

MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
October 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: John Weaver; Pat Hartley; 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 6:04 p.m.

INVOCATION: Mr. Worley gave the invocation.

PLEDGE: Mr. Grabowski led the pledge.

PUBLIC INPUT:

1. John Bonsignor spoke on Save-R-Cats and urged Council to implement a trap neuter program. He announced that October 16th was National Feral Cat Day and requested a proclamation from Council. He further stated that Mr. Whitten would be receiving an award for his effort on October 16th. There would also be a meeting October 29th to discuss ways to help people get jobs and requested that Council attend the meeting.
2. Robert Kelly provided a summary of events that took place during the Grand Strand Freedom Fest 2009.
3. Neil and Rose Cameron spoke requesting a smoking ban for the County. Chairman Gilland suggested that they bring the issue to committee.
4. Dee Huggins Wolfe spoke thanking Council for adopting a resolution on Live Strong Day.

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

On a point of personal privilege, Chairman Gilland spoke on her recent personal problems and apologized to Council and County employees.

CHANGES TO THE AGENDA:

Mr. Schulz moved to add Resolution R-116-09 to the agenda, seconded by Mr. Barnard. Mr. Worley voted nay. Mr. Weave stated that the resolution was to appear not only on the last agenda, but also on the agenda before that, and for whatever reason, the Chairman decided it was not appropriate to add it at that time. Having reviewed the Council rules, it was his opinion that if a majority of Council decided to overrule the decision to have left it off the agenda and the one prior, if such a motion was made it could be added since it was a committee recommendation and should have moved forward in the normal course, and if Council decided by majority that it should be added, it could be done without unanimous approval. Chairman Gilland stated that it was going to be added by her, if not by Mr. Schulz. She held it off because she was in negotiations with Burroughs and Chapin over a land issue that was tied to the rollback taxes so with the verbal agreement that she had made with Mr. Tony Cox, she felt comfortable enough to add it but the agenda had already been set by the time they talked. **The motion passed unanimously.**

Mr. P. Prince requested to remove Ordinance 89-09 from the Consent Agenda.

Mr. Barnard moved to add under Announcements an announcement of an \$8500 disbursement to the Garden City Community Association from his district recreation fund. There was no second to the motion but a vote was taken that passed unanimously.

Mr. Allen moved to add under Old/New Business a discussion on the Veteran's Affairs Office. There was no second to the motion but a vote was taken that passed unanimously.

Mr. J. Prince moved to remove all three Executive Session items, seconded by Mr. Barnard. The motion passed unanimously. Chairman Gilland stated the items were taken off Executive Session and were now in open session.

Chairman Gilland stated the contractual matter under Executive Session that she wanted to speak about had been discussed and dealt with the multicounty business park and the rollback and requested that be removed. Mr. Barnard moved to remove the Contractual Matter, seconded by Mr. Frazier. Chairman Gilland stated the Legal Briefing on Contractual Matter would be in public by Mr. Weaver. Mr. J. Prince moved to remove the Personnel Issue, seconded by Mr. Worley. The motion passed unanimously.

Mr. Weaver requested that Ordinance 79-09 be removed from the Consent Agenda in that an amendment was necessary. He further stated that Ms. Wright requested that Ordinance 79-09 be considered immediately following Ordinance 78-09.

Mr. Weaver requested to add Third Reading of Ordinance 66-09 and Ordinance 67-09 to the Consent Agenda which dealt with the Coca-Cola multicounty business park and financing agreement. The property description, by way of a plat, was received that afternoon at 3:30 p.m. There was no motion made nor a second but a vote was taken that passed unanimously.

Mr. Schulz announced a recusal from voting on Ordinance 66-09 and Ordinance 67-09.

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

APPROVAL OF MINUTES: Regular Meeting September 15, 2009: Mr. Frazier moved to approve the minutes as submitted, seconded by Mr. Schulz. The motion passed unanimously.

