

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
July 18, 2006
6:00 p.m.**

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

MEMBERS ABSENT: John Boyd and Mike Ryan.

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; Anne Wright; Steve Gosnell; Janet Carter; and Westley Sawyer.

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 6:05 p.m.

INVOCATION: Mr. Barnard gave the invocation.

PLEDGE: Mr. Foxworth led in the pledge.

PUBLIC INPUT:

1. Bobby Causey was to speak regarding taxes and dirt roads but was absent.
2. Attorney Ken Moss was to speak regarding Cricket Cove Settlement Proposal but would be speaking at the Administration Committee meeting on Monday, July 24th instead.

Chairman Gilland closed public input at 6:15 p.m.

CHANGES TO AGENDA:

Mr. Hardee requested to defer Ordinance 115-06, seconded by Mr. Prince. The motion passed. The vote was as follows:

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

Chairman Gilland stated Mr. Boyd requested to defer Ordinances 116-06 and 117-06. Mr. Frazier moved to defer, seconded by Mr. Prince. The motion passed. The vote was as follows:

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

Mr. Prince requested to remove Ordinance 132-06 from the Consent Agenda.

Mr. Prince requested that Council refer to the amended version of Ordinance 114-06.

Mr. Foxworth moved to add discussion on Owner Occupied Assessments to Old/New Business, seconded by Mr. Barnard. The motion passed. The vote was as follows:

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

Mr. Barnard requested that the announcement of the State Infrastructure Bank's allocation of road funding be moved in front of Ordinance 86-06.

Mr. Lazarus arrived at the meeting at 6:15 p.m.

Mr. Worley referred to third readings of rezonings under the Consent Agenda and asked if they were going to across the board ask for \$1,000 per unit. He referred to Ordinances 87-06; 91-06, 94-06 and 95-06. Chairman Gilland said each Council member was to do their own. **Mr. Worley moved to defer Ordinance 87-06, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:**

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

Mr. Prince stated regarding Ordinance 91-06, the developer wanted to make a donation to the park.

Mr. Worley inquired about Ordinance 94-06. Mr. Hardee stated there were no units there.

Mr. Worley inquired about Ordinance 95-06. Chairman Gilland wasn't sure because it was Mr. Boyd's district. Mr. Worley said the question would come up again and they needed to talk to the developers to find out what they were willing to do. Mr. Prince said he had several letters regarding that.

Mr. Hardee moved to add a presentation by Parks and Recreation Director Brent Taylor, seconded by Mr. Schwartzkopf. The motion passed. The vote was as follows:

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

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

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

Mr. Foxworth requested to move the two resolutions in front of the presentations.

APPROVAL OF MINUTES: Regular Meeting June 27, 2006: Mr. Barnard 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	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

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

Priscilla Ann Bellamy Phillips (Mr. Frazier)
Bonnie Lyn Sports (Mr. Frazier)
Lacy Sherman (Mr. Frazier)
Mickey Spillane (Chairman Gilland)
Robert Brooks (Chairman Gilland)
Donald Davis (Mr. Schwartzkopf)
Elizabeth Durant (Mr. Lazarus)
Marty Mincey (Mr. Prince)
Jimmy Grainger (Mr. Prince)

APPROVAL OF CONSENT AGENDA: Mr. Frazier moved to approve the Consent Agenda, seconded by Mr. Schwartzkopf. Mr. Hardee recused himself from the Consent Agenda. The motion passed. The vote was as follows:

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

The Consent Agenda consisted of the following:

