

STATE OF SOUTH CAROLINA)
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COUNTY OF HORRY)

**HORRY COUNTY COUNCIL
REGULAR COUNCIL MEETING
DECEMBER 4, 2001
6:00 P.M.**

The Horry County Council met in regular session on Tuesday, November 20, 2001, at 6:00 P.M. in Council's Chambers, 103 Elm Street, Conway, South Carolina. Council Members present were Chairman Chad Prosser and Council Members James Frazier; John Kost; Janice Jordan; Liz Gilland; Ray Skidmore; Kevin Hardee; Mike Ryan; Paul Prince; Ray Brown; Terry Cooper; and Gene Smith. Staff present were Administrator Danny Knight, Clerk to Council Pat Hartley, County Attorney John Weaver, Public Safety Division Director Paul Whitten, Infrastructure and Regulation Division Director Steven Gosnell, Administration Division Director Mary Cooper, Planning Department Director Danny Taylor, Zoning Administrator Roland Meyer, Director of Finance Beth Fryar, Budget and Revenue Director Westley Sawyer, Public Information Officer Lisa Hammersley-Bourcier, along with members of the public and the media.

In accordance with the FOIA, notices of the meeting were mailed to the press stating the date, time and place of the meeting.

Chairman Prosser called the meeting to order. Mr. Hardee gave the invocation. Mr. Cooper led the pledge of allegiance.

Chairman Prosser wished all present a merry Christmas and happy holiday season. He said that the meeting would be the last regular Council meeting for the year 2001. If they had any issues which required a special meeting, he would call one. The December 18th meeting had been cancelled. After reviewing the agenda items in the pipeline and schedule, he decided to cancel the meeting. He said that the December I&R Committee meeting had also been cancelled. The next regular meeting for Council would be January 8, 2002. Because the way the New Year holiday fell, they would be off-schedule the first week.

Chairman Prosser said that he had been asked to do a quick commercial for the Horry County Bicentennial Cookbook, which was currently out, published and available. It was a compilation of recipes from around the County and all areas that had been done and compiled by the Bicentennial Committee. He said that 2001 was the bicentennial of Horry County, which was founded in 1801. The cookbooks were available at all the County libraries for \$12.00 each. If they purchased five or more, as a deal the cookbooks would be \$10.00 each. They should buy them early and often. They had a large quantity. He said that it applied to Council, too. They weren't going to give any away. They had to buy them. They could see Ms. Julie Suggs or Ms. Kelly Brosky, who would be glad to take care of it. Mr. Kost said that he was told they would make great Christmas gifts for people in California, New York and Pennsylvania...Mr. Kost said that they were good South Carolina recipes. Chairman Prosser said they were just in time for Christmas...Chairman Prosser said that the proceeds for the sale go toward the Bicentennial Committee activities, so they shouldn't look at it as a tax reduction.

PUBLIC INPUT:

Chairman Prosser said that they had a full agenda and reminded the speakers of the rules.

Chairman Prosser called for Ms. Parita Harper, who was to speak concerning Goose Bay Road. Ms. Gloria Walters came forward and announced that she would stand in for Ms. Harper. Ms. Walters said that they sent out several letters to Council. The people of Goose Bay Road had problems for several years. The road messed up everyone's vehicles, which was why Ms. Harper was not present to speak. The road jiggled and messed up her car, which fell apart. They really needed some help getting the road completed. They called Mr. Hardee and didn't get any response. He said that he sent out letters saying that he talked to her, but he never talked to her. She said that was basically it. They needed help on the road.

Chairman Prosser asked Mr. Steve Gosnell to give them an update on the road. He asked if it was on the list. Mr. Gosnell said that it was part of the list Council approved at the last meeting for years six through ten. It would take them about six months to get all the easements prepared, then they had to get with the community to get those easements and schedule it. He said that it was one of the roads listed on the next road plan. Chairman Prosser asked if it was incorporated in the next five-year plan. He asked if Mr. Gosnell knew approximately where it was in that schedule. Mr. Gosnell said that they didn't know that. It would be determined by when the easements came in, which would be up to the community. Chairman Prosser said that the critical thing was to make sure they had the easements because if they went to communities to pave the roads on the list, they had to make sure they had easements from all the property owners, which sometimes held up the process. Anything Ms. Walters could do with her neighbors to encourage them on that, she should. Ms. Walters said they wanted it. The neighbors were all supposed to be there. There were a few present, but all of them called her to notify her that they would come, but she hadn't seen them. She hoped the neighbors might come to another meeting. Ms. Gilland said that they were probably all at home watching her on television. Chairman Prosser said that if Ms. Walters could be of any assistance with their property department on obtaining those easements, they would appreciate it because that would expedite getting the road paved. Ms. Walter said "Okay. That's it. Thank you."

Chairman Prosser called for Mr. Ed Wilson, who would speak on the delayed replay of Council meetings. Mr. Wilson was not present. Chairman Prosser stated that the question had something to do with why Council meetings were currently broadcasted live versus tape-delayed. Council did not control that. It was done by Time Warner Cable, which handled the production of cable for Council meetings. One of the objectives of the cable systems was to ensure that Council meetings were broadcast live across the system. Of course, that gave everyone an opportunity to view the meetings, but if anyone wanted to watch it again, they could record it. They were no longer tape delayed because they had the technology to broadcast the meetings live. They did not, as a County, have any channels, an access channel, such as the school board or some other governments had, which was an issue the County had been working on for some time. At some point, when they obtained a channel, they might be able to replay the meetings more than once.

Mr. Randal Wallace, who was a new Council Member-elect from the City of Myrtle Beach, came forward to speak. Chairman Prosser welcomed him. Mr. Wallace said that he wanted to come there to introduce himself to Council. He said that he knew he had five minutes to speak, but he

would be a lot like Elizabeth Taylor to her new husband—he wouldn't keep them long. He said that he was elected on November 20th. He said that, as he looked around the room, he saw a lot of people who were friends of his. Mr. Kost, his Council Member, had given him a lot of advice through the years. Mr. Kost had told Mr. Wallace to go knock on doors. He said to those who had watched his campaign knew that he knocked on over a thousand doors in Myrtle Beach. The very first one he knocked on was Mr. Ray Brown's. He looked forward to serving the citizens of Myrtle Beach and reaching out to Council to work with them. They might not always agree, they could certainly agree without being disagreeable. He said that Council would find that he was like that. He was looking forward to it and to an opportunity to serve them. He said that his roots in the County went deep. He worked for Ms. Lois Eargle in the County Auditor's office for about two years, so he knew them. He looked forward to working with them. He appreciated their time.

Chairman Prosser said that they appreciated him coming to the meeting. It was certainly a nice gesture. It was good to see anyone from the cities come in. They looked forward to working with him.

Chairman Prosser called for Mr. Carl James, who was to speak regarding a zoning issue with fencing. Mr. James was not present. Chairman Prosser said that there must be a lot of Christmas parties.

Mr. Carl Hood, who came to speak regarding taxes, came forward. He said that he resided in the unincorporated area of Myrtle Beach. He wanted to address a very touchy subject—taxes. In the last two months, sixty-three days, to be exact, their national budget had increased \$111,146,298,515.00. He said that was really scary. A wise person once proclaimed that the only thing certain in life was death and taxes. Either directly or indirectly, they paid taxes on every service and product necessary to enjoy life, liberty and the pursuit of happiness. They were taxed when they came into the world and when they left. He said that they could just ask the doctor or undertaker. They could and must regress from excessive taxation. For 2001, Horry County budget expenditures exceeded \$200 million. They continued to play catch up for years of inadequate planning regarding infrastructure programs. Expenditures were increasing as quickly as Council met each month. RIDE, the Road Improvement Development Effort plan, built new highways at a cost exceeding \$1 billion. More than half of the funding was from Horry County hospitality taxes. He said "God help us! God help us if we lose too many of our tourists because of over taxation." He said that it was interesting to note, the tax levy of 5.1 mil for SWA was more than the combined tax levy of 4.5 mil for higher education debt, HGTC, Senior Citizens and Recreation. The expenditures for SWA exceeded \$25 million, which was a lot of garbage and a very smelly operation. The Burroughs & Chapin industrial park was another controversial issue. The jury was still out. One hoped the verdict would be total vindication. To be fair, one must acknowledge the tremendous burden their elected representatives had shouldered over the past several years. Many of them deserved medals, but the debate concerning special interest, neglect, expansion, overspending and more and more taxes continued. How could they correct the wrong, they would count the ways. They could urge the ten largest principal taxpayers of Horry County who paid more than \$9 million annually to dig deeper into their pockets and try to come up more than their combined collected taxes, which amounted to only 22.8%. Mr. Hood said that was unbelievable. He asked if they could imagine the calamity and chaos if the County Administrator's office took more than half of their individual County taxpayers who strove to pay 22.8% of their taxes. How about the back taxes

owed to their County treasury, which was estimated to exceed \$16 million? It was personal property, real estate and mobile homes and ten years of uncollected back taxes. He said that was outrageous. He encouraged Council to unanimously agree to instruct the County Administrator, Treasurer and the departments, legal and otherwise, to make haste to reverse the counter-productive condition.

Mr. Hood said that for many years he held the position and responsibility of a credit and collection representative for a large public utility company. They served several million customers and sixteen different offices throughout the State. His office or department was “number one” in collections for many years. They served and collected millions of dollars from companies such as U.S. Steel, Chevron Oil, Hess Oil, AT&, etc. etc. His point was that they ran a business and meant business. When it came to collecting outstanding accounts, their County Administration would do well to follow that lead. The taxpaying citizens would benefit tremendously.

Gen. James Vaught, who came to speak regarding the RIDE plan, came forward. He said he left his regular pointer at home, so he would use his grandchildren’s umbrella. First of all, he said that he left a copy of a paper...At Christmas time, Council looked for some homework to do during the holidays, so he gave them his paper. He had the pleasure the previous Wednesday of attending the infrastructure bank meeting in the Myrtle Beach Airport conference room. He commended Chairman Prosser for doing an outstanding job of briefing the meeting. He made a very telling request for additional monies to the board. He believed they would get all they asked for. Chairman Prosser said they certainly hoped so. Gen. Vaught said that, during the meeting, they were privileged to learn that the board at the infrastructure bank had been able to market over \$300 million in bonds that morning, so there was money out there. They also noted that people from Aiken, Charleston and elsewhere were hanging around the room with their hands out. There was supposed to be another meeting on December 12th to confirm whether or not they would get their request. Since Horry County had been paying more, as they heard, into the bank than any other governmental structure in the State to get the roads built, the State really should be building, but if Horry County didn’t do it, it wouldn’t be there. They all knew that. What was really going on was that they kept squeezing the pot and they kept countering it with a little bit of money. The County put a lot out there. Maybe, just maybe, it would change in time. He hoped it would.

More specifically, he wanted the Council to look at the map he indicated. He indicated where Grissom Parkway crossed the Carolina Bays Parkway. He indicated a little road that came across there known as International Drive, which came to Hwy. 90 and was on the RIDE plan. However, recently an interchange was approved for that location. He strongly urged the County to get busy upgrading that road so that the trash trucks could come to Hwy. 90 and would only have to go three miles from where International Drive came onto Hwy. 90 to get to the landfill, which would reduce traffic tremendously. They were currently in the process of widening the road by the landfill. With that in hand and the road being improved, it would make a tremendous difference on the truck burden on Hwy. 90.

He turned the map around and indicated something else. Last February, Council approved a SCDOT request to move a bridge location from where he indicated on the map, near the intersection of the Carolina Bays Parkway and Veterans Highway, down to another location he indicated, near the Waterway Hills Golf Course. He said it was approved at SCDOT’s request, who moved the

bridge down there. Since that time, SCDOT had constructed a second bridge to nowhere, which was standing up in the middle of the parkway with no road hooked to it, waiting for another road someday, which was very similar to what happened when they crossed the Waterway. He said “Déjà vu.” They claimed that the environmentalists wouldn’t give them permission to build a road.

Gen. Vaught said that his family owned 750 acres of property, which he indicated. He said that the property had been in his family for three hundred years. Just recently, they set the woods on fire where he indicated. Before that, they paved over his easement so he could not get to his land. He had to violate the law because there was a sign which said “Do not enter,” where the contractor said he *could* enter to get to his land. He could not sell his land because he didn’t have a properly constructed access. He was in a “catch 22.” He had a law suit. He hoped the judge would understand what the hell was going on.

Gen. Vaught said that he needed Council’s help to get the money to build the interchange. He said there was a letter from the governor in the packet, who wanted to get it built. Gen. Vaught said that the governor could declare his police powers and build the damn thing. The governor should tell the environmentalists to go pee up a rope. He thanked Council.

Chairman Prosser thanked Gen. Vaught. He appreciated the Gen. Vaught’s clarity.

Mr. John Bonsignor came forward to speak regarding traffic problems. He said that he was the alternate for public input, so he was not really prepared and didn’t write anything, but it was always nice to come before Council and let problems be aired, which was the American way and the best way.

Mr. Bonsignor said that he was at a meeting the previous evening. He constantly harped on three things at meetings. He was before Council about two years ago regarding the environment, trees, landfill, safety, traffic, etc. He said that he came before Council that evening to ask whether or not they could do something with the appalling situation he saw every day on their roads. The big, heavy trucks were overloaded with material and uncovered, in many cases, spilling onto their roadways. Some of the trucks had no mud guards. The trucks had big treads on the rear tires which picked up pebbles, rocks and other debris and threw them onto oncoming traffic. He had two windshields broken, which cost him \$175 each time to get them fixed. There were hundreds of other people or citizens on their roadways who were affected as well. Mr. Bonsignor said that there was a problem with vehicles having no license plates at all. There had to be something done about the situation because there would be a point in time when a tragedy would occur and then they would all say, “Oh, something should have been done,” and wasn’t. He said that he didn’t know what Council could do, but he was apprising the Council. He said that it had been a two-year battle with Sen. Luke Rankin. He said that he wrote Sen. Rankin eight letters. He stated that Sen. Rankin’s response to him on his eight letters was zero, nothing at all. He cited incidents on their State highways and parkways about truck accidents, tragedies and fatalities. Nothing. Nothing whatsoever. Something must be done. Something had to be done. Maybe the County Police could check the overloading of the trucks on their highways.

