

A regular meeting of the Georgetown County Council was held on Tuesday, November 23, 2004 at 5:30 PM in County Council Chambers.

Present:           Ron Charlton                                 Johnny Morant  
                  Thomas Earl Drayton                 Jerry Oakley  
                  Sel Hemingway                         Helen Rudolph  
                  David L. Hood

Staff:             Thomas W. Edwards, Jr.             Theresa E. Floyd  
                  John M. Tolar

Other staff members, members of the public, and representatives of the media were also present.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to newspapers, television and radio stations, citizens of the County, Department Heads, and posted on the bulletin board located in the lobby of the Courthouse.

Chairman Sel Hemingway called the meeting to order. Councilman Thomas Drayton gave the invocation and all joined in the pledge of allegiance.

**APPROVAL OF THE AGENDA:**

Councilman Charlton made a motion to approve the meeting agenda as published. Councilman Oakley seconded the motion. Chairman Hemingway asked for discussion. There was none.

In favor:           Ron Charlton                                 Johnny Morant  
                  Thomas Earl Drayton                 Jerry Oakley  
                  Sel Hemingway                         Helen Rudolph  
                  David L. Hood

**PUBLIC COMMENTS:**

Robert Hesterfer

Mr. Hesterfer, President of the Ricefields Homeowners Association, spoke regarding Ordinance #2004-83, amending boundary lines for Ricefields and River Oaks PUD. He spoke in favor of the proposed Ordinance to move the boundary lines of these Planned Developments and asked Council to restrict access to Ricefields from a private drive adjoining both Planned Developments.

**MINUTES:**

A motion was made by Councilman Hood to approve the minutes of the Regular Council Session of November 9, 2004. Councilwoman Rudolph seconded the motion. Chairman Hemingway asked for discussion. There was none.

In favor:           Ron Charlton                                 Johnny Morant  
                  Thomas Earl Drayton                 Jerry Oakley  
                  Sel Hemingway                         Helen Rudolph  
                  David L. Hood

**PUBLIC HEARINGS:**

Ordinance #2004-77

A public hearing was held on Ordinance #2004-77, an Ordinance to amend the Georgetown County Comprehensive Plan – Waccamaw Neck Land Use (North Map) Map 9.15a to allow for high density

residential uses. There were no public comments and Chairman Hemingway declared the public hearing closed.

Ordinance #2004-78

A public hearing was held on Ordinance #2004-78, an Ordinance to authorize the sale and conveyance of property, owned by Georgetown County and located on Pond Road in Murrells Inlet, South Carolina, to the Georgetown County Water & Sewer District. There were no public comments and Chairman Hemingway closed the public hearing.

Ordinance #2004-79

A public hearing was held on Ordinance #2004-79, an Ordinance to amend Georgetown County Ordinance #99-22 governing the lease of hangars at the Georgetown County Airport. There were no public comments and the public hearing was declared closed by the Chairman.

Ordinance #2004-80

Prior to opening the floor for public comments, Chairman Hemingway disclosed a conflict of interest in his participation in this issue. He requested to be recused from participation in the public hearing, however, no member of the public was present to speak regarding Ordinance #2004-80 which authorizes the lease of property, owned by Georgetown County, located at 100 East Main Street in Andrews, South Carolina, to Hemingway Motor Company. Therefore the public hearing was closed.

**BOARDS AND COMMISSIONS:**

A motion was made by Councilman Drayton and seconded by Councilman Oakley to appoint Michael Wright to the Georgetown County Board of Zoning Appeals. Chairman Hemingway asked for discussion. None occurred.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

**ORDINANCES – THIRD READING:**

Ordinance #2004-70

Councilman Oakley moved to grant third reading approval of Ordinance #2004-70 amending the Zoning Map of Georgetown County to in order to rezone property abutting Old Kings Highway, south of Wachesaw Road, from General Commercial to General Residential. The motion was seconded by Councilman Charlton. Chairman Hemingway asked for discussion. There was none.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

Ordinance #2004-77

Councilman Oakley moved to approve third reading of Ordinance #2004-77, an Ordinance to amend the Georgetown County Comprehensive Plan – Waccamaw Neck Land Use (North Map) Map 9.15a to allow for high density residential uses related to the rezoning issue affected by Ordinance #2004-70. The motion was seconded by Councilman Charlton. The Chairman asked for discussion. There was none.



**ORDINANCES – SECOND READING**

Ordinance #2004-16

Ordinance #2004-16, adopting revised purchasing procedures for Georgetown County, South Carolina, was deferred.

Ordinance #2004-76

Ordinance #2004-76, an Ordinance to amend the Zoning Ordinance of Georgetown County to regulate tattoo parlors and other such similar businesses, was deferred.

Ordinance #2004-82

Councilman Morant moved to grant second reading approval of Ordinance #2004-82, an Ordinance to amend the Zoning Map of Georgetown County to rezone approximately 1.66 acres on Highmarket Street, west of the City of Georgetown, from 10,000 Square Foot Residential (MR10) to General Commercial (GC). The motion was seconded by Councilwoman Rudolph. The Chairman asked for discussion. There was none.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

Ordinance #2004-83

Ms. Carol Coleman, Director of Georgetown County Planning & Code Enforcement, presented a report regarding a request to relocate the boundary lines of the Ricefields and River Oaks Planned Developments as represented in Ordinance #2004-83. Aside from the Planning Director's report, Attorney Charles Nation (legal counsel representing property owners Martha Hamel and Kirk Gruber) addressed Council regarding the matter and Robert Hesterfer, President of the Ricefields Homeowners Association, spoke to the issue again.

