the I&R Committee, seconded by Mr. Schwartzkopf. The motion passed.

Mr. Foxworth announced a recusal from voting on Ordinance 69-09, Ordinance 70-09 and Ordinance 71-09.

Mr. Foxworth requested to remove Ordinance 79-09 from the Consent Agenda.

Mr. Weaver requested to add Resolution 120-09 to the Consent Agenda. Mr. Worley moved to approve, seconded by Mr. Loftus. The motion passed unanimously.

Mr. Weaver requested to remove the District Appointment for District One and the District Appointment for District Eleven from the Consent Agenda.

Ms. Gilland requested to change the December Council meeting from December 1 and December 15 to one meeting on December 8, 2009. Mr. Allen moved to approve, seconded by Mr. Grabowski. The motion passed unanimously.

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

APPROVAL OF MINUTES: Regular Meeting August 18, 2009. Mr. Schulz moved to approve the minutes as submitted, seconded by Mr. Worley. The motion passed unanimously.

CHARACTERISTIC OF THE MONTH: Responsibility: Knowing and doing that is expected of me.

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

Mary Brown
Ernestine Williams
Donald Whitaker
Charles Moses
Chris Smiling
Anna Starling
Peggy Barnhill
John Gault Jr.
Betty Chastain
Mamie Mincey
Barbara Henry
Robert Logan
George Brown Sr.

Tammy Brown
William Wingard
Kenny Buffkin
Daisy Hennigan
Mary L. Hill

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

Third reading of **Ordinance 60-09** amending the county code so as to provide for updated general penalty provisions applicable to certain violations of Horry County ordinances.

Third reading of **Ordinance 61-09** approving and authorizing the administrator to execute an amendment to the lease agreement with General Services Administration of property located at Myrtle Beach International Airport for use by the Transportation Security Administration.

Third reading of following ordinances to approve the request to amend the official zoning maps: **63-09** Phyllis Washington, agent for Clara Ford; **64-09** Horry Furniture Co. Minor PDD.

Third reading of **Ordinance 65-09** to amend the county code pertaining to property maintenance requirements.

First reading of **Ordinance 78-09** authorizing the issuance and sale of not exceeding \$14 million general obligation refunding bonds.

Resolution R-109-09 supporting the creation of the Complete Court Committee regarding the Decennial Census in 2010.

Resolution R-111-09 approving the renewal of an intergovernmental agreement with North Myrtle Beach regarding shared jurisdiction for certain portions of Little River Neck Road.

Resolution R-112-09 approving an intergovernmental agreement with North Myrtle Beach regarding shared police jurisdiction for certain schools identified herein.

Resolution R-114-09 to approve certain emergency medical service accounts to be written off.

Resolution R-115-09 relating to the declaration of intent to reimburse certain expenditures prior to the issuance by the county of its tax-exempt debt.

Resolution R-121-09 recognizing Libby Faulkner on her 13 years of service at Street Reach Ministries.

District Board Appointments: Harold Phillips, Planning Commission.

RESOLUTIONS/PRESENTATIONS:

Resolution R-105-09 consenting to an agreement to participate in the City of Conway Amended TIF Plan. **Mr. Schwartzkopf moved to approve, seconded by Mr. Frazier. The motion passed. Mr. Foxworth voted no.**

Resolution R-108-09 congratulating the Surfside Beach Dixie Majors All-Star Team as the 2009 World Series Champions of the Dixie League Youth Baseball, Inc. **Mr. Barnard moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

Resolution R-117-09 congratulating Vada Durham, Waccamaw Elementary School and **Resolution R-118-09** congratulating Tindall Ouverson, St. James Middle School, winners of the 2009 Soil & Water Conservation Essay Contest. **Mr. Schwartzkopf moved to approve, seconded by Mr. Barnard. The motion passed unanimously.**

Resolution R-119-09 congratulating George Johnson and Jerry Owens for their efforts in saving county funds on the T-Hanger project at Myrtle Beach International Airport. **Mr. Schulz moved to approve, seconded by Mr. Schwartzkopf. The motion passed. (Mr. Foxworth was absent).**

