

MINUTES
HORRY COUNTY COUNCIL
REGULAR MEETING
County Council Chambers
October 2, 2018
6:00 p.m.

MEMBERS PRESENT: Mark Lazarus, Chairman; Tyler Servant; Bill Howard; Gary Loftus; Dennis DiSabato; Danny Hardee; Johnny Vaught; Harold Worley; Harold Phillips; Cam Crawford; and Paul Prince.

MEMBERS ABSENT: Al Allen.

OTHERS PRESENT: Pat Hartley; Chris Eldridge; Steve Gosnell; Joe Huffman; Arrigo Carotti; Kelly Moore; Justin Powell; and David Schwerd.

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

CALL TO ORDER: Chairman Lazarus called the meeting to order at approximately 6:00 p.m.

Chairman Lazarus stated that they had had serious issues within the county over the prior few weeks and had to postpone the Council meetings in order to make sure that everyone could attend. They would be having a presentation on what the Emergency Management team had been doing and what had been going on around the county. They would be discussing the efforts of the staff and employees of Horry County. He could not say enough about them and what they had done in order to help during Hurricane Florence. They had people that came from out of the county to help and they owed them a big debt of gratitude. It had been an event beyond anybody's thoughts or comprehension. The citizens had listened and they hadn't lost anyone in their homes because of them not listening and staying in their homes. There were a lot of citizens hurting and the County would be there for them to help them rebuild. Their hearts and prayers went out to everybody that was hurting.

INVOCATION: Mr. DiSabato gave the invocation.

PLEDGE: Mr. Phillips led in the pledge.

PUBLIC INPUT:

1. **Peggy Bushey** spoke regarding flooding in her neighborhood. She stated that she lived in Polo Farms and had lost everything due to flooding. Polo Farms was originally built in a flood zone and flooding back in the 80s. It was a flood zone but was approved for housing and a development was built. Phase 1 and Phase 2 were built and flooded. They built Phase 3 that was now flooded and land locked so the people couldn't get out. She had been in her home 1.5 years and had been flooded and unable to get to her home three times since living there. She had flood insurance but most of the people there didn't because they were told that they didn't need it. The problem in the neighborhood was poor development. DHEC admitted to her that they had checked the drainage system before she moved in and had approved it. The drainage system has a major error. This was the third time that some of the residents had lost their homes. They had begged to have the drainage fixed and she was told that the fix was coming. The money was finally given and the fix was coming. They only had one man that could do the job and he was out sick. He went through before the storm and said he could fix it but not before the storm. Maybe if he had fixed the problem before the storm the drainage would have been a little better. They just had the water go down in front of her home that was guaranteed to never flood. She didn't understand why they only had one person that could do the job. Now they had people that couldn't afford to fix their homes because they didn't have insurance. If they walked away you might as well hang up Polo Farms because it would be like a ghost town. There was so much sadness and despair there that it was palpable. The stench was beyond words. They only time that they had seen anybody from the Council to help them was when Mr. Hardee went over to see what they needed. She asked where they had been with help. She had to walk out and thanked Mr. Hardee for going to check on them. It was time to say halt and step back and take a big look at how each of the new developments impact the watersheds and flood limits. Regardless of whether the development was presently considered a flood prone zone or not it was a direct impact to flood zones any time you take away a natural runoff by construction of a home or any other structure. They would be voting on putting 1300 new homes on 6600 acres of forestland with an average footprint of 1500 square feet for footprint

for the house and driveway. It would amount to 45 acres of land no longer absorbing and filtering the stormwater. Add to that the acreage and all the new roads that it would cover and remove acreage from the natural drainage field. This directly impacts everything downhill from that site. They could not continue to approve these developments and buildings without the correct engineering studies as to impacts of the entire watershed or they would be deceiving future residents. All development impacts watersheds and increases area flooding. She referenced a proposed Waccamaw Waterway from the 1980s from North Carolina down the coast into South Carolina that would have saved Conway, Longs, and this whole area. It was something they should really consider. They could ask Kevin Hardee about it if they were not familiar with it.

