

MINUTES
HORRY COUNTY COUNCIL
SPECIAL MEETING
July 28, 2005
6:00 p.m.

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

MEMBERS ABSENT: Howard Barnard.

OTHERS PRESENT: Danny Knight; Pat Hartley; John Weaver; Anne Wright; Steve Gosnell; Paul Whitten; Janet Carter; Roland Meyer; Bob Kemp; Tom Garigen 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 6:00 p.m.

INVOCATION: Mr. Boyd gave the invocation.

PLEDGE: Mr. Frazier led in the pledge.

PUBLIC INPUT:

1. Bob Logan was to speak regarding the Eastport Community but was not present.
2. John Milford, Eastport Community, spoke regarding the proposed multiple condo towers and a 60' height cap on buildings.
3. Charles Dedebedittis, Eastport Community, spoke in opposition of the proposed condo towers.
4. Nancy Fellenz, Eastport Community, spoke in opposition of the proposed condo towers. She stated the schools were already overcrowded.
5. Stanley Boarkoski spoke regarding Resolution R-104-05. He asked Council to accept the recommendation from the Planning Commission for denial.

Chairman Gilland closed public input.

CHANGES TO AGENDA:

Mr. Grabowski moved to add discussion on abandoned properties and homes. The motion passed unanimously.

Mr. Foxworth moved to add District 3 Reappointment of Robert Gore to the Airport Advisory Committee. The motion passed unanimously.

Mr. Foxworth moved to add discussion on height limitations within existing zoning classifications. The motion passed unanimously.

Mr. Lazarus moved to add discussion on the status of the Project Manager for the Airport Terminal project. The motion passed unanimously.

Mr. Grabowski requested removal of Ordinance 107-05 from the Consent Agenda. Chairman Gilland stated there was a misprint on the agenda. The ordinance number should be Ordinance 122-05.

Mr. Grabowski moved to defer Ordinance 77-05 until the next meeting, seconded by Mr. Boyd. The motion passed unanimously.

Chairman Gilland stated Mr. Barnard was absent because his father was critically ill.

Mr. Boyd moved to add Ordinance 106-05 (rescinding the Supplemental Budget ordinance), seconded by Mr. Frazier. The motion failed because Mr. Prince objected.

Mr. Foxworth moved to add Ordinance 123-05 (LYMO funding), seconded by Mr. Grabowski. The motion passed unanimously.

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

APPROVAL OF MINUTES: June 15, 2005; June 21, 2005; & July 7, 2005. Mr. Boyd moved to approve the minutes as submitted, seconded by Mr. Hardee. The motion passed unanimously.

MEMORIAL DEDICATION:

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

- Randy Lilly (Ms. Gilland)
- Hozzie Dunlap (Mr. Frazier)
- Zack Owens Jr. (Mr. Frazier)
- Don Graham (Mr. Frazier)
- Billy McCloud (Mr. Frazier)
- Ms. Campbell (Mr. Frazier)
- Mollie Ward (Mr. Frazier)
- Ernest Gilland (Mr. Prince)
- Woodrow Prince (Mr. Prince)
- Mattie Sarvis (Mr. Prince)
- Tim Strickland (Mr. Hardee)
- Fred Lansburg (Mr. Boyd)
- Evelyn Johnson (Mr. Boyd)
- Eddie Williams (Mr. Lazarus)

APPROVAL OF CONSENT AGENDA: There was no motion for approval of the Consent Agenda, however it was approved by an unanimous voice vote. The Consent Agenda consisted of the following items:

- First reading of **Ordinance 108-05** to amend the county code allowing vehicle sales and mini-warehouse facilities as conditional uses in zoning district RE3.
- First reading of the following ordinances to approve the request to amend the official zoning maps: **109-05** Brian Baldonado, agent for Ronald T. Elvis, Sr.; **110-05** Jason Merritt, agent for Myrtle Beach Abstract & Title Agency; **111-05** Brian Baldonado, agent for Charles V. France; **112-05** American AAA Properties, agent for Lou Martin Chestnut; **113-05** Thomas & Hutton Engineering Co., agent for Garrell Portfolio; **114-05** Lacrechia Bilbrey, agent for James Bindner, Trustee; **115-05** James Wooten, agent for Larry D. Young; **116-05** Stephen R. Parker; **117-05** James W. Stevens; and **118-05** Alma Doyle.
- First reading of **Ordinance 119-05** authorizing the execution of a multi-county business park agreement between Georgetown and Horry Counties.
- **R-100-05** authorizing the write-off of 3 delinquent accounts at the MBIA.
- **R-101-05** ratifying grant application submissions to the FAA and the SC Division of Aeronautics for the Horry County Dept. of Airports.
- **R-102-05** ratifying the grant application submission to the FAA for a feasibility study for the regional airport concept by NESAs.