Mr. Bonsignor said that Ms. Walters talked about having unpaved roads. Some of the paved roads looked like washboards. Gen. Vaught said “They were.” Mr. Bonsignor said that was a big

problem and something had to be done. There had to be a motivating force to get someone to do something. Eight letters were not sufficient. He said that maybe he should write another eight letters to Sen. Rankin. He said that might be a motivator, but something must be done.

Mr. Bonsignor said that he spoke to Sen. John Hawkins the day before. He said that he mentioned the problem to Sen. Hawkins who would hopefully do something. He said that Chairman Prosser was a fine man and got things done. He had watched Chairman Prosser for the last two years since he had been chairman. He said that Chairman Prosser had made them proud in the County because he knew how to handle very serious problems, which affected his citizenry and the Council Members' constituents. He urged Council to do something. He said that it was necessary and important. He thanked them.

Mr. Ray Brown said to Mr. Bonsignor, concerning the dump trucks, that he should add speeding and hogging the road to what he said about them.

Mr. Bonsignor had a list of things which included tailgating, reckless driving, speeding, switching of lanes, etc. He presumed that what he had said about the driving and traffic violations was all-encompassing. Mr. Brown said "Thank you, sir." Mr. Bonsignor said that he didn't have to mention that, but he was sure happy Mr. Brown did. It was always nice to see Mr. Brown. He hoped Mr. Brown was feeling better. Mr. Brown said "Thank you very much." Mr. Bonsignor asked Mr. Brown if he was feeling better. Mr. Brown said he was.

Chairman Prosser said that a number of issues Mr. Bonsignor mentioned fell into the purview of the State, either the State Highway Patrol or State Transport Police. Council had some control over a few of those issues. About a year ago, Council passed some regulations regarding the covering of trucks to help handle the debris problem Mr. Bonsignor talked about. The Environmental Services Department enforced it. They relied very heavily on State Highway Patrol and Transport Police for the traffic enforcement as a whole, mainly because of the resource issue because Horry County police were busy with a lot of other things. Not to say that traffic was not important, but those were some considerations Mr. Bonsignor could look at. He appreciated Mr. Bonsignor calling the issues to Council's attention.

CHANGES TO THE AGENDA:

Mr. Brown made a motion to add... He decided to go ahead and say it because it would only take about thirty seconds. He stated that he resigned from Crossman Industries. He said that a lot of people in the County thought he would resign from Council, but he said would he be there until his term was out. There was applause.

Chairman Prosser asked if Ms. Jordan was going to stay with Council (joking). Ms. Jordan said she hoped so. **Ms. Jordan made a motion to delete the four resolutions for the Squires family (Resolution Nos. 192-01, 193-01, 194-01 and 195-01), seconded by Mr. Hardee.** She said that they had to go to Lake City that evening to speak to the governor about tobacco allotments. **The motion carried.**

Mr. Kost said that Resolution Nos. 172-01, 173-01, 174-01 and 175-01 were really reconsiderations of something Council did at the last meeting which they needed to open up again for public hearing. **Mr. Kost made a motion to bring Resolution Nos. 172-01, 173-01, 174-01 and 175-01 up for reconsideration, seconded by Mr. Hardee.** Chairman Prosser said the resolutions needed to be reconsidered because there was some problem with the advertising. They had to re-advertise them for the meeting and would need to re-approve them. In order to do that under their procedures, they needed to bring the resolutions back to the table for reconsideration. **The motion carried.**

Ms. Gilland guessed that what she would mention would be under New Business. Obviously, it might not need to be there at all because if she checked on it, it might already be taken care of, but she forgot to do it ahead of time. The issue was brought to her attention the evening before and several Council Members probably knew about it—the retroactive charging of employees for driving County owned vehicles home. **Mr. Kost made a motion to add that as a discussion item under New Business, seconded by Mr. Brown. The motion carried.**

Chairman Prosser said that they needed to delete Resolution No. 190-01 from the agenda, which would be handled at a later date, if there was no objection. The recipient was unable to be there. He said that he would need a motion, unless there were any objections.

Mr. Kost said that he just had a question. It was his understanding that they would discuss the recommendations to the Delegation. Each committee was supposed to bring in a minimum of three recommendations. They were going to discuss it. He said that some of them would have been the issues brought up that evening, as a matter of fact. Chairman Prosser said they had that scheduled for the January 8th meeting because when it came out of the committees, it was in the hopper for January 8th, but if Mr. Kost wanted to add it, they could try to do so...Mr. Kost said that if they didn't have it, they shouldn't do it because the people needed to consider it before they came to the meeting. Chairman Prosser said it would give them time before they got back into session. When he last talked to the chairman of the Delegation, they wanted to wait until after the first of the year. They needed to go over that list before they did that, so they would do that on the 8th.

Mr. Gosnell said that he had Resolution No. 197-01, which was in front of them, the acceptance of Roads & Drainage. They received a packet with all the education documents as well as if they met all the inspection requirements. Given the fact that the I&R Committee would not meet in December, he asked that they add it. **Mr. Brown made a motion to add Resolution No. 197-01 to the agenda, seconded by Mr. Hardee. The motion carried.**

Mr. Gosnell said that, just for their information and their calendars, they set a time up on December 14th at 10:00 for any Council Member who wanted to ride Carolina Bays Parkway. PTC would provide the transportation. They would meet at their offices on Clay Pond Road. Chairman Prosser said that some Council Members weren't able to go the last time. He asked for clarification on the date and time. Mr. Gosnell said that was on a Friday. Chairman Prosser asked if Council Members needed to get in touch with him (Mr. Gosnell). Mr. Gosnell said it would be him or Ms. Pat Hartley, just so they could get a head count of how many vehicles they might drive. Chairman Prosser said that they should let Ms. Hartley know so that they would have a head count, which would help.

Mr. Brown made a motion to approve the agenda as amended, seconded by Ms. Jordan. The motion carried.

APPROVAL OF MINUTES:

Chairman Prosser presented the minutes from November 20, 2001. Mr. Brown made a motion to approve the minutes as presented, seconded by Mr. Cooper. The motion carried.

CONSENT AGENDA:

Mr. Kost made a motion to approve the consent agenda as amended, seconded by Mr. Skidmore. The motion carried unanimously. The consent agenda consisted of the following: Third Reading of Ordinance No. 173-01 to develop a multi-county industrial/business park in conjunction with Georgetown County, such industrial/business park to be geographically located in Georgetown County; to provide for a written agreement with Georgetown County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem tax to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for industries located in the park, and to permit a user fee in lieu of ad valorem taxation; Third reading of Ordinance No. 174-01 directing the county administrator to execute a deed for a lift station site, easement for ingress and egress to that site, and the ownership of the water and sewer lines installed along Privetts Road to serve the new County Public Works Complex; Third reading of Ordinance No. 139-01 to amend the county code of ordinances pertaining to the establishment of the Forestbrook/South Myrtle Beach Area Signage Overlay Zone; and Resolution No. 188-01 to allow PARTNERS to participate in the county's insurance plan.

RESOLUTIONS/PRESENTATIONS:

Chairman Prosser presented Resolution No. 196-01 recognizing David Goettel for his efforts in suppressing a fire at Belin United Methodist Church. Chairman Prosser said that Mr. Cooper would present the resolution.

Mr. Cooper said that Chief Norman Knight was present from the Georgetown County Fire Department. Over the last few months, they had heard about the tragedy and all the unrest in the world. They heard about a lot of heroes. It was nice to know there were a lot of heroes. There were some in Horry County. He read the resolution aloud. **Mr. Cooper made a motion to approve the resolution as presented, seconded by Mr. Hardee. The motion carried.**

Mr. Cooper said that a lot of them saw it on the news. An individual pulled up to the church property and threw a molotov cocktail through the windows. He said that Mr. Goettel was putting up his boat and took quick action. Mr. Goettel jumped up and ran over to the church. The individual put a canister there, in hopes that it would burn and explode. Mr. Goettel saved their church. If it had been a little bit later in the season, there was no telling what would have happened to the Christmas programs. Mr. Goettel was definitely a hero to a lot of people. He wanted to congratulate Mr. Goettel. There was applause for Mr. Goettel.

Chief Knight added that in the present day and age they lived in a world where it was “I, I, I and me, me, me.” He said that Mr. Goettel showed he had the wherewithal about him to try to intervene in a situation from which most people would have run away. Had Mr. Goettel not done what he did at the time, there could have been major damage to the church. He was grateful for Mr. Goettel’s efforts in suppressing the fire, as well as the Murrells Inlet and Garden City Fire Districts.

Chairman Prosser said they appreciated it. He said that it was a really shocking event. He was not a member of the Belin church, but some of his friends and neighbors were, which was a church as well as a landmark. It would have been a tragic loss all the way around if it had not been stopped.

Mr. Brown called out to Chairman Prosser. Chairman Prosser said that it was a good thing to have as they entered the Christmas season. Mr. Brown stated that no one said anything original, but their Public Safety, Police and Fire Department and people of that nature, run *to* what people ran *from*. There was a lot to be said about that. Something would happen and people would get up and run from it, but they got up and ran to it. He was grateful for their doing that. Chairman Prosser said “Well said, Mr. Brown.”

Chairman Prosser presented Resolution No. 189-01 honoring Horry County Fire/Rescue personnel for their assistance in mitigating the fire aboard an ammunition ship at Sunny Point Military Ocean Terminal in Brunswick, North Carolina. He said that Chief Randy Webster would present the resolution. The incident happened some time ago and people assisted in that effort.

Mr. Paul Whitten said that he would read the resolution. He would bring the people in in groups because there were several different stations involved. They wanted to bring them in. Instead of having a huge group, they would do it by station. He read Resolution No. 189-01 aloud. The personnel included in the resolution from Station #2 in Little River were Jeffery Schmalfeldt, Derrick Livingston, Don Smith, Brad Hardwick, Chris Foster, William Hutchin and Daniel Najr. He said that, in addition, Little River received a plaque from Brunswick County, which they wanted everyone to see. They presented the plaque to them to have in their fire station, which they hoped would be a new fire station soon. He also presented the resolution from Council. He said that they did a great job and they appreciated everything the personnel did. There was applause.

Chairman Prosser asked if there was a motion from Council to approve the resolution as presented. **Mr. Skidmore made a motion to approve, seconded by Mr. Prince. The motion carried.** Chairman Prosser said that they appreciated the efforts of all the units.

Chief Webster said that the ship had a million pounds of ammunition on it, which was an extraordinary amount of danger to walk into. He said that Mr. Brown stated it best—what a lot of people ran away from, the men ran into. He said that his hat was off to those personnel. He had talked to them. He wanted the community to understand what kind of situation it was and the potential that was there. They did an excellent job. The group was also recognized by Brunswick Council a couple of months ago. It was the first team they wanted to bring out.

Mr. Whitten said that the personnel included Station #5 in Wampee were Prezzie Green, Allen Baxter, Marcus Bellamy, James Hodge, Morris Livingston and Harry Wilson, Jr. He presented the resolution. There was applause.

Mr. Whitten said that the personnel included in Station #21 in Maple were Lyle Strickland and Thomas McClellan. He presented the resolution. There was applause.

Mr. Whitten said that there were also two on-duty captains, William Burns and Tom Morrison. He presented the resolution. There was applause.

Chief Webster thanked everyone for the men's recognition. He said that they worked hard and did a lot of good for the community. They were very professional and did a lot of training and time. He said that was just a small part of what they did every single day. He appreciated what they did. He thanked everyone again for recognizing them.

Chairman Prosser thanked Chief Webster. They appreciated the good job.

Chairman Prosser called for public hearing and Resolution Nos. 172-01, 173-01, 174-01 and 175-01 which all concerned grandfathering. There was no public review. Ms. Jordan made a motion to approve the resolutions as presented, seconded by Mr. Brown. The motion carried.

Chairman Prosser presented Resolution No. 191-01 reserving certain property as the future site for a potential public safety training facility. Mr. Hardee made a motion to approve the resolution as presented, seconded by Mr. Prince. The motion carried.

Chairman Prosser presented Resolution No. 177-01 to disapprove the request of Steve Strickland, agent for James and Jacqueline Smith and Jolly, Inc. to amend the official zoning maps. Ms. Jordan made a motion to approve the resolution as presented, seconded by Mr. Cooper. Chairman Prosser said that was the resolution which was taken care of by the zoning appeals. It was already in the hopper. The motion carried.

Chairman Prosser presented Resolution No. 197-01 dedicating the Road & Drainage regarding Bryants Landing Phase One and Two. Mr. Brown made a motion to approve the resolution as presented, seconded by Mr. Hardee. The motion carried.

READING OF ORDINANCES:

Chairman Prosser called for third reading and public review of Ordinance No. 134-01 to amend the County Code of Ordinances pertaining to the official map. There was no public review. Mr. Kost made a motion to approve the ordinance as presented, seconded by Mr. Skidmore. The motion carried.

Chairman Prosser called for second reading and public review of Ordinance No. 184-01 to amend the zoning ordinance and to approve the request of James Wooten, agent for MEPJ Land LP, Ocean Lakes Family Campground, et al, to amend the zoning maps. Chairman

Prosser asked if there were anyone in the audience...He said the applicant had asked to give a presentation. He said he would allow them to do that first. They might answer some questions. He would allow anyone else to speak after that on the rezoning. He asked Mr. Mike Wooten if he would come.