2. **Eva Long** spoke regarding rezoning of Ordinance 60-18. 600 acres of forestland would be replaced by 1300 homes and many retention ponds. The biggest concern they had had been Hurricane Florence and the effect of the water in their area. Florence closed down Buck Creek Bridge and they only had Old Buck Creek Road to use. This development would flood and probably close Old Buck Creek Road. They had had flooding for the last three years on land that had a history of never flooding. Old Buck Creek Road was their only way to the store, work, and emergency access. It was natural habitat that absorbed water and if this development passed, there would be a threat of flooding. She presented maps of the proposed development with retention ponds and homes that had been there for years that would end up flooding. The area did not offer flood insurance and currently was not in a flood zone. There were currently 57,000 permits approved waiting for construction. They had been discussing the same issue of repairing the infrastructure and roads before building more developments. It had to stop or they would keep having problems. They needed to listen to the people. The county was so far behind in infrastructure and services and didn't need to add to the problem. The \$500 fee expired in 10 years and a delay in construction could see this small fee gone.
3. **Nikki Fontana**, North Myrtle Beach Councilwoman, stated that she wanted to represent the City of North Myrtle Beach, the mayor, Council, EOC staff, and community of North Myrtle Beach. She stated a special thanks to Randy Webster, Chairman Lazarus, and everyone that worked in the EOC. They appreciated everything that they had done for the community and all the efforts that were taken during the storm. It was a very difficult and emotional time for the community.

Chairman Lazarus thanked her and said the same went for North Myrtle Beach. They had spent a long time together with Mike Mahaney and company during the three week time period. They were a great bunch of professionals working hand in hand together. There were tense moments but they got through it and they appreciated them and the working relationship that they had with the City of North Myrtle Beach and mayor.

APPROVAL OF AGENDA CONTENTS: Mr. Vaught moved to approve, seconded by Mr. Howard. Mr. Worley moved to move Ordinances 63-18 and 60-18 from the Consent Agenda and move them to the reading of the ordinances section of the agenda, seconded by Mr. Howard. The motion was unanimously passed. Mr. Servant moved to table Ordinance 95-18, seconded by Mr. Worley. The motion was unanimously passed. The main motion as amended was unanimously passed.

APPROVAL OF MINUTES: Regular Meeting of September 4, 2018 & Teleconference Meetings, September 9, 13, & 16, 2018: Mr. Vaught moved to approve the Regular Meeting of September 4, 2018 & Teleconference Meetings, September 9, 13, & 16, 2018 meeting minutes, seconded by Mr. Prince. The motion was unanimously passed.

APPROVAL OF CONSENT AGENDA: Mr. DiSabato moved to approve, seconded by Mr. Howard. Mr. Servant requested to be shown as a recusal on Ordinance 94-18. Chairman Lazarus requested to be shown as a recusal on Ordinances 92-18 and 93-18. Mr. Hardee moved to send Ordinance 99-18 back to the planning commission, seconded by Mr. Phillips. The motion was unanimously passed. Mr. Vaught moved that upon approval or disapproval, Ordinances 91-18, 92-18, 93-18, 94-18, 96-18, 97-18, 98-18, 100-18, 101-18, 102-18, and 103-18 be sent back to the planning commission since they didn't get a chance to be considered by the planning commission. He would like them approved as first reading and be sent back to planning and zoning for their action. Chairman Lazarus explained that the ordinances would go to the planning commission, be vetted through planning commission, and would come back as second reading and then in December would come back as third reading and public hearing. Mr. Prince seconded the motion. The motion was unanimously passed. The main motion as amended with the ordinances under Number 7 other than 95-18 and 99-18 being sent back to the planning commission after the vote was unanimously passed. The consent agenda consisted of the following:

Third Reading – **Ordinance 76-18** to authorize & approve an agreement for the development of a joint industrial & business park by and between Horry County and Georgetown County with property located in Horry County (Bucksport Marine Industrial Park); to require the payment of a fee-in-lieu of *ad valorem* taxes by businesses and industries located in the park; to apply zoning & other laws in the park; to provide law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within the park.