- District 5 Appointment – Appointment of Ed McMenamain to the Planning Commission to fill the seat vacated by Elizabeth Mattos-Ward.
- District 3 Appointment – Reappointment of Robert Gore to the Airport Advisory Committee.

RESOLUTIONS/PRESENTATIONS:

R-104-05 to *disapprove* the request of Carolina Site Design, Inc., agent for Colonial Charters Golf & Country Club, to amend the official zoning maps. **Mr. Worley moved to approve**, seconded by Mr. Boyd. Mr. Worley spoke regarding an agreement for a conservation easement. Mr. Mike McThienney, owner of Colonial Charters Golf & Country Club, explained his request. Mr. Worley requested staff not release any building permits until Charter Drive was repaired. **Mr. Worley moved to remand the issue to the Planning Commission**, seconded by Mr. Frazier. The motion passed unanimously.

R-105-05 to approve an amendment to the Planning Commission Rules of Procedures. **Mr. Schwartzkopf moved to approve**, seconded by Mr. Grabowski. The motion passed unanimously.

R-106-05 approving the acceptance of property along the Little Pee Dee River, known as Pitts Landing, as a gift to the county. **Mr. Frazier moved to approve**, seconded by Mr. Boyd. The motion passed unanimously.

R-107-05 approving the acceptance of property along the Little Pee Dee River, known as Punch Bowl Landing, as a gift to the county. **Mr. Boyd moved to approve**, seconded by Mr. Prince. The motion passed unanimously.

R-108-05 authorizing the execution of a memorandum of understanding with Silver Active Adult Communities, Inc. **Mr. Foxworth moved to approve**, seconded by Mr. Prince. The motion passed unanimously.

READING OF ORDINANCES:

Third reading of **Ordinance 76-05** to approve the request of The LandArt Company & DDC Engineers, agents for Caro-Strand Corp., The Villages at Bay Tree PDD, to amend the official zoning maps. **Mr. Hardee moved to approve**, seconded by Mr. Prince. **Mr. Worley moved to amend as worded, “Centex Homes and/or development of residential or commercial within the Bay Tree PDD will pay a bill of one thousand dollars (\$1,000) per residential unit or one thousand dollars (\$1,000) per hundred-thousand value.** Mr. Worley explained the money would be used in that area for stormwater improvements and recreational facilities. **Mr. Worley moved to amend**, seconded by Mr. Boyd. The motion as amended passed. The vote was as follows:

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

The main motion passed. The vote was as follows:

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

Third reading and public review of **Ordinance 91-05** authorizing the sale and issuance of general obligation refunding bonds for the Government & Justice Building bond and Third reading and public review of **Ordinance 92-05** authorizing the sale and issuance of general obligation refunding bonds for the Horry County Fire Protection District bond. **Mr. Hardee moved to approve**, seconded by Mr. Boyd. There was no public review. The motion passed unanimously.

Third reading of **Ordinance 81-05** to approve the request of D.R. Horton to amend the official zoning maps. **Mr. Hardee moved to approve**, seconded by Mr. Lazarus. The motion passed. The vote was as follows:

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

Third reading and public review of **Ordinance 95-05** to approve the request of Harvey & Mary Elizabeth Barnhill, Barnhill Demolition Derby Minor PDD, to amend the official zoning maps. **Mr. Boyd moved to approve**, seconded by Mr. Frazier. There was no public review. The motion passed unanimously.

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **96-05** Levi Crawford, Jr.; **97-05** Robert Castles, agent for Crown Park Golf Club LLC & Robert Byers; **98-05** Larry Goodman, Sr. et al; **99-05** Charley Ray, agent for Hubert C. Watson; **100-05** William E. Butler, agent for Eugene W. Frazier; **101-05** John Stephen Hughes; **102-05** Billy M. Best; **104-05** Scott Smith, agent for Danny Ervin, Personal Representative; **105-05** Cheryl Trautman, agent for Bonnie A. Campbell. **Mr. Hardee moved to approve**, seconded by Mr. Prince. There was no public review. The motion passed unanimously.