Mr. Wooten said he was ready. He said that, on behalf of the Jackson Companies and DDC Engineers, they wanted to make a brief presentation. They brought a PowerPoint presentation in order to be as brief as possible. It was a very complex project and there were a lot of questions in the community, so they put a presentation together to summarize the entire project, which was Sayebrook. The axis of the project was Hwy. 17 Bypass and Hwy. 544. For a little background, he said that the project was being developed by Jackson Companies, which was a diversified recreational real estate and service-based company that owned and controlled about 2,400 acres of property in the south Myrtle Beach area. The property had been in the family for three generations and was currently working on the fourth generation. The Jacksons were known for a lot of quality developments: Crystal Lakes Mobile Home Community, which began in 1971; Ocean Lakes Family Campground, which had been the "number one" mega-campground in the Country twice in the last three years; Prestwick Country Club, PDD, which began in 1987; Sayebrook Village; and Prestwick Place. These were just some of the developments that the Jacksons had been responsible for. He indicated some of the views of the work the Jacksons had done. He said that DDC Engineers were proud to have been associated with the Jacksons for fifteen years. As a matter of fact, when he attended college, he worked for a restaurant as a busboy to which Mr. Jackson was a contributor or one of the administrators in, so his relationship with Mr. Jackson and his family went back over twenty-five years. They were fine people and did good work. He indicated some of the views of some of the projects the Jackson Company had done over the years. He indicated the signage and heavy emphasis on landscaping, which was a trademark of the Jackson Company.

Mr. Wooten said that the project was not just conceived the previous week, month or year. They began the planning of the project in 1995. There was an association of four firms: HOH Associates of Atlanta, Georgia; DDC Engineers, their firm in Myrtle Beach; Atlanta Traffic Master Planners; and PKF Consultants out of Philadelphia. The group came together to come up with a conceptual master plan on all the undeveloped properties which belonged to Jackson Companies. He said that, as part of the study they did to initiate it in 1995, they did a jurisdictional wetlands delineation, a topo analysis, a threatened and endangered species study, an archeological audit and a traffic analysis. Traffic was one of the issues that some of the people in the community were concerned about, which they would address. He indicated the master plan which many of them received in the packet. He turned the presentation over to Mr. Brent Schultz, who was president of the Landmark Company, a subsidiary of DDC, to explain the master plan.

Mr. Schultz said that there were three separate segments of land. Basically, they referred to the segment on the west side of Hwy. 17 as Sayebrook West. Sayebrook East was on the east side. He indicated Prestwick East. He indicated the tracts were 388 acres, 856 acres and 49 acres. The planning for the project had been going on for years. A lot of things were promised when they first jumped into it. The biggest thing for them was the comprehensive plan endorsed by the County, which was the first document they pulled out to refer to. They looked and it was, in fact, identified as an urban quarter of Hwy. 544 and was also adjacent to Bypass 17. He said that some residential, commercial, manufactured housing and an array of open space areas (indicated in green), were

some of the uses included in these properties. Two main connector roads, such as Big Block Road on Hwy. 544, were some of the key highlights to the plan. They put in a major road which would come out of the Jackson Properties through Clemson and through the other Clemson property and into the Centrepointe PUD, which was another project they worked on with the firm from Charlotte. The road continued on through the Horry County Terminal, which would be the new Airport terminal. The other connector road was a road that came off of Lakewood School Road, which came through the project and connected back into Centrepointe Boulevard. There was a parcel currently under construction, a commercial site along Hwy. 544. The road would continue on and come out around Lakewood Campground. He indicated office uses related to the hospital, single-family uses related back to the Palmetto Pointe Project, a resort and campground, commercial and office uses along Hwy. 544, all of which were some of the uses scattered about. He indicated the existing Sayebrook development currently under construction, of which they had shown a couple of slides. He indicated single-family uses and a manufactured home community which could be converted to a single-family stick-built community. He indicated the area for retail- and office-type uses and an area of property currently zoned HC. They were trying to tie all the parcels together. It was a great project and had been challenging, but as far as transportation and open space went, they had exceeded a lot of ordinances within the County and they were proud of it.

Mr. Schultz said that, concerning the uses of general residential, they had single-family, multi-family and manufactured/mobile home, which was an expansion of the Crystal Lakes Community, a commercial retail office in the resort campground.

Mr. Schultz said that the motto for the project was “A mixed-use community that provides the opportunity for residents to live, work, shop and recreate within the same community.” They thought that was very important.

Mr. Schultz said that he would turn it over to Mr. Wooten to go over some of the infrastructure issues. Mr. Wooten said that the major concern, not only in the Raccoon Run Basin, but in all of Horry County, was stormwater management. The Raccoon Run Basin and the Raccoon Run Ditch bisected the Jackson and Clemson properties and initiated at the outfall of Southwood Development, ran through the Jacksons, across Clemson’s property, under Hwy. 17 and on to the Atlantic Intracoastal Waterway. Horry County staff had currently undertaken a study to determine the amount of flooding that Raccoon Run Basin could take. They believed that the... was somewhere between a two- and ten-year storm. The current County ordinance required any development in a basin such as that, to discharge at a rate that would only meet what the basin would accept. For example, if it were determined that Raccoon Run Basin could only accept a two-year storm, under a twenty-five year event they were challenged to design the project to only release waters at a two-year rate. He pointed out that while it was a zoning exercise, stormwater management had been taken into account. The stormwater management plan was sent to staff and went through staff and would be before the Planning Commission before the end of the year. The actual stormwater management plans would have to go back before staff, Planning Commission and Council before anything was constructed on a phase basis.

Mr. Wooten said that another issue arose for sanitary sewer, special roads. They had over \$1 billion in roadway projects currently going on in Horry County about which he heard a lot of people say they were just for tourists. While he disagreed with that, he thought the road projects were for

everyone. A lot of people got the feeling that all the roads going in were only for those people's business, which was not true. The roads would benefit not only the residents of the projects the Jackson Companies were doing, but also the residents of the South Strand. He indicated the hospital. He said that when Hwy. 544 was congested, there would be an opportunity to come all the way from Hwy. 707 via Big Block Road through the project and hospital and, when the new terminal was constructed, all the way to the new terminal. They thought it was responsible development. Connectivity through a project to increase traffic flow, to not only allow the citizens of that project to ingress and egress through it, but also the residents of the community.

Mr. Wooten said that water and sewer were in the master plan as well, but he would not belabor it.

Mr. Wooten said that a lot of people had asked "Why PDD versus straight zoning?" The beauty of the planned development district included a comprehensive approach to infrastructure such as drainage, water and sewer and transportation. It involved tract-of-land-use methodologies and promoted architectural continuity and control, which was very important. It guaranteed open space and amenities to the County. He said that at a recent board meeting of the Jackson Companies, they had agreed, as a part of their open space, to set aside three acres for public use in the property. They would work that out with County staff at a later date. It was also a contract with the County in that, while there was no contract zoning, it specifically set out what the developer would do throughout the project. The difference between it and straight zoning, such as highway commercial, was that straight zoning created a puzzle of development with regard to large tracts of land. It would be pretty eclectic when every two-acre parcel had something different on it. It encouraged piece-meal or adhoc planning practice. In other words, every other project was done on a small basis. Everyone had their own stormwater plan. There was no connectivity or traffic control. It propagates unorganized infrastructure designs, such as traffic, water and sewer and a private, eclectic architectural style and standard. In about twenty years, they would get urban blight in the areas that weren't properly planned.

There were a lot of benefits to the project. It met or exceeded the County requirements for a PDD classification, which was pointed out by the Planning Commission who gave them an unanimous approval on the project. It met or exceeded requirements for the proposed Hwy. 544 overlay ordinance, adhered to the landscape buffer and tree ordinance and would comply with the current stormwater ordinance. In addition, Jackson Companies would coordinate with the County during the study period. The initial study on Raccoon Run was funded by Jackson Companies as well as the effort for permitting a widening and deepening of the Raccoon Run channel. It ensured additional transportation corridors both for the residents of Sayebrook and the citizens of the County, guaranteed community open space and incorporated architectural landscape and design standards.

Mr. Wooten thanked them for the opportunity to make the presentation. He said that a picture was worth a thousand words. They expected a rather large crowd as an audience and thought that was the best way to present the project. He said that if they had any questions, he, Mr. Schultz, the members of the Jackson Companies, the family and staff were present to respond.

Mr. Bill O'Brien came forward to speak regarding Ordinance No. 184-01. He lived in the Southwood Community and was a member of the Board of Directors of the Southwood Homeowners Association. They recently had a community meeting where they addressed the rezoning of the property across from their subdivision on Hwy. 544. They had great concerns, the first of which was not knowing exactly what development would be built across from Southwood. The developers said that it would be a planned development. If that were so, why couldn't they tell them what would be across the street from Southwood?

Mr. O'Brien said that the Jackson Company presentation was very effective. They talked about signs and the development on the west side of Bypass 17 and it was very nicely done, but yet right down the street from Southwood there was a Chick-fil-A. He didn't think their signage was appropriate, not certainly within the restrictions they described as proper signage. With that Chick-fil-A signage, they didn't want that type of thing across from their subdivision.

Mr. O'Brien said that, in addition, they were concerned with the stormwater drainage. Recently, in September, they had a couple of heavy rains. The water was backed up to where they had water in some garages in their subdivision. They were concerned about the effect of any development on the property where their drainage went up to the waterpipe.

Mr. O'Brien said that their last concern was the increased traffic. He said that the men showed a road coming from the west side of Bypass 17 and over by the hospital. They were concerned about the traffic that would be on Hwy. 544, opposite their subdivision. They would have a very difficult time getting in and out of their subdivision if there were too much more traffic put on Hwy. 544. He thanked them for their consideration.

Mr. Philip Eaves came forward to speak regarding Ordinance No. 184-01. He stated that he lived in Prestwick. They bought a piece of property from Prestwick a couple of years ago and had severe flooding problems. The developers had not corrected that problem and were currently starting a new project with no guarantees that they would be able to solve the existing problems. They were told there was a small stream running across the back of their property which turned out to be drainage for the Air Force Base, which created pollution and other problems with the property. They were still flooded. They went to Prestwick about it, who told them to build their own berm and that Prestwick had no responsibility. They were told it was the County's problem and the County said it was Prestwick's problem. They had to file a lawsuit to correct the problem to save his home. He was not the only person who had to do that. There were three, four or five of them that had to do it. If Council approved the Jackson Companies project and there was a problem, someone would sue and the County would be involved. Prestwick would not take care of it. He had pictures to pass around to show how his property was after heavy rains. Chairman Prosser asked Mr. Eaves to hand the pictures to Mr. Danny Knight and Council would have a look at them.

Ms. Renee Tice, an attorney, came forward to speak regarding Ordinance No. 184-01. She and her husband own a commercial building on Hwy. 544. They had two concerns, the first of which was traffic lights. She wanted to know what the considerations were and where the traffic lights would be with the project because part of the development would be directly across the street from their building. They had one access to the building from Hidden Woods Road. She wondered how the traffic would be on Hwy. 544. The Jackson Companies would be putting a driveway in an

opening toward their building and she wanted to know how that would affect the traffic lights. Ms. Tice said that the second thing was that the front part of their parking lot was usually under water during a heavy storm. The staff, patrons and clients could not get to the building or parking lot because it would be under about two or three feet of water, so they were concerned about the drainage from storms.

Mr. Davis Myers came forward to speak regarding Ordinance No. 184-01. He stated that he lived in the Southwood subdivision. He said that he was very impressed by the presentation. He asked why the men couldn't, since it was a planned community, tell them what would be across from Southwood. He said that he had not spoken with anyone from the Southwood Homeowners Association about it, but that was an issue. One of the biggest things he noticed in the Spring was that they had a rather large and heavy rainfall, about five inches. He heard from other people that it actually backed up more on Hwy. 17 Bypass, north of the project, and was more than the twelve-inch-plus deluge they had a year ago, so stormwater seemed to be an issue. He was worried about traffic as well.

Mr. Myers said that the area behind the Wal-Mart on Hwy. 544, near the golf course, was already zoned for hotels and office space. He asked if it would make sense to see what kind of impact those had prior to allowing a rezoning of a new area and finding out that they would have a problem with the new PDD. Someone would come in and say they already had their area zoned, so they would put up these other buildings as well. He said that he didn't want to put the cart before the horse as far as the drainage and traffic issues went.

Mr. Cornell Patton, who was also a Prestwick homeowner, came forward regarding Ordinance No. 184-01. He said that a comprehensive study on the drainage situation needed to be done because there were some major issues about which a lot of the Council Members and others were aware, especially in the Prestwick area. In the past, there were many communications with Prestwick and Jackson Companies. They just couldn't get anything done with them. It was noted that it was their problem with water flooding areas in Prestwick and it was not just a few, as the pictures showed, it was major flooding. There were \$350,000 and \$400,000 homes sitting in water. It was ridiculous. He had never seen such a layout of runoff and stormwater management in his life. DDC was part of that engineering. He said that the two of them were hooking up again. They didn't seem to have done a very good job in the thought process that went into the first phase with Prestwick. They tapped into many drainage areas where they had no permission to do such a thing. There were government drainage ditches (streams or creeks) sold as creekside lots that were actually drainage ditches from the government, the Air Force Base. Those areas in Prestwick were being tapped into which was how the outflow of water came out of a major portion of Prestwick. Council needed to put a thumb on it and really look at them, making sure that there had been major studies done on whatever the developers would do. The developers were in a law suit. The developers needed to take care of their dirty laundry before they were allowed to proceed any further.

