

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

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

**MEMBERS ABSENT:**

**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. Barnard gave the invocation.

**PLEDGE:** Mr. Allen led the pledge.

Chairman Gilland welcomed the newly elected and returning Council members.

**PUBLIC INPUT:**

1. Tim Lee spoke on solid waste flow control.
2. Bill Schweitzer spoke on Council representation and rezoning issues.
3. Joe Schuman spoke on Stormwater drainage.
4. Anthony Richardson spoke on Habitat for Humanity rezoning ordinance.
5. Frank Yelinko spoke on the Stormwater ordinance.

Chairman Gilland closed public input at 6:40 p.m.

**CHANGES TO THE AGENDA:**

Mr. Loftus stated Ordinance 123-06 was going before the Planning Commission this Thursday and it seemed to him that they needed the Planning Commission to give them their recommendation prior to second reading. **Mr. Loftus moved to defer Ordinance 123-06 to the January 20<sup>th</sup> meeting, seconded by Mr. Allen.** Chairman Gilland asked for a vote on all those in favor of deferring until the Planning Commission had reached a verdict. **The motion passed unanimously.**

**Mr. Loftus moved to add to the Consent Agenda the Appointment of Liston Wells to the Stormwater Advisory Board. There was no second to the motion. A vote was taken that passed unanimously.**

**Chairman Gilland requested that Ordinance 141-08 be deferred. Mr. P. Prince moved to defer Ordinance 141-08, seconded by Mr. Grabowski.** Chairman Gilland requested that staff meet with the utilities regarding a five to seven year amortization period regarding landscaping. Mr. Worley requested staff bring back information as to the fiscal impact on the companies. Mr. Weaver stated they were trying to make part of the ordinance retroactive concerning a situation that already existed and that was not legislatively permissible. Chairman Gilland withdrew her recommendation and asked that Council withdraw their motions and they would bring it forward as a new amendment. **Mr. P. Prince withdrew his motion and Mr. Grabowski withdrew his second.**

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

**APPROVAL OF MINUTES: Regular Meeting December 16, 2008: Mr. Barnard moved to approve the minutes as submitted, seconded by Mr. Frazier. The motion passed unanimously.**

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

Robert Williams, Sr.  
Kathryn L. Reynolds-Jollie  
Mary Frances Norris  
Tina-Marie Brown  
John-Paul Brown  
Ernest Dupie  
Richard White  
Thomas & Sharon Cook  
Dr. John Hembree  
James Cochran  
Kelly George Graham  
Christopher Meridith  
Brittie Ray  
Peggy Graham  
Hattie P. Stevens  
Kathleen Hardwick  
Marjorie Gerald  
Thomas Lupo  
Walter Carol

**CHARACTERISTIC OF THE MONTH: Orderliness:** arranging myself and my surroundings to achieve greater efficiency.

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

Third reading of **Ordinance 107-08** amending the County Code pertaining to stormwater management and sediment control.

Third reading of **Ordinance 141-08** to amend the zoning ordinance pertaining to public utility installations.

Third reading of **Ordinance 142-08** to amend the zoning ordinance pertaining to monthly disclosure of utility operations in Horry County.

First reading of Ordinances granting beach franchises to designated franchisees as follows: **03-09A** North Beach Service, Inc., for the North Beach area; **03-09B** South Strand Beach Services LLC for the Central Beach area and **03-09C** Beach Services LTD for the South Beach area.

**Resolution R-07-09** approving the disposal of surplus property of the Department of Airports at Myrtle Beach Int'l Airport.

Appointment of Liston Wells to the Stormwater Advisory Board.

**The motion passed unanimously.**

#### **RESOLUTIONS/PRESENTATIONS:**

**Resolution R-01-09** recognizing Nancy Thomas as Employee of the Year. Ms. Wright presented the award to Ms. Thomas. **Mr. Grabowski moved to approve, seconded by Mr. P. Prince.** Rendell Mincey thanked Council and Ms. Thomas. **The motion passed unanimously.**

**Resolution R-02-09** recognizing Cortney Chapman with an honorable mention for Employee of the Year. Mr. Whitten presented the award to Ms. Chapman. **Mr. Grabowski moved to approve, seconded by Mr. Worley.** **The motion passed unanimously.** Toni Bessent thanked Council.