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

Eugene A. Harper, Sr.
Jessie W. Leviner
Carole R. Addison
Lamar "LB" Bryant
Rosemary Lewis
Dennis Allen Siceloff
J. Lee "Bo" Watson
Raymond E. Szupillo
Sydney Anne Ferdon
Betty Lou Avant
Larry Jerome Holmes
Brian M. Dryer
W. Horace Carter
Edwin Benjamin Cox
Joseph K. Holden, Sr.
Michael Durham
Norman Alexander McLeod
Rebecca Hunt Yoho
Cornelius J. Ammons, Jr.
Lucille Amanda Hovet
Freddie B. Hucks
Marie Martin Johnson
Wilson "Johnny" Martin
Vera Willoughby Phipps
Anne Saunders
Anne Greenfield
Sharonda Linen
Willie Simmons
Willie Stanley
Patrick Walters
Diana Conner
Claxton Dove
Eugene Cook

CHARACTERISTIC OF THE MONTH: Patience: Accepting a difficult situation without giving a deadline to remove it.

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

Third reading of **Ordinance 66-09** authorizing pursuant to Title 4, Chapter 1 of the SC Code of Laws, 1976, as amended, the execution and delivery of an infrastructure financing agreement between Horry County, SC and Piedmont Coca-Cola Bottling Partnership.

Third reading of **Ordinance 67-09** to develop a jointly owned and operated Industrial/Business Park in conjunction with Georgetown County, such Industrial/Business Park to be geographically located in Horry County and established pursuant to Sec. 4-1-170 of the Code of Laws of SC, 1976, as amended; to provide for a written agreement with Georgetown County to provide for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of Ad Valorem Taxation; and other matters related thereto.

Third 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.

Resolution R-130-09 honoring Evelyn Knox on the celebration of the 100th birthday.

Resolution R-132-09 to accept the results of the concept study of a flood reduction diversion canal prepared by the US Army Corps of Engineers.

Resolutions accepting dedication of roads and drainage on the county maintenance system at the following locations: **R-133-09** Crestwood Phase 5A (Great Scott Dr, Hobart St, Havering Ave, Loddin Ave, Greenbank Dr); **134-09** Crestwood Phase 7A (Loddin Ave); **135-09** Farm Phase 10A/10B (Scarebrow Way, Fieldstone St, Robins Nest Way, Picket Fence Ln); **136-09** Farm Phase 17C (Powder Mill Dr, Fairmont Ln); **137-09** Frey Estates Phase 2 (Sandfield Ct); **138-09** North Village Phase II (Tigers Eye Rd, Desert Rose St, Tourmaline Dr, Soapstone Ave); **139-09** Palmetto Pointe Blvd Phase 1 (Palmetto Pointe Blvd.); **140-09** Palmetto Pointe Blvd Phase 2 (Palmetto Pointe Blvd.); **141-09** Turtle Cove Phase 1A & B (Sea Turtle Dr.); **142-09** Woodbury Phase 1 (Powder Springs Ln, Brookmont Dr, Gresham Ln); **143-09** Woodbury Phase 2 (Mooreland Dr, Panola Ln, Heritage Pl, Austell Ct, Palmetto Glen Dr) and **144-09** Woodbury Phase 3A (Cedar Hill Ln, Chapel Hill Ct, Burchwood Ln). **The motion passed. Mr. Barnard voted nay on the following: Ordinance 80-09; R-133-09; R-134-09; R-135-09; R-136-09; R-137-09; R-138-09; R-139-09; R-140-09; R-141-09; R-142-09; R-143-09 and R-144-09. Mr. Schulz was recused from voting on Ordinance 66-09 and Ordinance 67-09.**

RESOLUTIONS/PRESENTATIONS:

Myrtle Beach Air Force Base Redevelopment Authority \$800,000 Grant for MYR General Aviation Terminal. Buddy Styers presented a check in the amount of \$800,000 for the new general aviation terminal. He reminded Council that the Myrtle Beach Redevelopment Authority had \$3.8 million budgeted for Harrelson Boulevard Extension Terminal to Kings Highway and looked forward to that project being under construction by the end of the year and they could present that check also.

Resolution R-145-09 to approve an agreement between Horry County and the City of North Myrtle Beach regarding the construction of a new county library facility within the city and to authorize the administrator to execute the document. **Mr. Worley moved to approve, seconded by Mr. Schulz. The motion passed unanimously.**

READING OF ORDINANCES:

Third reading of **Ordinance 62-09** to approve the request of Robert Guyton, agent for Grey Plantation PDD, to amend the official zoning maps. **Mr. Foxworth moved to approve, seconded by Mr. Schwartzkopf. The motion passed unanimously.**