Mr. George Edwards said that they had a little disagreement. Some of the articles were great public relations jobs for the Jackson Companies. They did a great job. He said that they had a picture on the front page with a caption concluding with "they are requesting zoning changes to protect the way the land is developed." He said that was the opposite of the truth. The PDD opened

up all kinds of new possibilities for development, which was the reason it was zoned CFA. He said that he would direct his comments largely to the fifty-acre tract directly across from Southwood.

Mr. Edwards said that Nelson Jackson was quoted as saying “We don’t want anything in here except the best.” If that were the case, they should agree that their PDD needed to be revised. Everyone needed to understand that the zoning designation given to the PDD was not the regular County designations, but were designations that the Jackson Companies came up with. The PDD was not subject to county zoning restrictions, except for those...by the...process Hwy. 544 overlay of the first 250 feet from Hwy. 544. The uses were defined, loosely, in the newly coined zoning district designations. The Jackson Companies designated zoning for the portion of tract, about fifty acres. What they wanted to commercially develop across from Southwood was CO2. He said that Mr. Steve Alger, vice-president of the Jackson Companies, stated that the company set aside land for a new road connecting Hwy. 544 to Big Block Road to Hwy. 17 Bypass, which would alleviate congestion, which was mentioned twice...The road was west of the Bypass 17 and had nothing to do with the...problem. If the Jackson Companies maximized their profits by making it CO2 commercial, the County should require them to build a road to CO2 parallel to Hwy. 544. CO2 was...It was only common sense that they would not allow rezoning in a project that would add traffic to a road that was already over capacity. He hoped that everyone heard that. He stated that the associated section of Hwy. 544 was made for the 111% and 147% in 1999. When a road reached 80% of capacity, a property should not be rezoned for development unless the developer had a plan to keep from further aggravating the situation. There was a problem. Jackson Companies defined CO2 zoning as...wetlands, but they purchased the lower priced property elsewhere and dedicated it for wetlands in exchange for being able to build a road parallel to Hwy. 544, accessing the CO2 area, which was a price they should be required to pay, yet they wanted to maximize their profits for the Hwy. 544 thoroughfare which was paid for by all taxpayers. If they had no such County standards for the rezoning, Council should impose them, regardless of...access road to CO2 parallel to Hwy. 544 that connected to Bypass 17.

Mr. Edwards said that the PDD needed sign restrictions. He talked to a president of community associates. They talked about the Chick-fil-A sign. He talked to...for rezoning. He talked to Mr. Alger and was told that they restricted signs as high as six feet. Concerning the Chick-fil-A sign, Mr. Alger had said that Jackson Companies had to comply because the County ordinances allowed such tall signs. If Jackson Companies truly wanted sign heights to be restricted, they should agree to put them as restricted with PDD, especially if the development would go on for thirty years.

Mr. Edwards said that PDD allowed uses beyond the current wide open CFA zonings. The PDD included gas stations, many warehouses, parking garages, private clubs, gentlemen’s clubs, taverns, auto sales, beachwear stores, rental apartments and extremely high-density single-family homes, which were among typical uses of CO2.

Mr. Edwards said that what nearby homeowners preferred to see were single-family stick-built homes developed in the standard County ordinance, which allowed no more than seven single-family homes per acre. Although they would not want the seventeen-plus per acre, the density that PDD allowed, which meant it would be a respected useful area as opposed to gross density, including wetlands. Georgetown County did not allow multi-family homes in that density to exceed

sixteen per acre. They wondered if Jackson Companies had to...districts...their plan. The PDD needed to be modified with less in that density.

Mr. Edwards said that commercial rezoning was probably inevitable. If that were so...PDD...committee, including the members and homeowners within the communities across the proposed PDD. The Hwy. 544 overlay had been included in discussions since last Spring, with the majority representing big landowners and developers as appointed by County planning—meetings with Conway and business owners. He said that several committee meetings were being held close to where the anticipated rezoning was done, near the Bypass. The meeting was at 7:00 p.m...community represented the overall populations around the proposed PDD. The Jackson Companies tended to be responsible adults. The portion of Sayebrook West, west of Bypass 17, was so far being done tastefully. Prestwick was a nicely done community, but everything Jackson Companies tended to develop would be considered upscale. He said that Jackson Companies also developed Lakewood Campgrounds and Crystal Lake Mobile Home Park...Lakewood Elementary. The PDD proposed more manufactured homes and campgrounds. Even if the Jacksons went as far as the ideals they claimed, if they depended upon Jackson Companies for organization to retain such ideals for thirty years, what about people...What the PDD had written, they had to trust what Jackson Companies and its successors would put there. It was the County's job to make sure what they approved protected the County's citizens. It was not just to accept a developer's total comprehensive plan which was written, not as a plan, but as a grab bag of the possible uses that Jackson Companies' properties...The PDD needed to be returned to Planning and reworked as suggested by the two Councilmen...

Mr. Carl Hood, who lived in the middle of one of the Jackson properties (Crystal Lake Mobile Home Village), came forward to speak. He didn't know about the first, second or third generations, but he did know about the fourth generation and the dealings he had with them. He had been there over two years and was feverishly trying to get out of there. He used one word to describe his personal opinion of the Jackson family and their relationship to the citizenry within their bounds of development aberist.. and he said that... Chairman Prosser said that they were there to talk about the rezoning, so they should keep it focused on that. Mr. Hood apologized. He said that he was just trying to state that his experiences had led him to believe that...He apologized again. Concerning the issues confronting them with the ordinance, the environmental problems that were taking place because of the increased travel and traffic, the cutting of trees, which they needed so badly, storm protection and health problems, many people in the area were suffering from emphysema, pulmonary and lung problems, etc. The cutting of trees, carte blanche was wrong and had to be addressed. The State land encroachment, which was also in that particular area of homeowners, must be addressed and considered. He said that, concerning the water problems, if they removed all the trees, they would have more water problems. The trees protected them from the water, the flooding, as well as from the elements in the air, the pulp and musky odors and wood-burning, which were currently going on. These things had to be addressed. There shouldn't be any more encroachment in that area. He had the troubles they talked about. They were concerned in that area. He had been trying for weeks to contact one of their executives, Mr. Dave Durant about the problems in that particular Crystal Lake area, about the neglect, the disarray and discombobulation of everything that went on there. It was outrageous. He urged Council to give due and proper consideration to it, not to his personal feelings. There was a real issue and real problems. They existed and should be addressed. They could get out there and observe it first hand, which was the

best way to address and assess the problems. He urged all of them to do it. They shouldn't put any more mobile homes in there with the condition that currently existed. The stick-type homes would probably be the best answer to that particular problem. He urged them to maintain the present zoning ordinance.

Mr. Ryan thanked those who came to the meeting. It was a hardship to get out there in their car on a Tuesday evening, miss dinner and whatever they gave up to be there. He had many more contact him, some of whom were elderly and didn't want to drive at night, but expressed to him that they would have been there. He thanked those present for joining in the process they currently had in place.

Mr. Ryan said that, concerning the process as far as zoning or rezoning, the Planning Commission advertised the rezoning in whatever particular area. They stuck up yellow signs and citizens would pick up on that. Citizens were sometimes sent a letter at their homes notifying them of a rezoning. In that particular case, the rezoning went before the monthly Planning Commission meeting back on November 1st. Ten to twelve people came to that meeting, some of whom spoke in opposition to the request. The County Engineer made a comment in a broad-based way that the entire watershed had significant problems. In spite of the opposition that appeared at the meeting and the comments by a staff member, it passed unanimously. Not one person on the Planning Commission even questioned the rezoning of 1,300 acres. There was not one question. He was there. The chairman of the Planning Commission had stated that it was planning at its best, yet the developers who appeared at that Council meeting had gone through the planning process—and he (Mr. Ryan) used planning on a very broad base—and didn't even have to give them anything more specific than they would do “this over here and that over there.” He said that was their planning process. An interesting side light on it was that, in order for a teacher or school administrator to serve on their school board, it was considered a conflict of interest, yet seven of the nine members of the Planning Commission backgrounds were in real estate development, which was interesting. Concerning the timeline for the request, it went before the Planning Commission on November 1st; on November 20th it came to Council for first reading; and, currently, it was before Council for second reading. If they were on a normal Council schedule, they would meet on December 18th, which meant that from the time any Council Member received information on the rezoning, it would be thirty-days to pass it. They would be making a decision in thirty-two days on something that would affect the community for thirty years. It was a 1,290-acre tract. It was not reasonable to move at that pace on such a large rezoning request.

Mr. Ryan said that he wanted to review some of the questions and concerns in that area. He tried to categorize them in his mind by placing them in three different categories: usage, traffic and stormwater. Concerning usage, the area was currently zoned commercial forest agricultural, under which there were seventy-eight uses for that land. He had not stopped a developer from developing that land, even if they started to develop it that day, under CFA zoning. Under PDD, the developer would have eighty-two uses available to them. He said that FA was somewhat restrictive, CFA was less restrictive and PDD was basically not restrictive at all, but was pretty open-ended.

Mr. Ryan said that if anyone of them sitting in that room wanted to make a modification or any sort of improvement to their home, they would have to go to their homeowners association or a

County employee to get some sort of building permit, yet they would allow a developer to make such conceptual, broad plans for an area, as they had seen.

Mr. Ryan said that, concerning traffic, the road capacity from the planning information in the packet indicated that the road passing on Hwy. 544 ran from 111% to 147%. At the last meeting, he asked the Planning Department what that actually meant. He asked if there were currently any sort of cut-off under County rules and was told there wasn't. He asked what 100% road capacity or density on a road meant compared to 300%. They had not established any standards. He said it was separate from that and was something that needed to be established. Once they set the standards, they should require or not allow development into a particular area until the road capacity or density supported it. They knew what the traffic would be like when they drove home that evening. They fought traffic all the time, yet they would continue to allow development to be squeezed in on a road that they widened to four lanes and not do anything about it. He said that it was a wrong way to go about doing business.

Mr. Ryan referred to a section he indicated in their book (pages 70 – 90), concerning stormwater. He asked them to flip to the diagram that staff provided, which showed the outlay of the area. He said he would move. Chairman Prosser asked Mr. Ryan to use the microphone. Mr. Ryan indicated his "PowerPoint presentation" (joking). Chairman Prosser asked Mr. Ryan to take the microphone out and hold it. Mr. Ryan apologized, but there was no other way to do it and face them or the audiences he indicated. He said that most of them were familiar about it because they talked about it the last time. Mr. Brown asked Mr. Ryan if he wanted him to hold something for him. Mr. Ryan said he didn't...but appreciated the thought. He indicated Kings Hwy., Prestwick, Deerfield and Southwood. He said that they had a very good depiction. It was a very large area. He said that he would point out something pertaining to stormwater. He said that Beaver Run ran past Deerfield down to South Litchfield and went under Hwy. 544. He indicated the blue line which depicted where it crossed through the Jackson properties and came to the Backgate. Deerfield had significant water problems. There was water coming in people's back doors and out their front doors. There were problems with water in Southwood. He said that Mr. Wooten had stated that a picture was worth a thousand words and he was right. He (Mr. Ryan) would not have believed that Prestwick would flood that way until he saw the pictures. Prestwick had water problems. He indicated the weir at Hwy. 544, which was not currently large enough to handle the capacity of the water. He asked Mr. Gosnell if that was correct. Mr. Gosnell said that the weir was adequate for the downfall ditches...Mr. Ryan said that some improvements needed to be made there. Mr. Prince asked where was Hwy. 544. Mr. Ryan indicated it. Mr. Ryan said that if the road were where he indicated, they could go to the weir under Hwy. 544 and cross toward Lowe's. He said that area was not adequate for that as well. Their concerns about stormwater were where it crossed through the Jackson properties. Some improvements would have to be made to it. The stormwater plan would have to meet the County standard. The Backgate area had significant problems. When it rained last summer, people had to get out of their car and wade to their homes. There were businesses in that area which went out of business or had to move their business because of the water problems. They needed to correct the stormwater problems they had and assist those people before they continued at that pace of development in Horry County. The military commander would not outrun his logistics, but waited for the logistics to catch up and wouldn't get that far ahead. He said that was what they had done and were continuing to do. As he went through the process, he learned a lot. Some people told him that zoning didn't affect stormwater and that there was no relation. He disagreed. He

believed that zoning affected development which affected stormwater. When they changed zoning, they potentially changed development or caused more development to come in. If they cut trees and laid pavement, it would affect the stormwater in that area. Based on issues he and others presented that evening, as far as usage, track of stormwater, and the community concerns, he respectfully requested that they defer the issue to allow him time to sit down with the developer during the Christmas period, look at the usage, discuss it and specifically try to address what would actually go in there and what it meant to the community. He didn't think it much to ask. For a zoning request that large over a long period of time, he needed time to sit down and address it. **Mr. Ryan made a motion to defer Ordinance No. 184-01, seconded by Mr. Prince. Chairman Prosser asked if he wanted it to be deferred until the next Council meeting. Mr. Ryan said he would settle for that, but wanted to defer it until the meeting after that because of Christmas...Chairman Prosser asked if he wanted it to be deferred until the second meeting in January. Mr. Ryan said "Yes." Mr. Ryan requested a division of assembly. Chairman Prosser said they could do that.**

Mr. Kost wanted to ask some questions relating to some of the input they had that evening, but he would speak concerning the motion. He remembered that about five years ago he was the poster boy for a similar situation and was within a week of negotiating with the largest developer in time regarding the problem they would have with stormwater. He got voted down. He knew how he felt about that. As a matter of fact, they wound up with a plan that was not as good as it could be. He would support not *any* kind of an indefinite review process, but he would definitely support the opportunity to sit down with the developer or Mr. Ryan and see whether or not the developer and his staff could answer some of the questions. He had gotten to the point in talking with Mr. Gosnell that he felt that the stormwater situation would be adequately addressed by their new stormwater management coordinator but, if in fact, all they had to do was to maintain the present flow of water, which he believed was what the stormwater ordinance said, he asked Mr. Gosnell if that were correct. Mr. Gosnell said that any new development would have to limit any runoff to what the existing canal or structure would accept. Mr. Kost said that he had seen the pictures that day of what the existing was and they had some problems. They probably needed to fix what they had or at least have a plan to fix that so they could work with the Jackson Companies in terms of establishing some time frames, etc. which they would do what they could do to eliminate the flooding and they therefore would go on with that. He said that he would support allowing some additional time for some conversation between the two entities.

