

**MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
January 8, 2008
6:00 p.m.**

MEMBERS PRESENT: Liz Gilland, Chairman; Harold Worley; Brent Schulz; Marion Foxworth; Mike Ryan; Howard Barnard; Bob Grabowski; James Frazier; Carl Schwartzkopf; Paul Prince; Kevin Hardee; 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 6:00 p.m.

INVOCATION: Mr. Schwartzkopf gave the invocation.

PLEDGE: Mr. Prince led the pledge.

PUBLIC INPUT:

1. Pat Milley spoke on establishing Reading Labs in libraries.
2. Ted Prehodka spoke on Coast RTA.
3. John Kinlaw spoke on a rezoning request in District 1 (Ordinance 121-07).
4. Miriam Stevens spoke on the expansion of Surfside Library.

Chairman Gilland closed public input at 6:25 p.m.

CHANGES TO AGENDA:

Mr. Foxworth moved to add an announcement of a \$500 grant request for the Pine Island Community Memorial Cemetery and Recreational Fund for road improvements. There was no second to the motion. A vote was taken and the motion passed unanimously.

Mr. Schulz moved to defer Resolution R-11-08 to the budget retreat, seconded by Mr. Worley. The motion passed unanimously.

Mr. Worley moved to defer Ordinance 01-08 until further notice, seconded by Mr. Hardee. The motion passed unanimously.

Mr. Worley moved to delete Resolution R-10-08 from the agenda, seconded by Mr. Prince. The motion failed. The vote was as follows:

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

Mr. Barnard moved to add under Old/New Business a discussion on the Airport Terminal. There was no second to the motion. A vote was taken and the motion passed unanimously. (Mr. Foxworth was absent.)

APPROVAL OF AGENDA CONTENTS:

Mr. Frazier moved to approve the agenda as amended, seconded by Mr. Worley. The motion passed unanimously. (Mr. Foxworth was absent.)

APPROVAL OF MINUTES: Regular Meeting December 11, 2007: Mr. Schulz moved to approve the minutes as submitted, seconded by Mr. Allen. The motion passed unanimously. (Mr. Foxworth was absent.)

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

Smitty Hodges
Ed Jones
Mary L. Moody
Robert S. Muro
Verma V. Edwards
Kenneth L. Behrendt
Debra Mishoe
Robert McMichael
W.P. Johnson
Clyde W. Port
Gregory L. Hardwick
Cpl David McLaurin
Donald L. Pfeiffer
Frances Clardy
Emma Hodges Hucks
John G. Ramsbottom, Sr.
Trinity N. Smith
Tyler Massengail
Margaret Martin Hearl

George J. Sanderson
Eunice Burroughs Singleton
Gary Michael Hamilton, Sr.
James W. Barnette, Sr.
Wanda L. Cooper
Randy L. Graham
Lois S. Watts
Caitlyn Sanford
William Peter Johnson
Mary Edwards
Lena Hilburn
Ancil Johnson
Roosevelt Jacques
Robert Wolpert
Virginia Hardee
Joe Lewis
Steven Hayes

CHARACTERISTIC OF THE MONTH: Availability. Making my own schedule and priorities secondary to the wishes of those I serve.

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

Third reading of Ordinance 187-07 to adopt the population, cultural resources, and natural resources elements of the updated Horry County Comprehensive Plan, Envision 2025.

First reading of the following ordinances to approve the request to amend the official zoning maps: 02-08 Holmestown Medical Park PDD; 03-08 Charles & Pat Gardner; 04-08 701 South LLC; 05-08 Charles & Lanora Reed; and 06-08 Tammy Fipps.

The motion passed unanimously.