Third Reading – **Ordinance 77-18** to authorize & approve an agreement for the development of a joint industrial & business park by and between Horry County and Georgetown County with property located in Horry County (Ascott Valley Commerce Park); to require the payment of a fee-in-lieu of *ad valorem* taxes by businesses and industries located in the park; to apply zoning & other laws in the park; to provide law enforcement jurisdiction in the park; and to provide for the distribution of park revenues within the park.

Third Reading – **Ordinance 78-18** approving & authorizing the county administrator to execute a lease agreement with H & H Air Service LLC for Hangar D and adjacent areas at Conway-Horry County Airport.

Third Reading on the following Ordinances to approve the request to amend the official zoning maps:

Ord 79-18 Thomas & Hutton, agent for Robby Lynn Causey; **Ord 80-18** Dorman Holdings LLC; and **Ord 81-18** Nancy Maloon, agent for Johnny Ashton.

First Reading on the following Ordinances to approve the request to amend the official zoning maps (*Planning Commission has not taken action on these Ordinances*):

Ord 91-18 Kim Stevens, agent for Ann Juel; **Ord 92-18** DDC Engineers, agent for Bear Bone, Bear Claw Associates & Bear Paw Associates; **Ord 93-18** DDC Engineers, agent for Partners of Associates of 90; **Ord 94-18** Steve Strickland, agent for C&M Investments of Lancaster LLC, Magnolia Grande Resort PDD; **Ord 96-18** Wall Engineering, agent for Cox Farms Inc.; **Ord 97-18** Tony Warren, agent for Allen's Rental Management; **Ord 98-18** Lenoris Willard; **Ord 100-18** Walon Cox & Clyde Cooke; **Ord 101-18** G3 Engineering, agent for Diamond Shores LLC; **Ord 102-18** Jamie McLain, agent for CHS of 1995 Investments LLC; and **Ord 103-18** Thomas & Hutton, agent for Eunice Roberts et al.

First Reading – **Ordinance 104-18** approving & authorizing the county administrator to execute a lease agreement with SC Public Service Authority for lease of property at MYR.

Resolution R-103-18 to adopt the Horry County Housing & Community Development Consolidated Annual Performance & Evaluation Report for FY 2017-2018.

Resolution R-104-18 authorizing the county administrator to submit substantial amendments to the US Dept. of Housing & Urban Development to reallocate funding and amend projects in program years 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

Resolution R-105-18 approving sponsorship by the County of a grant under the Rural Infrastructure Act to the Bucksport Water Company for infrastructure improvement, and authorizing the administrator to enter into a grant agreement and take other actions necessary in connection therewith.

Resolution R-106-18 approving the FYE June 30, 2020 Budget Calendar.

Resolution R-107-18 authorizing and directing the transfer of funds from certain closed capital project accounts to open capital project accounts in order to consolidate and assist in funding.

Community Benefit Resolutions approving allocations of council community benefit funds to the following entities:

Res 27-18 \$2,500 to Mt. Calvary Missionary Baptist Church for support of recreation programs.

Res 28-18 \$10,000 to Horry County Parks & Recreation for reimbursement of funds provided to Loris Parks & Recreation for park improvements and support of athletic events.

Res 29-18 \$750 to CCU Economic Growth & Real Estate Summit for table sponsorship for participation in Summit.

Res 30-18 \$90,000 to Horry County Planning & Zoning to assist with the completion of a one-mile section of the East Coast Greenway in Carolina Forest.

Res 31-18 \$20,000 to Horry County Parks & Recreation for repair/replacement of playground equipment at Carolina Forest Park.

At-Large Board Appointment: Susan Hudgins to the Accommodations Tax Advisory Committee as the cultural representative.