Second reading and public review of **Ordinance 94-05** to approve the request of Jon Taylor, agent for Classic Properties of Charleston, The Gates Track “K” PDD, to amend the official zoning maps. **Mr. Prince moved to approve**, seconded by Mr. Hardee. There was no public review. **Mr. Schwartzkopf moved to defer until the next meeting**, seconded by Mr. Foxworth. The motion passed unanimously.

First reading of **Ordinance 120-05** to authorize and approve a revised list of qualifying public infrastructure to be funded through an intergovernmental agreement so as to delay the construction of the water tower at the Coastal Grand Mall. **Mr. Grabowski moved to approve**, seconded by Mr. Schwartzkopf. Mr. Foxworth requested identification of the projects. Mr. Weaver explained the projects. Mr. Barry Spivey, CFO of Burroughs & Chapin, spoke regarding the estimated cost of the water tower. Ms. Gilland requested by third reading the study from City of Myrtle Beach to identify the number of locations of elevated water tanks that were anticipated in the future to maintain the integrity of the water distribution system. The motion passed. The vote was as follows:

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

First reading of **Ordinance 121-05** to authorize and approve a \$1.00 per year long-term lease to the Gray Oaks Estates property owners association of 5 lots located in that subdivision. **Mr. Schwartzkopf moved to approve**, seconded by Mr. Grabowski. The motion passed unanimously.

First reading of **Ordinance 122-05** authorizing the administrator to execute a quitclaim deed to Habitat for Humanity for property on Dunbar Street in Myrtle Beach. **Mr. Grabowski moved to accept an offer of \$16,500 from Habitat for Humanity**, seconded by Mr. Prince. The motion to accept the offer passed. The vote was as follows:

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

First reading of **Ordinance 123-05** to amend the fiscal year 2006 budget so as to provide additional funding for Waccamaw Regional Transportation Authority, Inc. a/k/a LYMO. **Mr. Worley moved to approve**, seconded by Mr. Lazarus. The motion failed due to the lack of a super majority vote. The vote was as follows:

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

Mr. Boyd moved to reconsider, seconded by Mr. Lazarus. Mr. Foxworth pointed out that a motion to reconsider must be made by one of the members voting on the prevailing side.

OLD/NEW BUSINESS:

Discussion on property exchange at Conway-Horry County Airport. **Mr. Boyd moved to approve the swap**, seconded by Mr. Worley. Mr. Boyd requested first reading by title only of one ordinance to approve the swap. Mr. Weaver stated it would take two ordinances first reading by title only to exchange the property. **Mr. Boyd moved to approve two ordinances first reading by title only**, seconded by Worley. The motion passed. The vote was as follows:

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

Abandoned Properties. Mr. Grabowski presented a slide show of abandoned properties and homes and asked if the County could require property owners to clean up the property. Mr. Weaver answered that a property lien for the value of the County's services to clean up the property could be filed. Mr. Grabowski suggested using the funds from the sale of property to Habitat for Humanity to start cleaning properties. **Mr. Grabowski moved to send the issue to the Administration Committee**, seconded by Mr. Foxworth. Mr. Boyd requested staff check on 8 ft. screened fences for junkyards to place unused mobile homes. Mr. Foxworth suggested looking at the nuisance law.

Height Limitations within Existing Zoning Classifications. Mr. Foxworth discussed existing zoning classifications for resort commercial. He stated there were height restrictions for condominiums, but none for hotels. Mr. Foxworth requested staff review at the status of existing zoning classifications and make appropriate recommendations to equate height restrictions between condos and hotels countywide. **Mr. Foxworth moved to send the issue to I&R Committee,** seconded by Mr. Schwartzkopf. Mr. Lazarus requested staff review North Myrtle Beach and Myrtle Beach's zoning classifications. The motion passed unanimously. The vote was as follows:

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

Mr. Frazier requested Council receive copies of the letters that were sent to the property owners of abandoned homes.

Airport Update on the Project Manager. At the request of Mr. Lazarus, Bob Kemp clarified the role of the project manager, Parsons Brinckerhoff, on the new terminal complex. Mr. Boyd was concerned about the international terminal. Mr. Lazarus spoke regarding the funds for I-73 in the Transportation Bill that would be voted on within the next couple of days.

ADJOURNMENT:

The meeting adjourned at 8:15 p.m.