RESOLUTIONS/PRESENTATIONS:

Resolution R-01-08 recognizing Lance Corporal David Hucks as Employee of the Year. **Mr. Grabowski moved to approve, seconded by Mr. Schwartzkopf.** Mr. Hucks thanked Council for the recognition. **The motion passed unanimously.**

Resolution R-02-08 recognizing Lisa Strickland with an Honorable Mention for Employee of the Year. **Mr. Schwartzkopf moved to approve, seconded by Mr. Hardee.** Ms. Strickland thanked Council for the recognition. **The motion passed unanimously.**

Resolution R-03-08 recognizing Dick Timmerman with an Honorable Mention for Employee of the Year. **Mr. Prince moved to approve, seconded by Mr. Schwartzkopf.** Mr. Timmerman thanked Council for the recognition. **The motion passed unanimously.**

Resolution R-04-08 of thanks and appreciation to Donald D. Leonard, Chairman of the SC Transportation Infrastructure Bank, for his vision and leadership in championing Horry County’s efforts in its highway improvement plans and programs. **Mr. Frazier moved to approve, seconded by Mr. Schwartzkopf.** Mr. John Napier introduced Mr. Leonard. Mr. Leonard thanked Council. **The motion passed unanimously.**

Resolution R-208-07 addressing the toxic contamination issue in Myrtle Beach involving the AVX Corporation. **Mr. Foxworth moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

Resolution R-05-08 to disapprove the request of MacLeod Construction, Inc., agent for Larue Royals, to amend the official zoning maps. **Mr. Hardee moved to remand to the Planning Commission with instructions to check the impact of an environmental spill at the location and requested that the folks in the community attend the Planning Commission meeting, seconded by Mr. Prince. The motion passed unanimously.**

Resolution R-06-08 and Public Hearing to approve a permit to construct a freestanding telecommunications tower off Dongola Highway by HTC Communications. **Mr. Allen moved to approve, seconded by Mr. Worley.** The following people spoke at public review:

1. Lola Rabon spoke in opposition.
2. Dean Varner and Rodney Graham, HTC, explained the necessity for the tower.

Ms. Coleman referred to an amendment to the resolution regarding a revision where the tower had been reduced down to 150 ft. from 170 ft. by the FAA. **Mr. Worley moved to approve as amended, seconded by Mr. Grabowski. The motion passed. The vote was as follows:**

<u>In favor</u>	<u>Opposition</u>
Grabowski	Foxworth
Prince	Ryan
Schwartzkopf	Hardee
Allen	Schulz
Frazier	Gilland
Worley	
Barnard	

Resolution R-07-08 to declare intent to reimburse certain expenditures incurred with respect to projects prior to the issuance by the county of its general obligation bonds or other financing. **Mr. Grabowski moved to approve, seconded by Mr. Schulz. The motion passed unanimously.**

Resolution R-08-08 authorizing and approving accommodations tax funding. **Mr. Worley moved to approve, seconded by Mr. Hardee. The motion passed unanimously.**

Resolution R-10-08 to remove Donald G. Wizeman from further service on the Accommodations Tax Advisory Committee. **Mr. Grabowski moved to approve, seconded by Mr. Allen. The motion failed. The vote was as follows:**

<u>In favor</u>	<u>Opposition</u>
Frazier	Hardee
Allen	Worley
Barnard	Ryan
Grabowski	Foxworth
Schwartzkopf	Prince
Gilland	Schulz

Chairman Gilland called a recess at 7:25 p.m. The meeting reconvened at 7:35 p.m.