PRESENTATIONS / RESOLUTIONS:

Hurricane Florence Update. Mr. Webster stated they were in day 24 of the event. They started out facing a Category 4 hurricane and had to do evacuations in zones A, B, and C which he never thought they would have to do. That went well. They were spared the wind and received the rain and had a tough time trying to figure out how bad it would be because they quickly ran into uncharted territory with historical reference. Matthew was their best gauge and they saw that record severely broken. A lot had happened within the county for this event. Everyone helped everyone. They faced dire situations with the amount of rainfall amounts. They had talked about catastrophic planning to where the county could have been cut off from the outside world as far as road traffic capability for up to ten days. They pulled plans out that they had hoped they would never have to do. They coordinated with the state and federal partners on how they would manage with helping everybody in the county if that happened and commodities ran out in 3 – 4 days. How they would take care of the basic needs. Luckily they did not lose power for a long period of time but they were facing very dire situations. Luckily they did not have to go into that mode. They were at day 24 and the water was finally receding. A lot of people were impacted that had never been impacted before. There were a lot of folks hurting and would hurt for a long period of time. They were just getting to the level that Matthew set the record of in 2016. They had several days to go before it got down to a more manageable point where the roads would open and people could get back into their homes to start the process of getting their lives back in order. He didn't have a lot of the data. There was a lot they would be working toward to pull together and see how things actually went and what the damages would truly be. There were a couple of interesting points that he did put out. The phone bank itself had handled 20,920 calls since the start 24 days earlier. This was the first big test where they had to use social media to get the message out. The PIOs had done a tremendous job doing that. On the emergency management part of the social media they had reached 1,252,526 on Facebook. Their Twitter account had been seen by more than 920,000 getting the information out. He echoed what Chairman Lazarus said about getting the word out to people that this was going to be bad. He felt bad that they couldn't tell them if it was going to impact their homes or not. When they saw they were going beyond Matthew they had no clue and that was tough. He didn't like to operate like that. They did the best that they could and took a lot of information and pulled it together. Everything had gone extremely well in terms of the loss of life and the coordination and cooperation of so many people in the local governments, local groups, state, and federal. They saw some things move into the county to help folks that he thought they would never see and they had to do a lot of things for the first time. He wanted to tell them how thankful he was for Mr. Eldridge. He had taken a huge leadership role in this along with the Chairman and many of them as well had done that. They couldn't have done this without everybody's help. He thanked them for that. Now they were just moving forward. A lot of the people that came to help were going home. The National Guard had pretty much pulled back out. They now looked forward to helping those that needed help to their new normal, whatever that would be. It would still be 5, 6, or 7 days before some people would get back into their homes and try to get their lives back together.

Chairman Lazarus told Mr. Webster that he and his staff, Mr. Eldridge, and the whole administrative staff sitting at the table there were there and doing everything possible. All the work didn't necessarily take place out on the road and out in the field. There were a lot of things that had to take place. Coordination and communication to get the assets here to be able to help the people out in the field that did that. The tremendous amount of assets that he was getting on a daily basis from people... They used his email address to communicate and he and Mr. Webster communicated a lot about who they were and what were they going to do with them and where would they put them. The outpouring was tremendous and to be able to handle that and coordinate that was phenomenal. The state assets that were sent to them were absolutely phenomenal. The most amazing thing in the aftermath of everything was watching the community come together all over Horry County. Whether it was churches stepping up to feed people, sand bagging at Socastee and St. James, and the young man, Mr. Ward, at Socastee that got that thing going. He was a special young man and they would have him at a meeting one night. He would do big things in the future. To get all that done and coordinated and get the assets there, but the big thing was that they didn't see what they saw nationwide when you saw these types of events. They didn't have the looting. They did have people that went into houses but it wasn't widespread. What they did see was a community coming together. He saw the community coming together more and more. They would be stronger for it. They had a long ways to go and he didn't want anybody to think that that night ended what was going on. They still had people that had water still in their houses and people that had a long

time before they could get back into their houses. Ms. Bushey had just talked about it and he told Ms. Bushey he was sorry for it. He felt for her and promised her that they were there for her and to help everybody get back. They wanted everybody to be safe, out of harm's way, and have a good life. They would do everything from a County Council perspective within their powers as they moved forward to do that with Mr. Webster's and Mr. Eldridge's leadership. They had a long way to go. He told Council to be prepared. They would have a lot of big decisions to make in the future. Future Councils would have big decisions to make. Just to get the citizens back to a normal way of life would be a long haul and they would be there for them. He thanked Mr. Webster for his leadership, strength, and courage during the event. He kept everybody together. It went well and that was a lot to be said for Team Horry.