Ms. Gilland said that since this only came before the Planning Commission and was approved in November and this was just the first of December, it seemed hard for her to imagine that it would create a hardship by deferring it for the developer particularly considering the extensive time of development that they already had set out. She said that unless there was a hardship that this would bring up that she was not aware of she was inclined to go along with the deferral as well.

Mr. Brown said that they showed the pictures to them that night and those pictures were not taken in September. He said they could bet their last dollar on that, not this past September. He said that those pictures had to be taken whenever the big rains came last year. When he was a boy in Horry County that he could remember, 60 years ago it flooded when it rained. Anybody in the room that was pushing 70 years old knew that in Horry County when it rained it flooded. Where he was

born and raised which was Baxter Forks he saw water knee deep and that was before they built anything in Myrtle Beach. He said they were going to have water problems whether they approved the Jackson property or not. They were going to have water problems in Horry County. He said that basically down there they let them build before they came on Council. They let a lot of people build on wetlands and let a lot of people build too low to the ground. That had been corrected. He was against deferral.

Mr. Smith said he had a few words that he would like to say. He requested deferral on this at the last meeting and Council chose not to do that. He thought that his request at the last meeting was legitimate. He said that this was a large rezoning and there were a lot of issues. He knew there would be a lot of public input on this. He said that because of Council's actions last meeting he had put his nose to the grindstone in the last two weeks in trying to take a look at all of the issues the best he could. He was prepared to vote on it that night. He didn't support deferral.

Mr. Cooper said that he appreciated Mr. Smith's comments because he was going to ask Mr. Smith what his feelings were since this was in his district also. One of the questions he had to the Jackson Companies was why hadn't they met with Mr. Ryan. He said that if there had been some concerns why hadn't there been a meeting before they got to this stage.

Mr. Alger said that he had not been to the microphone that evening and introduced himself as the Vice President with the Jackson Companies. He said that the answer was that they had communicated numerous times in the week prior to first reading. He had personally called Councilman Ryan eight times. He received two phone calls and unfortunately they were at times when he wasn't at his office. They finally caught up and he spoke with Councilman Ryan for about 45 minutes last Thursday. At that time, Mr. Ryan indicated that frankly, (Mr. Alger said that Councilman Ryan could address this) he didn't want to talk about this because he had issues that he wanted to hear and get input from other people and didn't want to speak with them about it. Mr. Alger said that they had done all the communicating they could do, but if someone didn't want to meet with them in person at their office and discuss it then there was nothing they could do. He said that was the answer.

Mr. Prince asked Mr. Alger if he had a problem with a few more days to work with them. He said that this was a big project and they might learn a lot of things that they could do even better than what they had already thought of. He said that it was during Christmas time anyway and they were not going to get a whole lot done on it.

Mr. Alger said that he had people that he worked with and would like to talk to them about that before he answered that.

Mr. Ryan said that Mr. Alger was totally correct. Mr. Alger contacted him eight times and they talked twice. He would have to look at his log but he thought the last they talked was Thursday or Friday of last week and they talked at length. He didn't think it was unacceptable for him to talk to people and staff before he went and talked to a developer. If he had done something wrong then he would live with that mistake but before he was going to sit down with a developer he needed to understand what they were talking about and that was the reason for that. He asked in his deferral request that he be able to sit down with them in January or between now and January.

Mr. Alger said that after discussing it very briefly they knew that Council was not going to meet again in December and that gave them a month or so between an action they may take that evening and a reading in January. They would be glad to work as they had said through the Christmas break. They would set aside two days for the holidays and keep working on it with Councilman Ryan and anybody else through the rest of December and into January to meet third reading.

Mr. Skidmore said that he had just asked Mr. Taylor what would be a major change if they had second reading that night and had third reading in January which was almost a month away and he told him that as long as they didn't add anything to that PDD but took away then it would not be a major change and if it were anything that could be worked out between that 30 day period. He said that was what the gentleman just said in that they had 30 days to work on it since there was not a meeting at the end of this month and as long as they didn't add to that PDD it would not have to be a major change before third reading.

Chairman Prosser said for the benefit of the audience, Mr. Skidmore was referring to their rules that substantial changes between second and third reading were not allowed.

Mr. Kost said that one of the reasons that he supported a deferral was not only would it give Mr. Ryan the opportunity to air his concerns with the developers but he thought there was another concern that might be clarified for Mr. Ryan, as well as, a number of the citizens which was if they reviewed what the developer could do with the existing zoning without coming and asking for anything he thought that they would find that they would wind up with a much reduced plan, less roads and probably just as much flooding and on and on. He thought that it should be a two way street to understand what could happen if they didn't have a PDD that planned everything on out. He said that was an important point but he thought it needed discussion and he would support time to do that.

Ms. Gilland said that she had some questions about the project that she wanted to get to after they passed the deferral vote because she thought it was going to fail as those things often did. She really wanted to say that it disappointed her that they would not concede to a deferral simply because of the scope of the project and the concern of the folks that lived around there and for the fact that it really wasn't going to cause a big.. she couldn't imagine that it would cause any big problem for them to defer that. Third reading would still be in January. They were talking about maybe two weeks difference. It disappointed her that they wouldn't at least give that much because what they said that night was going to go up there. She said if they said okay that they would take the deferral Council would probably vote deferral but they chose not to and that was a little disappointing to her because she thought they could if they wanted to. She said that it was just the way things were done around there and that was too bad. It didn't look good for either side.

Mr. Ryan said that he hadn't given up the ship yet and still believed in requests to ask for deferral. The reason he asked for a deferral and to wait for second reading at that time and if the two week period bothered them then he would ask for a deferral until the first meeting in January. He said that what he was asking was to be able to sit down with a developer that was affecting a community that he represented. This was an area that he represented. He asked them to put

themselves in his position and when they had road problems on the western parts of the County and problems up north when they were sitting there asking for the area that they represented... it had been an unwritten rule that if it were in their area that they supported them because they knew it best. He said that he had demonstrated that he knew the area and knew the problems that were going on in this area better than some. This was the Council that had the wisdom to pass the stormwater plan that they had that was going to assist them. They were the ones that did that, he didn't do that. He was asking to sit down and find out if there were going to be any problems in that area and be able to take back to the constituents that he represented there. The developer was working out there daily. He said that if they went by that area they would see that they were working and he was not holding up anything that was happening there. He said that if it were a 30- year development...they meant to tell him that they couldn't get a deferral for just a couple weeks over the Christmas holiday. He asked what was that saying.

Chairman Prosser asked Mr. Ryan if the motion to defer was for the 8th of January or the 22nd. Mr. Ryan said that it didn't look good but he would try the 8th. **Mr. Ryan made a motion to defer to the January 8th meeting, seconded by Mr. Kost.**

Chairman Prosser said that he had a request for division of assembly. The votes were as follows: **Mr. Smith voted nay; Mr. Cooper voted nay; Mr. Brown voted nay; Mr. Prince voted aye; Mr. Ryan voted aye; Mr. Hardee voted nay; Ms. Jordan voted nay; Mr. Skidmore voted aye; Mr. Kost voted aye; Ms. Gilland voted aye; Mr. Frazier voted nay. The motion to defer failed.**

Chairman Prosser asked Mr. Ryan if it were his intent and if he felt that he had adequate input to meet with the developer. He understood that the motion to defer had failed but was it Mr. Ryan's intent to get with them and discuss some of the issues that had been raised.

Mr. Ryan said now that Chairman Prosser had mentioned it, since he was defeated there he asked if he could make some motions to amend.. some of the...

Chairman Prosser said that he didn't have any other motions on the floor.

Mr. Ryan said that he had a list of motions that he would like to make to amend what they could do to this area.

Mr. Brown told Mr. Ryan that if they didn't satisfy him between now and third reading he would vote with deferral with him.

Mr. Ryan said what a brave statement.

Mr. Brown said that Mr. Ryan's attitude was why he couldn't get anything done.

Mr. Skidmore made a motion to approve second reading of Ordinance Number 184-01. He said that he thought they needed a motion before they started making amendments.

Chairman Prosser said he needed a main motion.

Mr. Skidmore made a motion to approve second reading of Ordinance Number 184-01, seconded by Mr. Cooper.

Chairman Prosser asked Mr. Ryan if he wanted to make a motion to amend.

Mr. Ryan said that these were some of the things that they could put in there. **Mr. Ryan made a motion that they not be allowed to put cemeteries in that section of land.** This fell under HC PDD. He asked Mr. Taylor if that was correct.

Mr. Ryan said that Mr. Prince made a good point with the stormwater problems they had they might have coffins floating by.

Mr. Taylor said that cemeteries were allowed as an accessory use to a church where churches would be allowed. They didn't necessarily have HC PDD or PDDs. They had PDDs with a list of specified uses. Mr. Ryan said that he took that off of their list. Mr. Taylor said that if Mr. Ryan wanted to delete cemeteries from what they had proposed in the PDD then he could just simply make that motion. Mr. Ryan said that he had.

Chairman Prosser asked Mr. Ryan if he wanted to make it as a group since he had several or did he want to do them separately. Mr. Wooten said that there were no cemeteries approved. It was not in the PDD. Mr. Ryan said that he didn't know. Chairman Prosser said that Mr. Ryan's motion was just to exclude that as a possibility. He asked Mr. Ryan if he wanted to do them in a group or separately. Mr. Ryan said he didn't mind doing them separately. He said that it was kind of his point in being able to sit down with the people. **Ms. Gilland seconded the motion to exclude cemeteries.**

Mr. Smith said that he respected Mr. Ryan's issues and the things that he wanted to address but he thought that the statement had been made that between second and third reading they could bring amendments for third reading to eliminate some uses in the PDD and that would not be considered a major change. He asked if that was a correct statement.

Chairman Prosser said motions of this nature could be brought at third reading.

Mr. Smith asked Mr. Ryan to consider taking the issues to the applicant and bringing these forward at third reading rather than hashing them through at second reading. It may be more appropriate.

Mr. Ryan said that he thought that was the point of asking for a deferral so he could sit down with him.

Mr. Skidmore said that that motion failed.

Chairman Prosser said that he had a second on the..... Mr. Skidmore said that the motion to defer failed. Mr. Ryan said that he understood that. Chairman Prosser asked that Council keep their comments germane to the exclusion of cemeteries.

Mr. Skidmore made a motion for previous question, seconded by Mr. Brown. Ms. Gilland asked if this was the cemetery question. Chairman Prosser said that the motion was for previous question on the cemetery question. If the motion for previous question carried then they would move into the cemetery issue. Ms. Gilland asked why didn't they vote on it without going through all the mumbo jumbo. **The motion for previous question carried with Mr. Ryan voting nay.**

The motion to exclude cemeteries from the PDD carried with Mr. Brown and Mr. Smith voting nay.

Mr. Ryan made a motion to exclude railroad depots.

Mr. Alger said that cemeteries were not in the PDD. Railroad depots were not in the PDD document. He said that he had said in his discussion with Mr. Ryan that they had last week was that they would be glad to go through each and every use with him in addition to cemeteries and railroad depots and cover any of those.... Mr. Ryan said that maybe they could abbreviate this. He asked Mr. Alger to come back to the microphone. He said that he would go down the list and Mr. Alger could tell them if they were in there and maybe that would speed it up and he wouldn't take up Council's time trying to prove a bizarre point. Mr. Ryan asked about video poker game machines. Mr. Alger said that was within. Mr. Ryan asked about light manufacturing assembly. Mr. Alger said that he would pull the document out or could give it to him..... Mr. Ryan asked about funeral homes. Mr. Alger said that he didn't have the document. Mr. Ryan said that he was just asking if somebody knew what the plan was. He asked about manufactured precision inst., adult entertainment. Mr. Alger said that adult entertainment was not. Mr. Ryan asked about amusement entertainment. Mr. Alger said that was. Mr. Ryan asked what did they mean by amusement entertainment. Mr. Alger said they would have to go through this.

Chairman Prosser said that the reason he asked the question about whether Mr. Ryan planned to meet with them was that there was the perception that he picked up that maybe he had either refused or had not been able to at this point and there was some confusion about that. He said that the communication between Mr. Ryan as a representative of one of the districts involved and the applicant outside the Council meeting would probably be the most productive way to accomplish some of the issues. If there were concern about certain exclusions whether or not they planned and wanted to make sure they were excluded, that could always be brought as an amendment.

Mr. Ryan said that he was just merely making the point that under the way they did business in the County.. they had indicated that they had a plan that was two or three volumes and he was going down some of the things they were able to use and there was some question on whether they were going to be there or not. He, as a community member, would liked to have known that. He would have loved to have had the opportunity to sit down with them. He said that he rested his case. He had made the point and didn't want to belabor it.

Ms. Gilland said that she had a couple of questions that had to do with some of the comments that were made earlier. She asked if there were a problem with letting... did they have a

plan and did they know the specifics of what was going to be across from Southwood. She said that those folks were really concerned about what they were going to be looking at across from where they lived. Was there a plan? Did they know and could they tell them what was going to be there.

Chairman Prosser said that anything the applicant could do to address that would probably be helpful because it had come up before and he knew that was an issue of particular concern to the Southwood residents in that commercial strip on Hwy. #544.