Third reading and public review of **Ordinance 72-09** amending the county code so as to provide further regulation of towing businesses and operations in the county. **Mr. Grabowski moved to approve, seconded by Mr. Schulz. Mr. Grabowski moved to amend to the amended version as distributed at the meeting, seconded by Mr. Schulz. The motion to amend passed with Mr. Frazier voting nay.** Mr. Carotti stated there were two differences which were additions to additions that were made at the Public Safety Committee at the request of the committee members. He stated the two changes were: In Section 120 there was an addition of an oil dry type product to the type of equipment that the wreckers on the County wrecker service rotation program had to have on the trucks. The only other addition to the other additions that was added by the committee members were if the fees needed to be adjusted in the future it could be done by a simple resolution of Council and didn't have to go through a three reading ordinance. Mr. Carotti gave a brief review of the other modifications from the second reading version to the third reading version.

Richard Pate, Coastline Towing Co., spoke at public review in opposition to the ordinance and requested that it be worked on a little more before final reading. **Mr. Loftus moved to add language to the ordinance to have a public hearing for the resolution relating to changing amounts of fees, seconded by Mr. Grabowski. The motion passed unanimously. Mr. P. Prince moved to defer to the Public Safety Committee. There was no second to the motion. Mr. Schulz requested that Ms. Wright run the towing fee numbers charged by the municipalities. Mr. Schulz moved to defer to the Public Safety Committee and look at the numbers, seconded by Mr. Worley. The motion passed with Mr. Barnard and Mr. Grabowski voting nay.** Chairman Gilland requested that Mr. Pate come to the committee meeting with numbers that he would like for Council to consider as well as any other points he wanted them to consider.

Third reading and public review of **Ordinance 78-09** authorizing the issuance and sale of not exceeding \$15 million general obligation refunding bonds. **Mr. Schulz moved to approve, seconded by Mr. P. Prince.** There was no public review. Sam Ketter, financial advisor, spoke briefly on the updated savings numbers and stated they may have reached a point where it was an opportune time to give serious consideration to moving ahead with refunding transactions. Pat Apone, Airport, spoke briefly on the Airport bonds. **The motion passed unanimously. (Mr. Grabowski was absent.)**

Third 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. Worley moved to approve, seconded by Mr. Frazier. Mr. Schwartzkopf moved to amend to the amended version as distributed, seconded by Mr. Grabowski. The motion to amend passed unanimously. The main motion as amended passed unanimously.**

MBAFB TIF. Mr. Weaver stated the issue was whether the County would give over the \$1 million pledge from the Redevelopment Authority for the aviation park infrastructure to the City of Myrtle Beach to use in bonding the infrastructure needs. Tom Leath, City Manager, stated that the City was very much in favor of the aviation park. Estimated costs for improvement at the park were in the \$6 to \$7 million range. All of the air base property was included in a TIF district and the improvements that were contemplated were not on the initial approved project list. The City was willing to amend the project list to include the necessary improvements at the park. The City would like to issue \$3.0-\$3.5 million in TIF revenue bonds to complete necessary improvements to Phase 1 on the property. The City did not have the capacity to put up a secondary pledge that was required of revenue bonds and asked that the County put up the secondary pledge to backstop the monies that were needed to do the County's work on the aviation park.

Mr. Worley requested that the \$500,000 that was previously allocated to the aviation park from the Atlantic Center fund be replaced in that fund.

Mr. Barnard requested that Mr. Weaver and Ms. Wright provide Council with a history of Council's last discussion and vote on the TIF. He requested that Ms. Heizer provide some idea of the risk to the County if they were to participate. He asked for staff recommendation and requested that a workshop be scheduled.

Ms. Gilland stated she would schedule a workshop and requested that Mr. Leath present a history of what had been done and what was planned for the park. She requested that Ms. Heizer meet with Mr. Papadea to focus on the questions that he had about attracting tenants and filling the park.