Mr. Vaught said one of the things the public didn't recognize was the fact that one day they were preparing for a Category 4 hurricane dead on hit in Myrtle Beach. They had looked at that scenario and that would wipe out basically everything between the Atlantic Ocean and Intracoastal Waterway. This group of theirs out there recognized that that wasn't going to happen and shifted gears into a flood event which required a totally different response. They were so quick on their feet to recognize the fact that they had to get out of the Category 4 mindset and get ready for a flood event that could isolate us from everywhere else in South Carolina. They were really to be commended for that because that was a herculean effort. They were like a well-oiled machine. He wanted to add his thanks to the Chairman's.

Chairman Lazarus thanked Mr. Webster and asked Mr. Gosnell to explain the debris removal process.

Mr. Gosnell said they were moving into recovery. The single biggest issue that they were going to have during recovery was storm debris management. They all knew there were a lot of homes damaged by the floods. A majority of the county had recovered from the hurricane but there was a group along the Waccamaw, Lumber, and Little Pee Dee watersheds that would have 4 - 6 months before they were back to normal. They saw record setting flood levels. He presented a slide of Aberdeen and Polo Farms the previous Saturday to give them an idea of what they were talking about. That would follow the flood as it receded all the way down the river all the way to the Georgetown County line. It would be a significant effort to take care of the storm debris and that was why he was there that night. They were not recommending they pick up debris in the entire county but it would be limited to the flood ways inundation areas from the county line, the North Carolina state line basically bordered by Hwy 905 and Hwys 90, 544 and 701 back up into Socastee. Basically those affected properties within those areas would be what would be picked up and not the entire county. The other area was the Lumber and Little Pee Dee rivers. He presented a slide of the watershed on the border of the county from Georgetown all around to Gallivants Ferry. They would address those houses affected in those areas. They were recommending that they only remove C&D material from county maintained roads. The state DOT would be picking up debris on the state roads. They would not address private roads. The private individuals would have to take care of those for a number of reasons. FEMA had requirements basically unattainable for them to reasonably try to get. They looked at an estimate and had very little data at that time because the water was still up at a majority of those watersheds. They didn't know exactly but using their best information they were looking at between 125,000 - 170,000 cubic yards of material to be moved, picked up, and hauled to the Solid Waste Authority. That translated to 62,500 tons - 85,000 tons at a cost of somewhere between \$9 - \$12 million at the time. They were asking for Council's vote to activate the contracts that they had with a debris contractor that they currently had under contract, Ceres Environmental, and their monitoring consultant was Thompson Consulting. They needed their vote to approve that action. Once approved they would meet with the contractor and begin setting up a schedule and a plan and path moving forward to get the cleaning started. They anticipated starting on the north end and working south.

Chairman Lazarus stated he wanted to make sure that Council understood what the difference was. They had a monitoring company that monitored debris removal. They didn't just take their word for it. They had checks and balances where the County and citizens were not being taken advantage of.

Mr. Gosnell said it was a FEMA requirement that you have a contractor. They had to certify the trucks and the monitors had to see every truck going into the landfill. It was a requirement of FEMA to make sure that no one was getting hoodooed. They kept everybody straight and hopefully when the requests for reimbursements were made from FEMA, they would get all their money back. They would typically fund 75%.

Mr. Prince asked if the state had already committed to do the state roads.

Mr. Gosnell said yes. They already had a contractor hired and would be picking up debris off of state roads.

Mr. Vaught asked Mr. Gosnell how this compared with what they paid for Hurricane Matthew for debris removal.

Mr. Gosnell said that in Matthew they estimated \$4 - \$6 million and it ended up being a little over \$8 million. It was countywide. It was a different event. The majority of what they picked up was vegetative debris.