Mr. Schultz said that right now, as far as PDD was concerned, they had met the ordinance by showing those uses that would be allowed. As far as a plan, the plan, no they did not. They had applied the uses by district that would be allowed in those areas. That was the stage right now.

Ms. Gilland said so it would be..... Mr. Wooten said that he would also like to address it. He said that the PDD ordinance in this county..... Ms. Gilland said that it didn't have to give specifics.... Mr. Wooten said that when a plan was developed, when the market determined what in this zoning would allow those uses that could be put there...when a use is determined it would go back before staff, Planning Commission and Council for approval. He said that this was zoning and was not the final approval for a use on any specific parcel. Council would have the opportunity as well as staff as well as the Planning Commission before any single use in any area in the project is approved, as well as State and Federal agencies. Mr. Wooten said this was zoning. This put forth what could be done on those properties as opposed to straight zoning which had a multitude of things and this confined those uses. When the market determined or Jackson determined what they would do on any one parcel then the plans would be developed and would go back through the process. There were no cemeteries or railroad stations. That document which every member had received a copy of and every member of the Planning Commission received a copy that contained all of the potential uses. He stressed that the exact uses would have to come back before Council before it was approved.

Ms. Gilland said that her point was that they were essentially envisioning a commercial type area along there so they could expect more things like Chick-Fil-A or the entrance to Sayebrook which had this nice..... Mr. Wooten said that it was their concept for the entrance to Sayebrook and something of that nature. He said that the photographs were contained in the document and were submitted to the Planning Commission and Council and it clearly indicated the nature of development.

Ms. Gilland said that was what the neighbors needed to know. They could expect when this was developed in the future and it may take twenty years for all of those pieces to be developed.... Mr. Wooten said 30.... Ms. Gilland said that 30 years was their outside and 20 years was probably more realistic the way things were growing and maybe ten years but that was what they could expect to see. She asked how many curb cuts were they going to put in. She said what they did at the entrance of Sayebrook was really nice. They had to turn into there in order to get to most of the adjoining properties with the different commercial areas most of which Ms. Gilland had already gone to. She asked if they would do the same on the other side of Hwy. 544.

Mr. Wooten said that SCDOT was limited to the number of curb cuts. That was something that.... Ms. Gilland asked if it was every 200 feet. Mr. Wooten said that it wasn't. He said that in

the negotiations with SCDOT on the widening of Hwy. 544 they limited the Jackson Companies to a number of curb cuts. Mr. Alger said that was correct. Ms. Gilland said that was almost as good as a frontage road which was her point in that if they limited the curb cuts and let them go to the different ones like they did to the entrance of Sayebrook... Mr. Alger said that was correct. The curb cuts that were allowed on Hwy. 544 in that section of Southwood by the SCDOT were actually... already existed on the south side of Hwy. 544. For instance, there was one between First Union Bank and the gas station. They were spaced approximately every 400 feet apart. He said that they would like to access the property through a boulevard like they did at Sayebrook and access from the rear of the parcels and combine entrances. They liked to ensure the driveways so each parcel or development parcel didn't have its two curb cut but would share one with the adjacent parcel. That was their concept for development. Also, with regard to the use, that property across from Southwood was about 55 acres of upland area. The front may be commercial or retail similar to what had been done at Sayebrook. That was still a large parcel and would probably have housing in the rear of that parcel. There would be people living there. They would be buffered from the commercial that they developed. Unfortunately, the parcel that existed between Hwy. 544 and the Southwood community was zoned HC in the County. They didn't develop that parcel. They took no credit nor blame and tried not to take blame for what had been done there. They tried to do a higher level of development. He asked that they judge them by their actions and not their words.

Mr. George Edwards asked if he could speak. Chairman Prosser said that this was Council's opportunity. Mr. Edwards said that the Jackson Companies had several spokesmen that had spoken. Chairman Prosser said that this was Council's opportunity to ask questions. Mr. Edwards said that somebody asked about the uses. Chairman Prosser said that they wanted to find out from the applicant what they were proposing. Mr. Edwards said that he had some uses that were allowed and had gone and checked against the CFA that was there currently and would be glad to tell them what the uses were if anybody wanted to ask him.

Chairman Prosser recognized Mr. Skidmore to speak. Ms. Gilland said that she was not finished. Mr. Prince asked Ms. Gilland to give somebody else a chance. Ms. Gilland said that she would. Ms. Gilland said that the frontage road that interested Mr. Edwards and some of the other folks...the second to that would be the length in curb cuts which they already had and she appreciated. The other thing was that it took forever to have a study done (she had checked with Mr. Gosnell) but they had one underway on that entire basin area that would not be finished until next summer. They wouldn't do anything probably until then because they needed to know what the problems were. She was saying this for all the folks that lived in that entire area. At that time, then they would start having to decide how many millions of dollars literally they could put into resolving that entire problem of that huge geographic area and it would be up to Council to come up with the money to resolve it. They didn't even know what could and needed to be done until the study got back to them. She said that Mr. Gosnell told her that they had verbally agreed at that time to work with him and the County on their development in conjunction with whatever needed to be done according to that survey. She wanted to get it on record that they would do that and do whatever and that would include putting in some work which meant dollars too which would benefit their development as well as the surrounding area. Those were the things that she was hearing the most. Mr. Wooten said absolutely. Ms. Gilland said the stormwater deal, traffic, some of which they could help and some of which they couldn't, the curb cuts and stop lights. She asked if they had discussed with SCDOT where the stop lights would be in addition to where they already were.

Mr. Wooten said that they didn't plan on any additional signalization on Hwy. 544. Signalization deterred traffic and reduced capacity in a road. They believed that the curb cuts was the plan that SCDOT worked with them on the widening on Hwy. 544 and the plans were sufficient for the development. Signalization was not often a good thing. With deceleration lanes and acceleration lanes put in they felt that they could move the traffic adequately. They had a traffic study with Mr. Dave Winburn & Associates who was working with them very closely and had since 1995 in traffic studies for this project.

Ms. Gilland asked Mr. Wooten if she could put him on the spot for just a moment. Mr. Wooten said yes. Ms. Gilland asked if they could help the drainage problems at the old Prestwick. Mr. Wooten said they could. He wanted to address that. He said that the photographs were taken under a five hundred year storm event. Ms. Gilland said that was also a question she had. Mr. Wooten said that this was in litigation. The County was involved in that litigation as well as the City of Myrtle Beach as well as Prestwick as well as Pirate Land Campground and SCDOT. The State Insurance Fund had selected an expert witness for that project. Mr. Wooten said that their firm was selected as the expert witness by the State Insurance Fund to defend against that. That was in litigation. He said that one thing about Stormwater and Mr. Gosnell would attest to this was that they could design to a specific event. If it were a ten year event, a twenty-five year event or a fifty year event engineers could design to that event. When they got storms that were beyond that event no matter where they were, in the mountains, foothills or the coast, they were going to have periods of time where water exceeded the levels of water that people would tolerate. During Hurricane Floyd they saw the damage that was in Conway and around the area. They had clients in Greenville, NC and Yarbrough that had water above their homes. They couldn't design for those events. They could design for a 25 year storm. Those storm events that the Jackson Companies were prepared for and their firm was designed they had no occurrences of flooding under the design storm events. It was very easy to go out and take a picture of a freak storm and something that they couldn't design for. The issue was if they could design to ensure that they didn't increase the flooding in that basin. Mr. Wooten said that they could. An example of that, he realized that there were some people there from Southwood and Deerfield, before Southwood was built there were a number of cul-de-sacs in Deerfield that abutted the lakes in Southwood. Those areas flooded under a two-year storm event. Southwood was developed. The lakes in Southwood and Wicked Stick served to significantly reduce the flooding in those areas. Those areas still flood under a major storm but that was one example of where the design of a project reduced flooding in a basin. They believed that they could continue to do that with the Jackson Companies. Again, with the Raccoon Run basin, Mr. Jackson was the first person to put money forth to study that basin and spent money in it in additional funding when the Myrtle Beach Redevelopment Authority studied the potential of rerouting Raccoon Run through the Air Force Base which was still a viable option as Mr. Gosnell and his consultants he was sure would explore. Mr. Wooten said that stormwater was a very emotional issue as was traffic. The best they could do as engineers was to plan for certain events and ensure that their projects didn't exceed those events and they had done that with this project.

Ms. Gilland asked Mr. & Mrs. Eaves when the pictures were taken. Mr. Eaves said three or four times. They had three or four storms. They had three or four storms and they weren't 500 hundred year storms but were minor storms. They had a twelve inch ditch behind their property that Mr. Alger called a small stream that drained the Air Force Base.

Mr. Patton spoke from the audience pointing out a gentlemen with white hair saying that he had made a comment... Councilman. had made a comment....

Chairman Prosser said that if Mr. Patton was going to make a comment that he needed to come up to the microphone.

Mr. Brown said that the gentleman that had the white hair was named Mr. Brown.

Mr. Patton said okay and that his name was Cornell. He said that Mr. Brown had made a comment that this was probably something that happened last year or something like that. Mr. Brown said that he knew that it didn't happen in September and that was what he was trying to point out. The pictures he saw were not taken this past September.

Chairman Prosser said to Mr. Patton that the question was when were the pictures taken. Mr. Patton said that the pictures were taken four times. This had happened four times this year and five times last year. This was all after Hurricane Floyd. The pictures were not Hurricane Floyd. He said that with Hurricane Floyd the water was elevated about two and a half feet above that level.

Mr. Brown said that they were in the houses. Mr. Patton said yes.

Mr. Kost wanted to reiterate a point that was made and asked Mr. Taylor and Mr. Gosnell to explain some specifics that they might see. The point was made that after they were to pass the PDD that proceeding with the building that would go on would have to come to the Planning Commission and then to Council.... that's what was said and then to Council for approval. He wanted to know if that were really true because he didn't think that was a truthful statement. He didn't know but wanted the truth. Mr. Gosnell said that Mr. Taylor could correct him but once they passed the PDD when they brought subdivision plans to the Planning Commission they would see and approve those and his staff would issue a stormwater permit but Council wouldn't see any plans past that.

Mr. Kost said this was their last opportunity as a Council to say yes or no. He asked what would the developer bring back to the Planning Commission when they had their plans. He asked Mr. Taylor to give them a sample of what they would bring back to have approved by the Planning Commission. Mr. Taylor said that after the zoning was approved the next step in the process would be for the developer to submit preliminary subdivision plans showing an initial layout of the roads, lots and infrastructure. After that the developer would come in with the final plan showing the lots again and would have to secure or bond the project and ensure that the infrastructure was going to be put in. Those both go through the Planning Commission. Mr. Kost said that would be a "zoning" request, i.e. they want..... Mr. Taylor said that once they did the zoning the rest of it was left to the Planning Commission to administer. Mr. Kost understood but they were going to come in and say that they wanted to put a store on this lot and that they were going to do a theater on another lot and a gas station on another. He asked if that were correct. Mr. Taylor said that was included in their packet that night where they wanted to do what. They had listed their uses on pages 76-79 and had also included a map further back showing where the different areas would be. They would be bound to that. Mr. Kost said that his question was why were the residents saying that they didn't know

what was going to go in. Mr. Taylor said maybe it was because they hadn't seen this. Mr. Kost said that may very well be true. He asked if everybody understood that this was the last time they would be able to look at. They just had a gentleman respond that they didn't know what they were going to put exactly along the highway. Mr. Taylor said that it used to be in the old PUD process that they would come back to Council with different phases. When they went from PUD to PDD they did away with that because they really didn't accomplish anything. Mr. Kost said so they were not going to have to come back. Mr. Taylor said that they were not. Mr. Gosnell said that the only time they would come back to Council would be if there were a significant change in the PDD and that would require them to come back in. Mr. Taylor said that would really amount to a rezoning. Mr. Kost said that he was interested in the level of detail that the Planning Commission would have to have presented to them to approve. He said to forget about Council beyond what would be passed with this. He asked what specific information was going to have to be provided for the Planning Commission to say yes to proceed or no not to proceed. Was it just zoning type things or was it a specific building. Mr. Taylor said that it was not the specific buildings but it was the lot layouts, size of the lots, angles of the lines in the lines in the lots, etc. It got very specific. There was a whole long list. Mr. Kost said that they were then back to the question that he and Mr. Taylor had spoken about many times which was that basically once they got that approval and put up the building that they wanted to put up and got a building permit for it nobody looked at it. Mr. Taylor said unless they had some architectural controls in place. Mr. Kost said which they didn't. Mr. Taylor said that they might have some in this but he wasn't sure if they did or not. Mr. Wooten said that there was. Mr. Taylor said that would be internal to the PDD. They could establish their own board of architectural review.... Chairman Prosser said which they would police. Mr. Kost said that they at least knew where they were going. He thanked Mr. Taylor.

Mr. Alger said that on their commercial developments like Sayebrook or Prestwick Place they had defined essentially a declaration of easements and restrictions much like their development for associations like Southwood, Deerfield or Prestwick. They were of a commercial nature and specified architectural design, signage design, landscaping requirements, parking requirements and all sorts of standard frankly not covered by County ordinance. They developed them and that was how they got what they saw with Sayebrook, Atlantic Bread Company and Beach First Bank. Those tenants conformed to their guidelines.

Mr. Smith said that he had a question for Mr. Wooten and a comment and then he wanted to talk about a few of the issues they had been discussed on Council and wanted to weigh in and give his input because a large significant portion of the rezoning was in District #6 in the Socastee area which was his area. He referred to the picture issue that Ms. Gilland discussed on the Prestwick drainage issue problems there. He asked did that drainage problem out fall into Raccoon Run.

Mr. Wooten said that it didn't. He said that it went down toward the Myrtle Beach Air Force Base and joined up with the drainage from the old Air Force Bay and crossed under Hwy. 17 and went through Pirate Land Campground and outfell to the ocean.