- Third reading of the following ordinances to approve the request to amend the official zoning maps: **91-06** Ruby Livingston & K. Charles Nash; **94-06** Ashlei Tysinger, agent for William Henry & Tanya Anderson; and **95-06** James Wooten, agent for Ernest & Juanita Baxley.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **121-06** James Wooten, agent for Buckingham Realty Holdings; **122-06** Aaron Bartlett; **123-06** Tim Wilkes, agent for Seventeenth South LLC; **124-06** Rob Wilfong, agent for Bill Clark Homes; **125-06** L.E. Ricker, agent for GLB Properties LLC; **126-06** Donald Smith, agent for Charles Linder & Kenneth Wells; **127-06** Eddie White, agent for Lisa & Ray Cleary and James K. Hucks; **128-06** Steve Powell, agent for Stillpond Development LLC; **129-06** Thomas Penny; **130-06** Brett Allen; **131-06** Jamie McLain, agent for Yauhannah LLC; **133-06** George Crickmore, agent for Blenda Harris; **134-06** Rob Wilfong, agent for James McClelland; **135-06** Thomas Suken, agent for Todd Dayton; **136-06** Bot & Elaine Miles; **137-06** Duane Oliver, agent for Renee Monroe; **138-06** David & Stephanie Prince; **139-06** Jon Taylor, agent for Marie Watts; and **140-06** Tom Cecala (Ashton Development LLC).

- Resolutions to accept dedication of roads and drainage into the county maintenance system: **R-85-06** Fox Hollow Plantation (Fox Hollow Rd); **R-86-06** Brynfield Park II (Clarion Ct & Hidden Woods Dr.); **R-87-06** Bayberry Subdivision Cul-de-sacs; and **88-07** Prince Creek West Connector (TPC Blvd).
- District 7 Board Appointment- C.M. Winburn, Jr. to the Stormwater Advisory Committee.

RESOLUTIONS/PRESENTATIONS:

Presentation by Brent Taylor. Mr. Taylor spoke on Horry County Striders, a pilot program affiliated with Hershey’s National Track Program. He introduced Jontae Snipes, Parks and Recreation, who spoke on the program and introduced some of the participants that won various awards.

Update and Presentation on NESAs. Jeff McKay, Executive Director of NESAs, gave a presentation and update regarding activities of NESAs. He introduced Board members Doug Wendell, Billy Alford, and Senator McGill.

Resolution R-90-06 recognizing and honoring Jack Thompson for the multitude of photographic and historical accomplishments and contributions made by him to the Greater Grand Strand over the past 50 years. Mr. Foxworth presented the resolution to Mr. Thompson. **Mr. Foxworth moved to approve, seconded by Mr. Hardee.** Mr. Thompson thanked Council. **The motion passed. The vote was as follows:**

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

Resolution R-83-06 authorizing and approving the additional allocation and expenditure of an amount not to exceed \$6.2 million for the purpose of paying the additional fees and costs associated with obtaining a guaranteed maximum price for the proposed new terminal at Myrtle Beach Int’l Airport. **Mr. Frazier moved to approve, seconded by Mr. Hardee.** Ms. Wright, Administration Division, spoke briefly on the history of the terminal project. Ms. Pat Apone, Airport Department, spoke briefly on the expenditure of the \$12.3 million. Doreen Frasca, Frasca & Associates, spoke briefly regarding the financing and debt of the project. Gary Lamb, Vice-President of Skanska USA Building and Project Executive, requested approval of the completion of the project design that would guarantee the maximum price. He also provided a breakdown of the additional \$6.2 million being spent to complete the design. Don Fowler, Fowler Communications and lobbyist for the Airport, spoke briefly about the process of securing \$43 million in federal funding for construction of the new terminal. John Napier, lobbyist for the Airport, reminded Council that the dollars were dwindling every day in

Washington. Mr. Knight spoke briefly stating that he and staff recommended approval of the resolution.

Chairman Gilland stated they had received a letter from Governor Sanford regarding a possible contribution of \$15 million from the State of South Carolina. She also announced a possible donation of \$10 million by a developer that was new to the area.