Mr. Vaught was concerned with the difference. They picked up countywide then and now they were just picking up zones yet it was a lot more. They would be picking up C&D material.

Mr. Gosnell said correct. They did not have the impact to vegetative degree as they did for Matthew.

Mr. Loftus asked Mr. Gosnell to explain why they were using Florida contractors as opposed to locals.

Mr. Gosnell said they advertised for contractors to submit their qualifications. They went through the process of selecting the best and most qualified firms for both the monitors as well as the contractor.

Mr. Loftus said in addition to the fact that they had experience with hurricanes.

Mr. Gosnell said yes, they had. More than the others they had selected

Mr. Phillips asked Mr. Gosnell if the communities would be notified when they would be picking up the debris.

Mr. Gosnell said yes. The whole process would include a heavy public education/public relations campaign. They would actually publish schedules and areas that they would be working when they had anticipated dates. They were early to some degree as in the pictures of Aberdeen and Polo Farms. They had areas in the southern part of the county that they couldn't get to and were not sure how bad the impacts were. They would work north to south and then include an aggressive public relations campaign as they moved forward.

Chairman Lazarus asked Mr. Powell to explain to Council where the funds were coming from.

Mr. Powell said they had done preliminary estimates on what the storm would cost the county. Currently they were anticipating approximately that it would be \$18.7 million worth of expenses. The bulk of that was within the debris contract, approximately \$12 million. They based it on the FEMA reimbursement category. FEMA would reimburse them for the debris cleanup. They would reimburse them for the emergency protective measures, the actions that the police/fire/public works crews were taking to protect the life and property. They knew they would have additional damages, roads, drainage systems, parks, boat landings, but until the water receded they didn't know what that number was. They would do damage assessment after that. They were anticipating \$18.7 million. If they determined it to be eligible they anticipated FEMA would reimburse approximately 75% of that amount. The legislature for the past two disasters had reimbursed them the other 25% of that. However that required a specific act of general assembly so he encouraged Council to reach out to the legislators to encourage them to consider that in the state budget process. They needed to reiterate that the FEMA process was slow. They had just started getting all the reimbursements from Hurricane Matthew two years prior and they were resolving another reimbursement from Hurricane Juquin that happened three years ago recently. They basically had everything resolved except for one claim on some watersheds that FEMA had denied and they were currently appealing. The two funds getting the largest hit in terms of proportional budget were stormwater which was where the mosquito abatement budget was paid for out of and the waste management fund which was Fund 6 that paid for collection centers. Those were the two funds they had been highlighting in the budget process. Funds that didn't have enough reserves and they were going to be short in. They anticipated focusing on working within the existing budget. There was usually a little bit of float within the expenditures. They would also utilize their unassigned fund balances. The resolution before them would ask them to commit all of the unassigned fund balances in the affected funds towards disaster expenses. If they didn't need it it would fall back to balance next year. Particularly in waste management and stormwater they would transfer funds from the general funds to make them whole in anticipation of reimbursement from FEMA. They would look at using some of their other committed balances. The funds they had set aside for the EOC were approximately \$5 million for the appropriations project and that would be used as well as funds they had for the lease prepayment that was budgeted for. Hopefully they would not get down to \$4 or \$5 million but basically the plan was to work through that as well. The disaster reserve would be used last.

Mr. DiSabato asked how much was in the fund balance. Mr. Powell said the unassigned fund balance was \$12 million after you take off the reserve for cash management. He asked Mr. Spivey if he had the numbers. Mr. Spivey said he didn't have the precise number because they were still closing FY18. They were in that \$60 - \$70 million in total. That included all the commitments and various reserves, the cash flow, the disaster reserve, revenue reserve, things for OPEB and balance coming forward. Mr. DiSabato asked if they were asking them to consider taking everything that was available and move it towards disaster relief. Mr. Powell said yes.

Chairman Lazarus said unassigned.

Mr. Powell said unassigned fund balance. Basically the \$12 million and if they didn't need it or as they got reimbursements it would fall back to balance and would be available to Council on other purposes in the future.