Resolution R-120-09 to amend the projects to be funded with the Community Development Block Grant-Recovery (CDBG) Stimulus funding. **Mr. Schwartzkopf moved to approve, seconded by Mr. P. Prince. The motion passed. (Mr. Foxworth was absent).**

READING OF ORDINANCES:

Third reading and public review of **Ordinance 51-09** to amend the county code so as to better define mitigation and planting requirements. **Mr. Schwartzkopf moved to approve, seconded by Mr. Worley. The motion passed. Mr. Barnard voted nay. (Mr. Foxworth and Mr. Allen were absent).** There was no public review

Second reading and public review of **Ordinance 66-09** authorizing the execution of an infrastructure financing agreement between Horry County and Piedmont Coca-Cola Bottling partnership. **Mr. Schwartzkopf moved to approve, seconded by Mr. Worley. The motion passed. Mr. Schulz was recused from voting. (Mr. Foxworth and Mr. Allen were absent)** Ms. Pam Creech spoke at public review.

Second reading and public review of **Ordinance 67-09** to develop a jointly owned and operated industrial/business park in conjunction with Georgetown County and to provide for a written agreement with Georgetown County to provide for the expenses of the park, percentage of revenue, and the distribution of fees in lieu of ad valorem taxation. **Mr. Schwartzkopf moved to approve, seconded by Mr. Worley. The motion passed. (Mr. Allen and Mr. Schulz were absent).** There was no public review.

Second reading and public review of **Ordinance 68-09** to approve the request of Steven Annese, agent for VFP, LLC, Queens Harbour Tract 5A PDD, to amend the official zoning maps. **Mr. Foxworth moved to approve, seconded by Mr. Grabowski. The motion passed.**

(Mr. Allen and Mr. Schulz were absent). There was no public review.

Second reading and public review of **Ordinance 69-09** approving and authorizing the administrator to execute a lease agreement with Allen Aviation, Inc., of property located at Conway-Horry Airport and to allow for the continued storage of Allen Aviation, Inc's aircraft at the airport. **Mr. Frazier moved to approve, seconded by Mr. J. Prince. The motion passed. Mr. Allen and Mr. Foxworth were recused from voting. (Mr. Schulz was absent).** There was no public review.

Second reading and public review of **Ordinance 70-09** approving and authorizing the administrator to execute a lease agreement with Henry Williamson, dba H&H Air Service, LLC, of property located at Conway-Horry County Airport and to allow for the continued operation of H&H's aircraft repair station business at the airport. **Mr. J. Prince moved to approve, seconded by Mr. Worley. The motion passed. Mr. Allen and Mr. Foxworth were recused from voting. (Mr. Schulz was absent).** There was no public review.

Second reading and public review of **Ordinance 71-09** approving and authorizing the administrator to execute a lease agreement with Omniflight Helicopters, Inc. dba Carolina Life Flight, of property located at Conway-Horry County Airport and to allow for the continued operation of Omniflight's aerial medical evacuation business at the airport. **Mr. Frazier moved to approve, seconded by Mr. J. Prince. The motion passed. Mr. Foxworth was recused from voting. (Mr. Allen and Mr. Schulz were absent).** There was no public review.

Second reading and public review of **Ordinance 72-09** amending the county code so as to provide for further regulation of towing businesses and operations. **Mr. Foxworth moved to approve, seconded by Mr. Grabowski.** Attorney Michael McGovern spoke at public review. **Mr. Grabowski made a motion to approve the amended version that was presented in the packet, seconded by Mr. Schulz. Ms. Gilland requested they pass second reading and send the Ordinance back to the Public Safety Committee. The motion passed. Mr. Barnard requested to have public review again at third reading.**

Second reading and public review of **Ordinance 73-09** to add certain properties to the Horry County Historic Property Register. **Mr. Frazier moved to approve, seconded by Mr. P. Prince. The motion passed unanimously.** There was no public review.

Second reading and public review of **Ordinance 74-09** amending the county code pertaining to the creation of the Horry County Affordable/Workforce Housing Commission. **Mr. Schwartzkopf moved to approve, seconded by Mr. Foxworth. The motion passed unanimously.** General Vaught spoke at public review.