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

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

Resolution R-91-06 authorizing the administrator to execute a memorandum of understanding with the Museum Foundation relating to funding museum exhibits in the Burroughs School building. **Mr. Prince 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>
Worley	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		Frazier
Barnard	Gilland		
Grabowski			

Resolution R-92-06 authorizing the offering of commemorative naming opportunities at the Burroughs School building for museum exhibit fund raising purposes. **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	Schwartzkopf	Foxworth	Boyd
Lazarus	Prince		Ryan
Barnard	Hardee		Frazier
Grabowski	Gilland		

Chairman Gilland called a recess at 9:00 p.m. The meeting reconvened at 9:15 p.m.

Resolution R-89-06 to disapprove the request of Leon D. Todd to amend the official zoning maps. **Mr. Schwartzkopf 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>
Worley	Hardee		Boyd
Barnard	Gilland		Ryan
Grabowski			Lazarus
Frazier			Foxworth
Schwartzkopf			Prince

Resolution R-93-06 ratifying the submission of grant applications and to accept grants from the FAA and the SC Division of Aeronautics to the Horry County Department of Airports. **Mr. Grabowski moved to approve, seconded by Mr. Frazier. The motion passed. The vote was as follows:**

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

READING OF ORDINANCES:

State Infrastructure Bank’s allocation of road funding. Chairman Gilland stated the County would receive a \$40 million grant that the County would match for the road projects if the referendum on the capital project sales tax passed. The County would be eligible for \$150 million, contingent upon the passing of the capital project sales tax in November, which included the \$40 million. Mr. Barnard requested that the *The Sun News* re-report it as being \$150 million not \$40 million.

Third reading and public review of **Ordinance 86-06** to impose a 1% sales and use tax pursuant to the Capital Project Sales Tax Act; to provide for a county-wide referendum on the tax; to provide for the administration and payment of the tax; to provide for bonds to be issued; and to provide for other matters relating thereto. **Mr. Grabowski moved to approve, seconded by Mr. Barnard. There was no public review. The motion passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 90-06** to approve the request of Sandlot LLC to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Grabowski. There was no public review.** Mr. Prince stated the developer had sent a letter stating they wanted to make a donation to a park. **The motion passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 100-06** to develop a joint county industrial and business park located in Georgetown County with Georgetown County. **Mr. Grabowski 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		Boyd
Lazarus	Prince		Ryan
Barnard	Hardee		Foxworth
Grabowski	Gilland		
Frazier			

Third reading and public review of the following ordinances to approve the request to amend the official zoning maps: **101-06** Marion O. Watson; **102-06** Jim Dameron, agent for Hugh Close, Jr.; **103-06** Horry County Planning/Zoning Department; **104-06** Marc Thomas, agent for Claire Capps; **105-06** Benny Carter, agent for Bobbie G. Dunn; **106-06** David Floyd, agent for Johnny Singleton; **107-06** Stephen Cain, agent for Southeast Coastal Properties; **108-06** Marvin Jerome Nance; **109-06** Jeff Sloan, agent for C&B Properties; **110-06** Crystal Lake LLC, agent for Ronald & Diane James & L.J. Bell; **111-06** William John Britton; and **112-06** Aaron Lambert.

Mr. Frazier moved to approve, seconded by Mr. Schwartzkopf. There was no public review. Mr. Prince stated regarding Ordinance 107-06 and 109-06 the developer would be donating money to the park. **The motion passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 113-06** to approve the request of Etd, agent for Dreamhomes Development, Waterfall II PDD, to amend the official zoning maps. **Mr. Prince moved to approve, seconded by Mr. Grabowski. There was no public review.** Mr. Prince spoke briefly about the project. Mr. Weaver stated this was a PDD and needed to be amended. **Mr. Hardee moved to defer, seconded by Mr. Grabowski. The motion to defer passed. The vote was as follows:**

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

Third reading and public review of **Ordinance 119-06** to approve the request of Horry County Planning/Zoning Department for Wilma & Charles Bullard to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Grabowski. 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		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