Mr. DiSabato verified it would go back into the unassigned and Mr. Powell said yes.

Mr. DiSabato stated that it could be 3 – 4 years from now and Mr. Powell said yes.

Chairman Lazarus stated they had just got the last check for Hurricane Matthew at two years later. This was something they had fought for over the years. You needed a fund balance and make sure you reserve money. If they had not done that they would be there asking Council to borrow money. The other thing that they needed to understand was they were trying not to have to use the disaster reserve. It was called a disaster but that was really for a catastrophic disaster of the economic well-being of the county such as a Category 4 wiping them out and they wouldn't be back for a year or more. They needed to be very careful as they maneuvered through this. Hopefully they could get through it with the reserves that they had. It was very good budgeting by staff and Council.

Council Vote: Activation of existing debris management contracts. **Mr. Worley moved to activate the existing debris management contracts, seconded by Mr. Vaught. The motion was unanimously passed.**

Resolution R-108-18 approving the Waccamaw Regional Transit Authority's FY 2019 budget and authorizing the county administrator to release the first quarterly payment. **Mr. Vaught moved to approve, seconded by Mr. Howard.**

Mr. Piascik presented a PowerPoint presentation on the Coast RTA FY19 budget. He would be going over their assumptions and goals associated with that. Their assumptions were to take a very conservative approach. FY17 and FY18 were challenging years but with the additional funding that Council had approved, he felt they would move towards the future nicely and work towards increasing their service. They were not changing their service level, including service to Bucksport and Loris. The big thing was trying to reduce their dependence on federal dollars. They targeted some cuts and losses and streamlined their operation without changing the level of service. They covered inflationary costs in the budget such as pension contribution, vacation pay-outs, and fuel costs. They wanted to pay down some of their balance sheet liabilities related to debt incurred over the course of the last two years. This budget included \$60,000 towards paying that down. They had fare collection issues. They were dealing with an antiquated system for collecting fares and needed to do a study during the year to improve the situation. They want to address increased revenue through changes in fare structure. They needed to invest in the right technology. While service expansion was on hold, they needed to work on a funding equity plan to see what level of service they needed in the municipalities and how much they should be contributing to the service. He presented a slide on the last five years and FY19 for comparison services for the revenue and expense history and a slide on their five year outlook. They had capital expenditures in the budget in the amount of \$2.6 million. They had two more 40 foot buses coming that would replace two of the dark buses. They were looking at smaller vehicles for the para-transit system and were looking at purchasing two vehicles. They were looking at replacing their facility and had \$1 million to start that process with the first to be replaced being the maintenance facility.

Chairman Lazarus said they were doing a great job with what they were dealing with. Council had given them dedicated funding that would grow over time and he hoped they would use it well. He hoped it would help them leverage more dollars from the feds. He told him to keep up the good work. **The motion was unanimously passed.**

Resolution R-113-18 approving the transfer of unrestricted fund balance from FY 2018 to fund liabilities and avoid borrowings to provide immediate resources for recovery efforts in the aftermath of Hurricane Florence. **Mr. Vaught moved to approve, seconded by Mr. Loftus.** Mr. Spivey said they were estimating the potential cost to be in excess of \$18 million. What was available in the unassigned fund balance was \$13.6 in total between all the funds. That was not enough to handle all that from what they had estimated. This was the first level of additional funds that would be committed to this and appropriated for spending towards this need. If the estimates increased beyond this level of funding they would be back to Council to make adjustments or enable those other dollars to be able to be spent for this purpose. Currently this would give them the seed money to be able to address the needs that were currently at hand and come back to Council as they saw a better estimate of what the cost would be. **The motion was unanimously passed.**

Resolution R-114-18 approving the extension of the due date for filing & payment of hospitality fees in the aftermath of Hurricane Florence. **Mr. Prince moved to approve, seconded by Mr. Howard.** Mr. Spivey said they recognized that the

mail service was not running after they opened the offices back up after Hurricane Florence. Many of the filers were filing by mail and they were not able to get an accurate post mark for when they may have deposited it into the mail because the mail physically was not running from Florence to Conway to Conway to Florence or within the county for a period of time. Because of that they had filers who made a good faith effort but were currently filing late based on the current criteria so the recommendation they would like to ask Council to consider was to extend the filing date from September 20th to September 27th. At that date they felt like from looking at the filings that would cover the vast majority of those who made that good faith effort. If they found there were others outside of that date the Board of Fee Appeals was able to consider those and the merits of the situation and grant relief.