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **75-09** Alan & Yvonne Shield; **76-09** Laurie Wise and **77-09** James Wooten, agent for Coca-Cola Distribution PDD. **Mr. Frazier moved to approve, seconded by Mr. Schwartzkopf. The motion passed. Mr. Schultz was recused from voting on Ordinance 77-09. (Mr. Grabowski was absent).** There was no public review.

First reading of **Ordinance 79-09** authorizing the issuance and sale of general obligation bonds not to exceed \$12 million for two recreation centers and a library. **Mr. Foxworth moved to approve, seconded by Mr. Allen. The motion passed. (Mr. Grabowski was absent).**

First reading of **Ordinance 80-09** to add Chapter 20 to the county code to provide for certain public nuisances and infractions to include the regulation of outdoor/open burning in certain portions of the county. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf. The motion to approve passed. The vote was as follows:**

In Favor

**Liz Gilland
Brent Schulz
Harold Worley
Gary Loftus
Bob Grabowski
Carl Schwartzkopf
Al Allen**

Opposed

**Howard Barnard
James Frazier
Paul Prince
Marion Foxworth
Jody Prince**

OLD/NEW BUSINESS:

Mr. Weaver requested to defer the nomination of Chad Hatley to the Planning Commission until the September 15th meeting. The motion passed.

Mr. Weaver explained that at the last meeting, Mr. Henry Williamson was appointed to the Airport Advisory Committee by Mr. Allen. It was later discovered that Mr. Williamson resided in Mr. Frazier's district, rather than in Mr. Allen's district. Mr. Frazier has nominated Mr. Williamson to represent his district; Mr. Allen has nominated Kevin Johnson to represent District 11. There was unanimous agreement by Council.

Briefing on Nuisance Abatement in Myrtle Beach: Mr. Weaver stated he had been contacted by Mr. Ellenburg, Attorney for the City of Myrtle Beach, and was told of the problem they were having east of the waterway with vagrants, hobos and those that were homeless. The city government had taken it upon themselves to clear certain properties making it less appealing to those hiding out and camping. There were certain properties east of the waterway that were little donut holes that were not part of the city limits. They were surrounded by city limit property but were not within the city limits. When the city would take action to remove those situations the vagrants would simple go across the street or down the road into county properties over which they had no jurisdiction. The city has asked the county to agree to allow them to have jurisdiction for that purpose on those properties east of the waterway that were in the unincorporated areas so they could follow through with having the property owners clean up the properties and also take charge of the undesirables that were continuing to grow. He spoke with Mr. Whitten and Chief Morgan about it and they were both in agreement. It would be at no cost, no expense and no liability to the county. It seemed to the Public Safety people to be a rather appropriate and necessary cooperative effort. All that was necessary, since it was an agreement, was a motion and a vote and that would give him the authority to sign the agreement.

Mr. Barnard made a motion to defer, seconded by Mr. Grabowski. Mr. Worley moved that they defer the agreement to the Public Safety Committee and I&R Committee, seconded by Mr. Schulz. The motion passed. Mr. Foxworth and Mr. P. Prince voted nay. Ms. Gilland said the motion passed to defer and they would send it to both committees and then bring it back to full Council.

Briefing on Horry County's Emergency Operations Plan, including the role of County Council: Mr. Whitten stated that one of the challenges to the EOC was how they provided services. They had embraced the National Incident Management System concept. Mr. Webster stated a comprehensive new approach had been put together to deal with emergencies. He gave an update on the organizational makeup of the EOC. They trained over 188 people from Horry County staff and surrounding agencies including non-governmental that would come in and support the center when it was activated. Mr. Weaver stated the role of Council was the same as the executive group. Mr. Whitten stated that Mr. Webster and his staff were also working on the H1N1 pandemic flu contingency plan.

ANNOUNCEMENTS:

ADJOURNMENT: The meeting adjourned at 8:05 p.m. in memorial of Mary Brown; Ernestine Williams; Donald Whitaker; Charles Moses; Chris Smiling; Anna Starling; Peggy Barnhill; John Gault Jr.; Betty Chastain; Mamie Mincey; Barbara Henry; Robert Logan; George Brown Sr.; Tammy Brown; William Wingard; Kenny Buffkin; Daisy Hennigan and Mary Hill.