**Resolution R-03-09** recognizing Marc Thompkins with an honorable mention for Employee of the Year. Ms. Gosnell presented the award to Mr. Thompkins. **Mr. Grabowski moved to approve, seconded by Mr. P. Prince.** **The motion passed unanimously.** Mr. Thompkins thanked Council. Mr. Watson thanked Council.

Presentation on the Airport Layout Plan Update at Myrtle Beach Int'l Airport and **Resolution R-05-09** adopting an updated Airport Layout Plan for Myrtle Beach Int'l Airport as developed by Delta Airport Consultants, Inc. Rick Ott gave a presentation on the Airport Layout Plan. **Mr. Grabowski moved to approve Resolution R-05-09, seconded by Mr. Barnard.** **The motion passed unanimously.**

**Resolution R-06-09** authorizing the administrator to commence negotiations, on behalf of and subject to final approval of County Council, to acquire property that may be required for the extension of Harrelson Boulevard. **Mr. P. Prince moved to approve, seconded by Mr. Grabowski.** Mr. Schwartzkopf requested that the issue be sent to the I&R Committee for review. Mr. Worley requested that the issue be sent to the Administration Committee for review. Rick Ott spoke briefly on the project and stated they were asking for permission to bring back a package to Council for approval at some point in the near future. **The motion passed with Mr. Foxworth voting nay.**

First reading of **Ordinance 01-09** amending the FY 2009 budget so as to authorize and provide funding for the design and construction of Harrelson Boulevard. **Mr. Barnard moved to approve, seconded by Mr. Frazier. The motion passed unanimously.**

**Resolution R-04-09** authorizing and approving an intergovernmental grant from Horry County's Atlantic Center account to the Department of Airports for the purpose of developing an air transportation park at Myrtle Beach Int'l Airport. **Mr. Frazier moved to approve, seconded by Mr. Grabowski. Mr. Schwartzkopf moved to amend to change the word "grant" to "loan" throughout the document, seconded by Mr. Barnard.** Ms. Wright stated from an accounting standpoint, changing the word "grant" to "loan" would not meet the criteria in their fund as a loan because of the timeframe of when it would be repaid and from what source it would be repaid. Pat Apone spoke briefly on the issue. Mr. Barnard requested that staff come back with a mechanism to replenish the fund. **Mr. Schulz recused himself from voting.** Mr. Grabowski requested that staff come up with a mechanism for repayment or replenishing. **The motion to approve the resolution passed unanimously.**

#### **READING OF ORDINANCES:**

Second reading and public review of **Ordinance 137-08** authorizing the creation of the Bellavita Improvement District and service area, approving and authorizing the implementation of the Bellavita Improvement Plan, providing of the financing of improvements within the Bellavita Improvement District by assessment, issuance of bonds or other revenues, ordering the preparation of an assessment roll and the sending of a notice of such assessment to property owners, and authorizing reimbursement of expenses incurred prior to issuance of bonds. **Mr. Frazier moved to approve, seconded by Mr. Allen.** The following people spoke at public review: Pam Creech and Tony Sala. Frannie Heizer responded to questions regarding the project. Pamela Holdenburg spoke on the bond interest rate and the market. Mr. Weaver spoke briefly on the project. **The motion passed with Mr. Barnard and Mr. Worley voting nay.**

**Chairman Gilland called a recess at 8:00 p.m. The meeting reconvened at 8:18 p.m.**

Second reading and public review of **Ordinance 143-08** providing for the offense of defrauding and refusing to pay an operator of a vehicle for hire. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** There was no public review. **The motion passed unanimously. (Mr. Foxworth was absent.)**

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **144-08** Timmy Thompkins and **145-08** Castles Engineering, agent for Waccamaw Distribution Center PDD. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** There was no public review. **The motion passed unanimously.**