READING OF ORDINANCES:

Second reading of **Ordinance 175-07** approving and authorizing the administrator to execute a lease agreement with TKC Aerospace for property located at the Myrtle Beach Int'l Airport for the purpose of construction of facilities and operation of an aviation business related to maintenance, modification and completion of aircraft. **Mr. Prince moved to approve, seconded by Mr. Worley. Mr. Prince moved to amend to reflect the name of the lessee as TKC MB LLC, seconded by Mr. Worley. The motion to amend passed unanimously. The motion to approve as amended passed unanimously. (Mr. Grabowski was absent.)**

First reading of **Ordinance 07-08** authorizing the issuance and sale of General Obligation Bond Anticipation Notes in the principal amount not to exceed \$4 million. **Mr. Worley moved to approve, seconded by Mr. Prince. The motion passed unanimously.**

First reading of **Ordinance 09-08** authorizing and defining appropriate local legislative action regarding any gambling vessel being anchored, berthed, navigating, voyaging and cruising within the boundaries of Horry County. **Mr. Worley moved to approve, seconded by Mr. Frazier.** Mr. Weaver stated that effective January 1, 2008, the casino boats would pay \$7 per boarding passenger. The \$7 per boarding passenger would be stable for five years. Thereafter, at the end of the sixty month or five year period they would have the option, if they so chose, of increasing it up to \$10. It was not a mandatory jump from \$7 to \$10. It could be anywhere in between or none at all but it couldn't go below \$7. It was a deal that could not be revoked by Council or by the gambling vessels. There was a challenge to the County's right to propose the ordinance at all. One had to do with the Johnson Act and gambling in itself. The other challenge was the right to tax outside of the three mile limits of Horry County and the State of South Carolina. The casino vessels, both of them, would drop their litigation and challenge to any and all claims that they had. The dropping of the case would be done with prejudice, which meant they were forever waiving their rights to challenge the constitutionality of the ordinance. He further stated there was a short-term matter that was important. He presented a letter signed by Dwight Drake, an attorney in Columbia for Sun Cruz and Bill Hannah, the attorney for Diamond Girl II, had put in writing their concurrence with the agreement. He also presented two checks totaling \$400,000. The checks were an advance payment of the monies that began to accrue on January 1, 2008. He would hold the two checks in

trust until the ordinance passed third reading. Mr. Schulz requested that they review the books for Coast RTA before funding is given to them. Chairman Gilland stated that Mr. Worley and Mr. Schulz had volunteered to scrutinize the issue involving Coast RTA. **Mr. Barnard moved to approve to allow Mr. Worley and Mr. Schulz to review Coast RTA, seconded by Mr. Grabowski. The motion passed unanimously. The motion to approve First Reading passed. The vote was as follows:**

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

First reading of **Ordinance 10-08** to amend the County Code so as to permit the use of golf carts on the beaches between November 1st and the end of February. **Mr. Worley moved to approve, seconded by Mr. Prince. The motion passed unanimously.**

OLD/NEW BUSINESS:

Airport. Mr. Barnard requested that Mr. Knight bring back two resolutions on the Airport terminal in order to have final reading at the next Council meeting.

ANNOUNCEMENTS:

Distribution of Recreation Funding. Mr. Foxworth announced the distribution of \$500 to the Pine Island Community Memorial Cemetery and Recreation Fund for road improvements.

Mr. Schwartzkopf recognized Mr. Barnard for being nominated as Volunteer of the Year.

ADJOURNMENT: The meeting adjourned at 8:10 p.m. in memorial of Smitty Hodges; Ed Jones; Mary L. Moody; Robert S. Muro; Verma V. Edwards; Kenneth L. Behrendt; Debra Mishoe; Robert McMichael; W. P. Johnson; Clyde W. Port; Gregory L. Hardwick; Cpl David McLaurin; Donald L. Pfeiffer; Frances Clardy; Emma Hodges Hucks; John G. Ramsbottom, Sr.; Trinity N. Smith; Tyler Massengail; Margaret Martin Hearl; George J. Sanderson; Eunice Burroughs Singleton; and Gary Michael Hamilton, Sr; James W. Barnette, Sr.; Wanda L. Cooper; Randy L. Graham; Lois S. Watts; Caitlyn Sanford; William Peter Johnson; Mary Edwards; Lena Hilburn; Ancil Johnson; Roosevelt Jacques; Robert Wolpert; Virginia Hardee; Joe Lewis and Steven Hayes.