Mr. Smith thanked Mr. Wooten and stated that he was not familiar with that location and wanted to understand that because it was a separate problem. He agreed that it was a problem but was separate from the Raccoon Run drainage system. He wanted to make sure that everyone was aware of that. He said that there had been some public input and some issues that had been

addressed towards the Jackson family and he wanted to say from his experience in the community and was a lifelong resident of that area that the Jackson Companies and the Jackson family had been a very positive contributor to the community and that area. He thought that they did a very good development and that they could probably go to their developments and request and get a lot folks there to speak on their behalf. He said that he wanted to state that publicly for them. He said that the issues that after they didn't defer this at the last meeting he really wanted to do due diligence on all of the issues on the rezoning. It was a large rezoning and he was not comfortable in supporting it until he got comfortable with all the issues that he was concerned with. The first one being a top priority which was drainage as Mr. Ryan had shared his information. A lot of those drainage issues were in District #4 which was Mr. Ryan's area. A large significant amount of the property in District #6 didn't experience those problems other than some areas down near the Backgate. He sympathized and recognized the problems associated with that drainage area. The Raccoon Run drainage system was very limited and had had discussion on it that night. He thought that everyone understood that position. Mr. Smith said that after the County completed the study on this area he thought that they could have a very good arguing case that this drainage basin may be the top priority in the County and as they as a County started looking at some capital projects for drainage improvements he hoped that the Raccoon Run drainage system would get consideration from Council favorably early on because of the development in that area. He said that there were a few items that he learned after sitting down with Mr. Gosnell and looking at the drainage of that overall entire drainage basin was that there was a weir redesign going to be started in construction very soon at the out fall at Southwood along Hwy. 544. He said that from his understanding the design was going to create a weir that was going to out fall at about a 20 foot elevation mark with some manual gates that could be operated to lower the lake levels in Southwood down two feet to about an eighteen foot level. Mr. Gosnell said that was correct. Mr. Smith said that was something that the County was going to be doing. He asked Mr. Gosnell for the schedule of that. Mr. Gosnell said that the contractor was pricing the work now. As soon as he got the price back they would check the budget and hoped to have it constructed in the next few months if the weather stayed nice. Mr. Smith said that his understanding was that it was going to give the County some ability to address the drainage areas in Deerfield and Southwood. When they had a major event approaching the County would have the ability to go out and lower the lake levels two feet to provide some more storage capacity for the rain that was going to be coming. The County was trying to address the areas. There were some improvements that would be coming very soon.

He said another pediment to the Raccoon Run drainage system further back towards Socastee was the old two lane Hwy. 707 bridge. It very much limited the capacity of Raccoon Run as it got to the Intracoastal Waterway. That bridge had been removed by the SCDOT with the Hwy. 707 construction project, they had an improvement there to that overall system which was going to assist in getting water through that basin to the Waterway which he thought was going to be a benefit as well. He had weighed all these things in trying to make a good decision on this rezoning. They had already talked about the drainage requirements the County imposed on the designers and developers and with the new County drainage ordinance they would see significant improvements in drainage of new development. He said that unfortunately Deerfield was a development that had problems because the drainage systems were poorly designed when that development occurred. He didn't think it was fair to penalize the landowner downstream from the Deerfield development just because of mistakes that were made in the past. He said that he was a civil engineer and studied drainage systems in college and thought that he had a pretty good understanding of how those systems worked as to how they looked at them and how they addressed them. He thought that in

average rainfall events or small rainfall events with the Sayebrook development they were actually probably going to see improvements in the drainage systems because those developments were going to retain a lot of the rainfall on those properties that were now going to Raccoon Run directly. With less water going to the Raccoon Run and overall drainage system and more of it being retained on these developments there was going to be capacity for the Deerfield and the Southwood systems to get through that basin. He agreed that on major events when they had significant rainfall and those drainage systems and these new developments were full they were probably going to see a worsening of the drainage problems in major events. He said that was inevitable until they got some major capital projects done on that overall drainage basin which was not the responsibility of Deerfield, Southwood or this development but the responsibility of the County.

Mr. Smith said another issue that he looked at very good on this rezoning request was traffic. He said that definitely Hwy. 544 was going to be impacted. There was no doubt about that. He said that Jackson Boulevard, the connector road at the intersection of Big Block Road up to Hwy. 17 Bypass, was going to assist in allowing traffic flow in this development but it was also going to assist the entire community as a whole there. It was master planned to tie into the center point and over to the Airport terminal. He thought that what they had proposed was a good plan and would address the traffic situation there. He encouraged the developer to definitely minimize the number of accesses to Hwy. 544. That would be important to monitor the Hwy. 544 traffic in that regard. They were already doing that and they could see it as a result in their development plans for Sayebrook. They had addressed those issues and were taking care of them. In the Sayebrook development it encouraged pedestrian oriented type development activity. That was another issue that he thought they had done due diligence in trying to address the traffic situation.

As far as the uses, he understood that Southwood had their issues maybe with the uses in what was proposed in that commercial area over in District #4. He had no concerns with the uses in District #6. He thought that they were appropriate for that corridor and well planned out and thought that it would be a benefit to the Socastee community. He supported the uses in the development. He was concerned about quality of development and that should always be a concern. He said that with the Jackson properties and what they had done with Ocean Lakes Campground, Prestwick and Sayebrook, he thought that should not be a concern and they had shown that they could do a development that had good quality and would benefit the community as they continued to develop in that same fashion.

He was concerned about the Hwy. 544 Overlay which had not been approved. In writing the Jackson Companies had agreed to comply with that overlay. With that issue he was satisfied. The other issue that he talked with staff about and with the applicant was public support facilities. This was a large rezoning with a lot of acreage, units, and density and he wanted to make sure that the public support facilities were there. He talked to Mr. Whitten, the Public Safety Director, about fire stations, police stations and any sort of need that would arise from this development or in the Comprehensive Plan of the County in that area if any of those issues were needed. At this time, the answer was no but as that area grew there could be future possible needs for those facilities in the future. He said that the Jackson Companies was very willing to look at those issues and deal with those issues in the future. The Jackson Companies provided the property for the fire station that was on Hwy. 544 that had recently been replaced. He said that the Jacksons had shown in the past the willingness to work with the County to address those issues.

He shared some concerns about recreation. Council had supported recreation lately and the County was trying to do a better a job with that. He discussed that with the applicant a significant amount of time and the applicant agreed with him on that issue and agreed to set aside three acres

for public recreational benefit. He said that was an issue that the applicant had shown that they were willing to be a part of that community and work with that community there. He weighed all of these issues out and it was a difficult decision for him. He knew there were a lot of pros and cons, good and bad, but he thought that overall there was more good in this rezoning request than bad. He said that it was a good thing for that area and he supported it.

Chairman Prosser reminded everyone in case anyone had lost track that they had the main motion on the floor which was to approve second reading on the ordinance. **Mr. Brown made a motion for previous question.** Chairman Prosser said they would go ahead. Mr. Ryan asked for a division of assembly. The vote was taken and was as follow: **Mr. Smith voted aye; Mr. Cooper voted aye; Mr. Brown voted aye, Mr. Prince voted nay; Mr. Ryan voted nay; Mr. Hardee voted aye; Ms. Jordan voted aye; Mr. Skidmore voted aye; Mr. Skidmore voted aye; Mr. Kost voted aye; Ms. Gilland voted aye and Mr. Frazier voted aye. The motion carried.** Mr. Ryan asked if it was close. Chairman Prosser said no. They took a five minute break.

The meeting reconvened.

Chairman Prosser called for second reading and public review of Ordinance Nos. 176-01 Fred Majors for St. Anne's Oaks PDD; Ordinance No. 177-01 Jimmy P. Jordan, agent for Charles M. Schumann; Ordinance No. 178-01 Elmore Bellamy, agent for Diane Culler; Ordinance No. 179-01 Julie Powell; Ordinance No. 180-01 Roger M. Roy, Jr. agent for H.M. Inn Properties, Inc.; Ordinance No. 181-01 Horry County Planning and Ordinance No. 182-01 James M. Wooten, agent for Louise & L.J. Bell and H.E. Bell- Wampee Industrial Park PDD amendments to approve the official zoning maps. Mr. Kost made a motion to approve, seconded by Mr. Brown. There was no public review. The motion carried.

Chairman Prosser called for second reading and public review of Ordinance No. 183-01 McCray Smith, agent for Bonnie Jean Robinson, trustee to approve the request to amend the official zoning maps. Mr. Ryan said the comments that he had earlier as far as stormwater applied to this one and he wouldn't go through those again other than to say that the area that backed up to this development off of Burcale Road, Forestbrook area, had severe flooding problems as well as other areas they talked about that night. It concerned him as to how this development would affect that area. He said that also the elevation for this development was 17 feet which would cause them to either have to raise part of the area or elevate it and possibly raise some of the roads that would go in there and some of the lots. He asked if that were correct. Mr. Taylor said they still had to comply with the flood plain regulations and that would require that the elevation of the floor be at least one foot above the deep well. Mr. Ryan said comparing it to the rear of the land, the 35 acres, were classified as CP, how did that affect this. Mr. Taylor said that CP was almost a zoning overlay district. The zoning districts that were adjacent to CP was that CP took on those uses. He said that CP initially was intended to provide for some conservation but it had a list of permitted uses which included marinas, fishing and aquatic related activities. Mr. Ryan said based on the information that he had and the concern that he had that he had addressed earlier and would not elaborate on them again he had concerns about this in how it would affect the Burcale Road area and how it would affect the area behind the Forestbrook area which had had severe flooding. Based on those he wouldn't support it that night. There was no further discussion. **The motion carried with Mr. Ryan voting nay.**

Chairman Prosser called for second reading and public review of Ordinance No. 162-01 to approve the request of Leroy Grainger, agent for The Grainger Companies, to amend the official zoning maps. Mr. Smith made a motion to approve, seconded by Ms. Jordan. There was no public review. The motion carried.

Chairman Prosser called for second reading and public review of Ordinance No. 185-01 to approve the request to amend the official zoning maps so as to rezone all or portions of the area known as the Hickory Grove, Cates Bay, Pawley Swamp, and Toddville communities from FA to designated districts. Mr. Hardee made a motion to approve, seconded by Ms. Jordan. There was no public review. The motion carried.

Chairman Prosser called for second reading and public review of Ordinance No. 186-01 to approve the request to amend the official zoning maps so as to rezone all or portions of the areas known as the Loris, East Loris, Daisy, and Allsbrook communities from FA to designated districts. Mr. Hardee made a motion to approve, seconded by Mr. Kost. There was no public review. The motion carried.

Ms. Gilland said that they had 150 pages approximately of names in their packet that had to do with it for the second time and asked if they could please not have them next time. She said that they talked about that at the last meeting about trying to conserve paper. Each of them had 150 pages of names listed. Chairman Prosser said that Ms. Hartley planned on not recopying it for third reading but did it for second reading. Ms. Gilland requested that they only do that once from now on in the interest of economy.

Chairman Prosser called for second reading and public review of Ordinance No. 189-01 to amend the zoning ordinance pertaining to the establishment of specific provisions for the MR-1 and MR-2 zoning districts. Mr. Brown made a motion to approve, seconded by Mr. Cooper. There was no public review. The motion carried.

Chairman Prosser called for second reading and public review of Ordinance No. 190-01 to amend the zoning ordinance pertaining to common identification signage in commercial subdivisions. Mr. Kost made a motion to approve, seconded by Ms. Gilland. There was no public review. The motion carried.

Chairman Prosser called for second reading of Ordinance No. 192-01 to amend the County personnel policies. Mr. Kost made a motion to approve, seconded by Ryan. The motion carried.

Chairman Prosser called for first reading of Ordinance No. 193-01 to amend the zoning ordinance pertaining to the temporary signage standards. Mr. Hardee made a motion to approve, seconded by Ms. Jordan. Mr. Prince made a motion to amend to delete this entire part of the sign ordinance and let it go back to the way it was in 1998. He said that would give the people in the unincorporated area the freedom to use their signs as they saw fit on their own property so they could advertise their merchandise and help them raise their money to pay their license fees and so forth. Ms. Jordan seconded the motion. Chairman Prosser said that the nature

of the amendment was so substantial that Mr. Prince would be better off bringing another ordinance if he wanted to abolish the current ordinance. He asked if they had the 1998 regulations available. Mr. Myers said that if he understood Mr. Prince he wanted to amend the ordinance to bring it back to where there was no ordinance pertaining to temporary signs. There was no ordinance in the sign ordinance pertaining to temporary signage. It was all permanent free standing signs and wall signs. He said that if Mr. Prince were requesting that then they had no control over temporary signage at all. Chairman Prosser said that in order to bring that Mr. Prince needed to bring a separate ordinance to abolish all of the sign standards with regard to temporary signage if that were what he was trying to accomplish. Mr. Prince said that they were really not talking about temporary signs. It was misleading. These were permanent signs that people used year around to advertise their merchandise and could change them weekly, two weeks, etc.

Mr. Skidmore wanted to make a comment. Chairman Prosser said that he was going to rule the amendment out of order. Mr. Skidmore asked Mr. Taylor or Mr. Myers to explain what Ordinance No. 193-01 did versus what was currently in effect with the sign ordinance now to clarify some things. Mr. Myers said that Ordinance No. 193-01 was relaxing the existing temporary sign ordinance which was quite restrictive. The temporary sign ordinance that was in existence now only allowed a person to advertise 28 days in a calendar year. This ordinance was relaxing it and allowing any where from 60 to 120 days and also allowing other signage not having to go through the permitting process in the rural area other than getting an annual permit. Mr. Skidmore asked where was Mr. Myers calling a rural area. Mr. Myers said according to the Comprehensive Plan and according to the roadways generally the rural areas were seen west of the Waccamaw River. Mr. Skidmore asked if it specifically said in the ordinance west of the Waccamaw River. Mr. Gosnell said that it identified Hwy. 90 as also rural. It was from Hwy. 90 west basically.