Second reading of **Ordinance 114-06** to approve the request of James Wooten, agent for Jacob & Margot Watson & Cove Partners LLC, Sand Ridge Landing PDD, to amend the official zoning maps. **Mr. Hardee moved to approve, seconded by Mr. Grabowski. Mr. Prince moved to amend to the version distributed by staff, seconded by Mr. Hardee.** Mr. Gosnell stated the amendment was the inclusion by the developer to pay for the bulk of the road including all associated costs of condemnation. Mr. Prince stated the remainder of the amendment was that the developer shall provide a lump sum of money to go towards the North Strand Park in the amount of \$100,000 by December 31st. Mr. Gosnell stated that language was included. **The motion to amend passed. The vote was as follows:**

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

Mr. Weaver stated at the September I&R Committee meeting they would be bringing forth a set of proposed rules and regulations for voluntary contributions. It had become an accounting nightmare in which they had no way of calculating, controlling, or accounting. He reminded Council of the difference between voluntary contributions with plain zoning changes and PDD. One was perhaps not as appropriate as the other and would address that more at the committee meeting.

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

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

Second reading of **Ordinance 120-06** to approve the request of Horry County Planning Department, agent for James McLain, et al, to amend the official zoning maps. **Mr. Hardee 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>
Worley	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

First reading of **Ordinance 141-06** to approve the request of James Wooten, agent for The Park at Long Bay PDD, to amend the official zoning maps. **Mr. Hardee 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>
Worley	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

First reading of **Ordinance 142-06** to approve the request of Horry County Planning Department, Oak Crest PDD, to amend the official zoning maps. **Mr. Hardee 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>
Worley	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

First reading of **Ordinance 143-06** to approve the request of Etd of South Carolina, The Gates PDD, to amend the official zoning maps. **Mr. Barnard 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>
Worley	Schwartzkopf		Boyd
Lazarus	Prince		Ryan
Foxworth	Hardee		
Barnard	Gilland		
Grabowski			
Frazier			

Third reading and public review of **Ordinance 99-06** authorizing the administrator to execute a quitclaim deed to Robert Messier, Jr., and Myrtle Beach National Company of a 50' wide parcel between Hwy. 9 and "Old Road". **Mr. Barnard moved to approve, seconded by Mr. Grabowski. There was no public review. Mr. Weaver spoke briefly on the issue. The motion passed. The vote was as follows:**

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

First reading of **Ordinance 132-06** to approve the request of Margaret Gray, agent for Red Apple Group LLC, to amend the official zoning maps. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** Mr. Prince stated the applicant wanted to amend to a PDD. Ms. Carter spoke briefly on the rezoning and stated Council could give it first reading as a PDD but couldn't do an amendment since there was already a motion but would put it back on the Planning Commission agenda for July under Old Business and run the PDD plan by them. Staff recommended approval. **No motion to amend was made but a vote was taken that passed. The vote was as follows:**

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

Another vote was taken for the amended PDD- no motion was made. The vote passed as follows:

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

OLD/NEW BUSINESS:

ANNOUNCEMENTS:

Expenditure of Recreation Funds for District 7: \$250 to Smith-Jones Recreation Center. Chairman Gilland announced the expenditure.

Owner Occupied Assessment. Mr. Foxworth spoke briefly on the Governor's appeal of his property tax bill in Charleston. He said that he read that Charleston County was the only County with such a rule. He requested that the Administration Committee look at the issue as to what the definition was and determine whether or not they needed to address it in ordinance form.

Chairman Gilland announced the following upcoming meetings: Regular Council meeting August 15th; I&R Committee August 10th; and Administration Committee would meet July 24th.

ADJOURNMENT: The meeting adjourned at 9:35 p.m. in memorial of Priscilla Anne Bellamy; Bonnie Lyn Sports; Lacy Sherman; Mickey Spillane; Robert Brooks; Donald Davis; Elizabeth Durant; Marty Mincey; and Jimmy Grainger.