Following lengthy discussion by Council, Councilman Charlton made a motion to grant second reading approval of Ordinance #2004-83, an amendment to the Georgetown County Zoning Map to modify the boundary lines of the River Oaks Planned Development and Ricefields Planned Development, as recommended by County planning staff. Councilman Drayton seconded the motion. Chairman Hemingway asked for discussion related to the motion.

The Chairman requested that the County Attorney, John "Mac" Tolar to research this issue and provide an opinion, prior to third reading of Ordinance #2004-83, regarding the County Council's ability to address issues related to a private drive that accesses both Planned Developments.

Councilman Hood moved to amend the motion to table the Ordinance. Councilman Oakley seconded the motion. The Chairman asked for discussion on the amended motion.

Councilman Charlton stated that County Council should move forward with second reading of this Ordinance, as the report from the County Attorney will provide clarification regarding concerns expressed this evening that will assist County Council in determining third and final reading on the issue. Councilman Hood disagreed. County Council should be cautious in deciding this matter until researched by the County Attorney and further guidance was provided. He stated that neither of the parties associated with this issue would be prejudiced by delaying action subsequent to a rendering of the County Attorney's opinion. Councilman Drayton agreed that the matter should be

looked into by the County Attorney, but saw no justifiable reason to “hold up the process” in the meantime.

The vote on the amended motion was:

In favor:	David L. Hood	Helen Rudolph
	Jerry Oakley	

The motion failed. The vote on the original motion was as follows:

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Sel Hemingway

Ordinance #2004-87

Prior to discussion on Ordinance #2004-87, Councilman Hood disclosed a potential conflict of interest in his participation in discussion or voting on Ordinance #2004-87 and requested to be recused. Mr. Hood’s letter of request will be incorporated into the minutes of this meeting by reference.

Councilman Charlton made a motion, seconded by Councilman Oakley, to grant second reading approval of Ordinance #2004-87, an Ordinance to declare as surplus a tract of property approximately .28 acre in size located on Church Street, owned by Georgetown County, and to further authorize the sale of the same. Chairman Hemingway asked for discussion.

County Administrator, Thomas W. Edwards, Jr., noted that the intent of this Ordinance is to sell this tract of property, which is “landlocked” to the adjacent property owner, as authorized by the Georgetown County Code of Ordinances. Chairman Hemingway stated noted that this is not specified in the Ordinance and asked staff to clarify the language in the Ordinance prior to third reading.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph

Absent: David L. Hood

**ORDINANCES – FIRST READING**

The following Ordinances were granted first reading approval by title only:

Ordinance #2004-84 – An Ordinance authorizing the issuance and sale of General Obligation Refunding Bonds of Georgetown County, South Carolina, Series 2005, or such other appropriate series designation, in the principal amount of not exceeding \$2,500,000; fixing the form and details of the Bonds; authorizing the Administrator of the County to determine certain matters relating to the disposition of the proceeds thereof; and other matters relating thereto.

Ordinance #2004-85 — An Ordinance to amend the FY 2004-2005 Budget Ordinance adopted by Georgetown County Council to appropriate additional funds.

Ordinance #2004-86 – An Ordinance to authorize Georgetown County to lease property, owned by Georgetown County, and located on East Main Street in Andrews, South Carolina, to the South Carolina Employment Security Commission and Waccamaw Regional Planning Development Council

**BIDS:**

Bid #04-070 – Consultant to Maximize Federal Funding

Councilman Hood moved to authorize staff to finalize a contract with Kinghorn, Hilbert & Associates for professional services to maximize federal revenues for Georgetown County. The motion was seconded by Councilman Oakley. The Chairman asked for discussion, and noted that in order for Georgetown County to benefit from this endeavor, timing is of the essence. He asked if a funding source and amount needed to be identified. The County Administrator concurred.

Councilman Oakley moved to amend the motion to designate \$60,000 from the General Fund – Fund balance for these services. Councilman Morant seconded the motion. There was no further discussion.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

The vote on the main motion was as follows:

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

**REPORTS TO COUNCIL:**

E-Commerce Systems

Ms. Leslie Thomas, Georgetown County Management Information Services Director, provided a status report on the County's E-Commerce Systems. Systems have been put in place that will allow Citizens to utilize online services to conduct County business, and others will be implemented in the very near future to include: availability to make tax payments online, register for Parks and Recreation programs, make child support and other court related payments, and researching records associated with property and tax maps. The report was provided for informational purposes and required no action of County Council.

Light Detection and Ranging Topographical Data

Councilman Oakley moved to authorize solicitation of bids to acquire Light Detection and Ranging (LIDAR) Topographical Data services, with the source of funds to come from revenue remaining from the Murrells Inlet drainage project and an allocation from the storm drainage plan contained in the FY 05 Strategic Plan. Councilman Drayton seconded the motion. Chairman Hemingway asked for discussion.

Councilman Charlton verified that bids would be solicited for this project. County Administrator Thomas Edwards concurred.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

**LEGAL BRIEFING:**

Councilman Oakley moved to authorize the County Attorney to move forward with an appeal of Court's decision on Palmetto Princess LLC v. Georgetown County. Councilman Hood seconded the motion. Chairman Hemingway asked for discussion. None occurred.

In favor:	Ron Charlton	Johnny Morant
	Thomas Earl Drayton	Jerry Oakley
	Sel Hemingway	Helen Rudolph
	David L. Hood	

Being no further business to discuss, Councilman Charlton moved to adjourn the meeting at 7:10 PM.

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Date Approved

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Clerk to Council