Second reading of **Ordinance 139-08** to amend the County Code to revise the language addressing political signs. **Mr. Foxworth moved to amend to the amended version as presented in the packet, seconded by Mr. Schulz. The motion passed unanimously. Mr. Barnard moved to amend to 16 square feet, seconded by Mr. Loftus. The motion passed. The vote was as follows:**

<u>In favor</u>	<u>Opposed</u>
Worley	Grabowski
Loftus	Foxworth
Barnard	Schulz
Frazier	Allen
Schwartzkopf	
P. Prince	
J. Prince	
Gilland	

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

<u>In favor</u>	<u>Opposed</u>
Worley	Foxworth
Loftus	Grabowski
Barnard	P. Prince
Frazier	
Schwartzkopf	
J. Prince	
Allen	
Gilland	
Schulz	

Second reading of **Ordinance 81-09** to approve the request of Franky Fowler to amend the official zoning maps. **Mr. Schwartzkopf moved to approve, seconded by Mr. Grabowski. The motion passed unanimously.**

Second reading and public review of the following ordinances to approve the request to amend the official zoning maps: **82-09** Jimmy Jordan PDD; **83-09** Compass Center PDD; **84-09** Albert Holley; **85-09** Smith Wood Farms PDD; **86-09** Wesly Gray; **87-09** Christangle & Charliss Wilson; **88-09** William Housand III; **90-09** Bhupat Sangani, agent for RPS, Inc. DBA Loris Motel; **91-09** Brian & Helen Ling and **92-09** Shauna & Steven Hughes. **Mr. Schulz moved to approve, seconded by Mr. Barnard.** There was no public review. **The motion passed unanimously. (Mr. Foxworth was absent)**

First reading of **Ordinance 93-09** to amend the County Code pertaining to conditional uses (miniature horses) in the SF-40 zoning district. **Mr. Schwartzkopf moved to approve, seconded by Mr. Grabowski. The motion failed. The vote was as follows:**

In favor

Grabowski

Opposed

Worley

Schulz

Loftus

Barnard

Frazier

Schwartzkopf

P. Prince

J. Prince

Allen

Gilland

Absent

Foxworth

First reading of **Ordinance 89-09** to approve the request of Sadie, Carlenese, Daniel & Marshall Patrick to amend the official zoning maps. **Mr. P. Prince moved to approve, seconded by Mr. Barnard.** Ms. Carter spoke briefly on the rezoning request. **The motion passed unanimously. (Mr. Foxworth was absent)**

Resolution R-116-09 authorizing and approving the disbursement and utilization of certain Burroughs & Chapin multicounty business park rollback taxes. **Mr. Schwartzkopf moved to approve, seconded by Mr. Grabowski. The motion passed unanimously. (Mr. Foxworth was absent.)**

OLD/NEW BUSINESS:

Veteran's Affairs Office. Mr. Allen spoke briefly on the need for additional staff in the Veteran Affairs Office in that they were seeing 400+ people a week and suggested that the part time position be changed to a fulltime position by the first of the year at a cost of \$14,000. Mr. Schulz stated he would be working with the Little River VFW and spread people out to help. Mr. Weaver stated they were in support of the volunteer help. Mr. Whitten spoke on the issue stating there were needs everywhere and this was a tough budget and they were doing things to help with the situation. The intent was to turn the part time position over to a full time position over a period of time.

ANNOUNCEMENTS:

Disbursement of District Recreation Funds: \$30,200- Surfside Recreation Department for a pavilion and scoreboards (Mr. Barnard); \$4000- Loris Chamber of Commerce for Loris Bog-Off (Mr. P. Prince) and \$3000- Loris Chamber of Commerce for Loris Bog-Off (Mr. J. Prince) and \$8500 to the Garden City Community Association (Mr. Barnard)

Loris Bog-Off. Mr. P. Prince announced that the Loris Bog-Off would be held Saturday, October 17th.

ADJOURNMENT: The meeting adjourned at 8:36 p.m. in memorial of Eugene A. Harper, Sr.; Jessie W. Leviner; Carole R. Addison; Lamar “LB” Bryant; Rosemary Lewis; Dennis Allen Siceloff; J. Lee “Bo” Watson; Raymond E. Szupillo; Sydney Anne Ferdon; Betty Lou Avant; Larry Jerome Holmes; Brian M. Dryer; W. Horace Carter; Edwin Benjamin Cox; Joseph K. Holden, Sr.; Michael Durham; Norman Alexander McLeod; Rebecca Hunt Yoho; Cornelius J. Ammons, Jr.; Lucille Amanda Hovet; Freddie B. Hucks; Marie Martin Johnson; Wilson “Johnny” Martin; Vera Willoughby Phipps; Anne Saunders; Anne Greenfield; Sharonda Linen; Willie Simmons; Willie Stanley; Patrick Walters; Diana Conner; Claxton Dove and Eugene Cook.