Ms. Gilland said that this had not been through committee and she would feel a lot more comfortable with it going through committee. Mr. Myers said that it hadn't been through committee nor the Planning Commission. The Planning Commission would be looking at it Thursday. Mr. Skidmore said that this should go back before committee before going to second reading. **Mr. Skidmore made a motion to amend that instead of Hwy. 90 that it be west of the Waterway.** There was land in the Little River area where Hwy. 90 kind of split both sides of a road and there was not much difference. If they were going to allow one side of the road then he thought they should let the other side have it too. Mr. Skidmore said that they needed to make a boundary at the Waterway. Mr. Prince asked if he was talking about the Intracoastal Waterway. Mr. Skidmore said that he was and for right now they were using the boundary as Hwy. 90. Mr. Prince agreed with that and that the whole County needed..... Mr. Skidmore said that this ordinance allowed basically one sign. Mr. Myers said it allowed one sign in the rural area that would not need to go through the permitting process and would be restricted to the 28 day period and/or the 120 day period if they were going for a second temporary sign. In a rural area they would be allowed to have one temporary sign. For example, a flashing arrow sign or announcement board type sign that was not anchored in the ground was generally called a ground sign. Permanent signs were signs that were made permanent according to the building code meeting codes. This would allow the rural area one sign for a business and three banner signs without having to go through the sign permit process other than the banners being permitted.

Mr. Hardee said that he asked for this to be placed on the agenda. He had the opportunity to meet with staff and some of the business owners. They had concerns about the temporary signs and they met with staff and thought that they had pretty much come to an agreement. He supported Mr. Skidmore and didn't realize that it was Hwy. 90 and thought that the Waterway would be fine. A lot of the people were getting written up and were having their signs taken. If they gave it first reading and there was a change in the process they could ask staff to stop taking their signs or issuing fines until it could go to committee and back to Council. Mr. Myers said that they didn't take signs that were on private property. Any sign that was not permitted in the highway right of way and there were no signs permitted in the highway right of way. There were no signs or otherwise permitted to be attached to trees or utility poles and that was in the sign ordinance. They didn't go on private property and take signs. This dealt with signs that were going to be placed on private property.

Mr. Hardee said that he had a gentlemen in Little River at the drawbridge call him and was made to move his flashing arrow sign. He said that was what he was saying in that if they had first reading on this and complied at that time with the revised ordinance then they could maybe give some of the folks a break when they were trying to make a living.

Mr. Prince said that he had a couple of calls in the last four or five days that they had gone out and given tickets and told them that they had to take their signs down and some of them said that they had had their sign there for 20 years. Mr. Myers said that the ordinance that was in place now with temporary signage said that they had to comply when it was adopted in 1998. They had to comply within 6 months to get a temporary sign permit for that 28 day time period.

Mr. Prince said that the problem and the concern was that they had a sign that they were using for their business and had had it for 15 or 20 years and had been advertising their product and then they were told that they had to take it off. It looked like the County would be liable for damages. It had damaged the person's livelihood and the way of them making money and never had harmed a soul. He didn't understand why they were taking people's freedom away like this. Mr. Myers said that the present ordinance amortized temporary signage for 6 months and in 6 months they had to come into compliance with the 28 day permit. They didn't grandfather when they adopted this ordinance and anything existed they had said that within 6 months they had to get the temporary signs permitted and they were only... not ticketing any but giving a warning to those that weren't aware of that.

Mr. Prince said so they made a mistake of not grandfathering the ones that were already there.

Mr. Knight said apparently they made the mistake of passing it. He said that was where they made the mistake. This got kind of like traffic, draining and zoning... signs. Council caught it... staff when they didn't write tickets and didn't get them down and then when they did then the other side was upset. As long as it was an ordinance they were going to attempt to enforce the ordinance and if they didn't like the ordinance then they needed to change it. He said that was what they were attempting to do that night. They got the calls also and he could pretty much map where Mr. Myers had been the day before by the calls that he got and the calls that he got from Council. It was just enforcing the ordinance that Council had passed.

Mr. Prince said that he was going to have to tell them that two or three people were not going to fairly patrol the ordinance. There was no way for it to be fair because some were going to be doing it and some were not going. He said that if they had 50 people out there they were not going to get everybody to keep them off the light poles, their yards, buildings and stores. He said that if they couldn't do an ordinance that would be fair then don't do it and don't put hardships on people.

Mr. Knight said doing it fair was... the complaints that he got about the enforcement was that they were pretty steady at it. He said if they had an ordinance they were going to have to enforce it. If they had two people they were going to do as much as they could with two. In some areas of the County where these signs had been placed such as Burcale Road when they used to pass it there would be 200 signs out there for Burcale Road, Hwy. 501 and people would get here and complain about the signs that were on the light poles. They did a pretty good job in cleaning it up. He said that if Council wanted flashing signs and three or four banners at a store and those type things then that was fine but they were enforcing the ordinances that Council passed.

Mr. Prince said that if they went ahead and approved it that night they would be allowed to have a sign in front of their business as long as they did it properly. Mr. Knight said it would have to go through three readings. Chairman Prosser said once it was.... Mr. Prince said it would be for one sign and three banners. Chairman Prosser said they had to have three readings so it could complete the amendment and then they could enforce the new ordinance.

Mr. Smith said that if he understood it correctly this was going to be reviewed by the Planning Commission or staff. Mr. Myers said that the Planning Commission would send it through Zoning and the Zoning Committee had already worked on it and had worked with some of the business owners in the area to come up with this as an agreeable option to the restricted one that was in place now. Mr. Smith asked if staff had a position regarding this ordinance. Mr. Myers said that this was a relaxed ordinance. He said that enforcing this would be a lot easier than trying to enforce the one that was in existence now because of it being so restrictive. He said that this was something that would be presentable to the communities in the rural and urban areas. It was giving them more time for the signage.

Mr. Smith said that he would support first reading on this but wanted to get the Planning Commission's recommendation along with staff's. He was very concerned that they didn't relax too much to gain what they had gained thus far in reducing sign clutter and temporary sign issues. They needed to be very careful about that. Mr. Myers said that this was a form of controlling it which they needed to do to reduce that clutter. This was about as limited as they could go to as far as being in line with the Comprehensive Plan and reducing visual clutter.

Chairman Prosser said that they would never have 100% enforcement but they had made some significant progress and perhaps there were some issues that they needed to look at and may need to look at loosening the ordinance somewhat. They had problems with intersections that had signage on every utility pole and the entire right of way was covered and they had been able to make some real progress in enforcement there.

Ms. Gilland said that she wanted to make sure that this went through the Planning Commission and the I & R Committee before it came back to Council for another reading. Also, they kept sort of ... they made a law and passed an ordinance and then a couple years later they repealed it. Then they passed it and changed it and when it came to signs that was what they had been doing ever since she had been on Council it seemed. If they were going to change it they would change it but she certainly didn't want them... personally she didn't want them telling staff anything different until they got to third reading. She thought that it was the intent or the idea of Mr. Hardee that once they passed first reading then this was kind of in effect and she didn't think that was fair to staff or anyone else. She said that she agreed with Mr. Prince in that they didn't always catch everybody and enforce the sign ordinance for instance fairly with everyone all the time but it was the same as speed limit signs. Some people obeyed the speed limit and some didn't and some of them got caught and some didn't. It was the same with almost any law.

Mr. Prince said that Ms. Gilland was talking about two different things. He said that Ms. Gilland was talking about driving up and down the road and maybe killing somebody. This sign was talking about helping people. Ms. Gilland said she was talking about enforcement. Mr. Prince said that signs were not killing anybody but were helping them.

Mr. Hardee asked if it were not normal when something went through like this... did they wait until third reading before they actually stopped issuing citations. He was not asking for anything special he just thought that was the norm.

Chairman Prosser said that there were some times with both pending ordinances doctrine that when something was more restricted and they were trying to address a particular issue but if they were going to loosen a regulation in place then it had to go through three readings to accomplish that. He asked Mr. Weaver if he concurred with that.

Mr. Weaver said that the pending ordinance doctrine was more in line with maintaining the status quo. That was generally the purpose of it. What invoking the pending ordinance doctrine in this situation would do would be to give it one reading and it sort of temporarily became the law until they ran it through the various committees and then they would see if they wanted to make it a permanent law. He didn't recommend invoking the pending ordinance doctrine on this.

Chairman Prosser asked Mr. Skidmore if he wanted to make the amendment to change the line from Hwy. 90 to the Intracoastal Waterway. Mr. Skidmore said yes and that he wouldn't mind looking at in committee. He said that basically what they were saying was that this ordinance would not go into effect until third reading.

Chairman Prosser said that was correct and that it needed to go to the Planning Commission and the I&R Committee and that amendment could certainly be put in when it came back to them.

Mr. Skidmore requested Planning to look at that.

Chairman Prosser said that the motion was for first reading that night and then it would go to the Planning Commission and to the I&R Committee. **The motion carried with Council Members Ryan, Brown and Kost voting nay.**

OLD/NEW BUSINESS:

Discussion on the establishment of the Veteran's Highway as a "Scenic Byway".

Chairman Prosser said that he received a request from COMBO, the Committee of Myrtle Beach Organizations, and they were working on having Veterans Highway designated as a scenic byway. The process went through SCDOT and they had asked Council for a letter of support in that regard. He intended to have that in a resolution but it was in the hopper and didn't get on the agenda. He said that he needed to know how Council felt as to if they wanted to take a position on this or not. If they wanted to take position he would be glad to write a letter in support or if Council chose not to take position they would leave it like it was. They could go through with the application without Council's consent but they had requested to have Council's input on it.

Mr. Smith made a motion to instruct Chairman Prosser to write a letter in support, seconded by Mr. Brown. There was no discussion. **The motion carried.**

SCAC Policy Committee Meeting.

Mr. Kost said that he attended the SCAC Policy Committee Meeting last week which was a combination of about six other sessions. He said that they would be getting a book if they hadn't already received one that essentially set forth the legislative positions that they wanted the SCAC to take. He recommended that they take a look at it when they received it. In addition, in Council boxes there was a sheet of paper that asked them to indicate their willingness to be a strong legislative contact and advocate for local government. He asked that they take some time and fill that out and mail it into SCAC if in fact they knew a legislator or had a good relationship with one and could talk to them and have an influence on them. They would appreciate that support and it worked for them.

Retroactive Charges on the County Use of Vehicles.

Ms. Gilland said she thought there were a lot of County employees that were very upset over a new policy or an enforcement or something that a lot of the upset was caused by a misunderstanding. She knew that some other Council members had gotten calls about it too. She asked Mr. Knight to clarify it. It had to do with a charge that had to do with folks that drove their County cars home.

Mr. Knight said apparently the employees had called Ms. Gilland and didn't call him and he could have probably made them sleep a lot easier the night before. They had not yet determined what vehicles would be charged and what wouldn't. This was not the County's law but was a Federal law. They figured up that day that the most that an employee would have to pay, if in fact, the vehicle was for personal use which they didn't think there were that many would be less than \$60.

Chairman Prosser asked in what time period. Mr. Knight said it would be for a whole year. They stood to front the money instead of taking it out at Christmas and let them decide if they wanted to pay the FICA or if they wanted to loan it to the employees and let them pay it so much per payroll.

Ms. Gilland said so the bottom line for the County employees that were afraid that they were going to be assessed around a \$700 fee at Christmas time was bogus and was rumor and false information that had flurried around the County the way the grapevine went. She said at the most it would be less than \$60 and it would not be assessed at Christmas time. They had to do this because it was a federal law. If they needed more information or an explanation they could call Ms. Fryar in the Finance Department and she would be glad to explain it.

Mr. Brown asked how long had it been a Federal law. Mr. Knight said that he didn't know but they had fought this battle about ten years ago. It kind of went away when the administrator before parked all the vehicles and then it wasn't an issue but now they had started utilizing people on call. If an employee used a vehicle and it benefited the County and benefited the services then it was exempt. Police and emergency vehicles were exempt. It didn't leave very many that they had to deal with and they planned to deal with that in the next couple of days.

Mr. Brown said that Mr. Knight had said that rather than taking it at Christmas time that they would let them pay it. Mr. Knight said that was correct. Ms. Gilland said that it would be less than \$60. Mr. Knight said that it was kind of like a ham.

Mr. Prince said that the --- subdivision from the State he asked if that had been cut, a certain amount. Mr. Knight said that it was. It was about Mr. Sawyer said that it was \$138,000. Mr. Prince thought it was worse than that but it was bad enough. He said as long as they didn't see each other anymore or visit until after this year, he wished everyone a Merry Christmas.

Chairman Prosser said that there was one issue that came up late that afternoon that he had talked to the Administrator about..... Mr. Brown pointed out his Christmas tie. Chairman Prosser said nevertheless it was an issue that Council needed to be advised of and it was their choice. It was something that needed to be discussed at executive session and then they could wrap it up.

EXECUTIVE SESSION:

Ms. Jordan made a motion to go into executive session, seconded by Mr. Hardee. The motion carried.

Mr. Kost made a motion to come out of executive session, seconded by Ms. Jordan. The motion carried.

Mr. Weaver said during the course of executive session a public safety issue involving certain properties within Carolina Forest subdivision was discussed. No votes were taken and no decisions were made.

Mr. Prince made a motion to adjourn, seconded by Mr. Hardee. The motion carried.

Chairman Prosser wished everyone a Merry Christmas. **The meeting adjourned at 9:50 p.m.**