Second reading and public review of **Ordinance 146-08** to amend the FY 2008 budget so as to reduce the authorized transfer from the general fund to the capital projects fund by \$2.8 million and to delete that portion of the projects from the capital projects fund. **Mr. Barnard moved to approve, seconded by Mr. Worley.** There was no public review. **The motion passed unanimously.**

First reading of **Ordinance 129-08** to approve the request of Gail Olive, agent for Habitat for Humanity, to amend the official zoning maps. **Mr. J. Prince moved to approve, seconded by Mr. Schulz.** Carol Coleman spoke briefly on the project. **The motion passed with Mr. Worley voting nay.**

First reading of **Ordinance 02-09** regulating the county-wide collection and disposal of solid waste generated within Horry County and for the prohibition of the disposal of solid waste materials in any manner except as set forth herein and providing penalties for violation thereof. **Mr. Worley moved to approve, seconded by Mr. Allen.** Mr. Weaver spoke briefly stating that Council discussed this situation at the December 5<sup>th</sup> Fall Retreat. He further stated that on behalf of the Administrator, entire Horry County staff, and the board of directors of the Solid Waste Authority, he had two requests to make. Number one, staff and the Solid Waste Authority fully supported the flow control ordinance and believed it was appropriate for first reading passage. Number two, certainly there was a lot of interest in this and he recommended that Council consider and the Chairman set the time for a televised workshop. He asked that it be at 6:00 p.m. on Tuesday, January 20<sup>th</sup>, at which time at a public workshop, all of the people that were for it and all the people that were against it could have their say on television and that the Council Meeting originally scheduled for that night be held immediately following. He asked that those who favored the ordinance and those who opposed the ordinance provide any documents to Council on the same time schedule as the staff was required to do. He asked that the people there that night to be put on notice that if they had any documents, any plan or anything to introduce that they make that available to the Clerk to Council as soon as possible. Mr. Weaver further stated that the ordinance had been advertised for second reading on January 20<sup>th</sup>, and if during the course of the workshop, there were issues that needed to be worked out further it could be delayed and deferred. If they thought it was appropriate to have second reading and public input at that time it would have been properly advertised. That decision could be made during the workshop. Mr. P. Prince asked that it be completely off and just have it for the January 20<sup>th</sup> workshop. Chairman Gilland stated they could do that. Mr. Schulz requested that Mr. Weaver bring scenarios involving the private haulers and confirm the numbers. Mr. Weaver stated he had that information and would provide that to Council on January 20<sup>th</sup> in writing. Mr. Grabowski stated he would be asking staff at the workshop about exempting C&D from the flow control ordinance and also he wanted to ask the SWA why they weren't competitive with where the haulers were currently taking the C&D or whatever they were hauling out. Mr. Weaver further stated they would inform them completely as to what the United States Supreme Court said they could and could not do. **The motion passed unanimously.** Dan Gray spoke from the audience.

**OLD/NEW BUSINESS:**

**ANNOUNCEMENTS:**

Chairman Gilland announced there would be a workshop on January 20<sup>th</sup> at 6:00 p.m. and the Regular Council meeting would be held after that.

Chairman Gilland announced the Council Standing Committee Assignments: Infrastructure & Regulation Committee: Carl Schwartzkopf, Chairman; Paul Prince; Marion Foxworth and Brent Schulz; Public Safety Committee: Bob Grabowski, Chairman; Al Allen; Jody Prince and Howard Barnard and Administration Committee: James Frazier, Chairman; Harold Worley; Gary Loftus and Liz Gilland.

**ADJOURNMENT:** The meeting adjourned at 8:46 p.m. in memorial of Robert Williams, Sr.; Kathryn L. Reynolds-Jollie; Mary Frances Norris; Tina-Marie Brown; John-Paul Brown; Ernest Dupie; Richard White; Thomas & Sharon Cook; Dr. John Hembree; James Cochran; Kelly George Graham; Christopher Meridith; Brittie Ray; Peggy Graham; Hattie P. Stevens; Kathleen Hardwick; Marjorie Gerald; Thomas Lupo and Walter Carol.