Chairman Lazarus said that was for their August collections and due by the 20th. The event started on the 14th. People were just getting back to work. They were already at October 2nd and asked if he was talking about extending it to October 27th. Mr. Spivey said it would be just within the period of September 27th. When they looked at that day, the vast majority of the filers had already completed their filing for the month. They did have some unfiled but was not greater than the normal group they have on a monthly basis that had not filed timely. Chairman Lazarus asked if there was a provision included for people to appeal. There were some business in downtown Conway who were just getting back open. Mr. Spivey said that they did have the Board of Fee Appeals that was eligible for any filing where a customer or taxpayer in this case felt that the penalty was inappropriate based on their circumstances, they could appeal and that board would hear the merits of their case and potentially grant relief there. They were very fair and impartial in their decisions.

Mr. Vaught asked what would be the ramifications of them extending this as a gesture of good faith and so forth for the businesses and people affected by this to extend it to October 15th. They were extending it by one week and people were just starting to recover. He would suggest they amend it to extend it to October 15th.

Chairman Lazarus said by Mr. Spivey's assumptions everyone had already sent theirs in, and if there was anybody caught in that trap, they had the opportunity to appeal it to where they were really not deemed by that penalty.

Mr. Spivey clarified for Council's benefit that in the appeals process that taxpayer would have to pay the late fee and then appeal that to the Board of Fee Appeals. If the deadline was extended to a future date then they would still have an opportunity to file it timely without having to pay and then appeal.

Chairman Lazarus said that under what Mr. Vaught just said it was not going to hurt their collections by what he had said because they had already pretty much collected. For those that might fall through the crack that was probably a good thing.

Mr. Vaught moved to extend the date from September 27th to the 15th of October, seconded by Mr. DiSabato. The motion was unanimously passed. The main motion as amended was unanimously passed.

READING OF ORDINANCES:

Third Reading – **Ordinance 63-18** to approve the EIP Venture Partners LLC Development Agreement. **Mr. Prince moved to approve, seconded by Mr. Loftus.**

Mr. DiSabato moved to suspend the rules to allow for additional public input, seconded by Mr. Worley. The motion was unanimously passed. Chairman Lazarus stated they would take five people from both sides.

Ms. Sharon Pollard said this was very passionate to her because she lived there. She had spoken with her neighbors and none of them wanted the development. It was not about the growth. They were growth. This development was nine times the size of the development that they lived in currently. They saw a map of the retention ponds. The only way out during Hurricane Florence was Old Buck Creek Road. Those retention ponds were on Old Buck Creek Road and sat behind people that had lived there for years. She didn't care what Mr. Wooten said. All bets were off during a hurricane or special storm. These retention ponds were designed on county standards, normal weather. They were not designed for special storms. They knew what the area got during special storms. They could not allow this development to pass. It was going to fundamentally change the area. It was not going to enhance it. It was not going to make it a better place. It was going to make them stressed with every storm on whether or not they were going to get flooded. She didn't want to live like that and she didn't think the people that had lived in Horry County all their life deserved to live like that. They had all just went through a horrible flood and you were lucky if you weren't touched. If you were touched, it was devastating. They had taken in flood people and she had seen tears, stress, heartache, and she tried her best to do the Christian thing and help them through this. They could not allow this to happen and she didn't care how good this community would be, how wonderful the houses would be. There would be businesses there. There were spots for commercial lots. They were talking about flooding and gas. You couldn't

bring that into this small community that didn't have the roads. They would add four feet to the road. Old Buck Creek Road was not even to the standard of Hwy. 905. She was asking them to not do this to this area. They had to stop this. The water would run either into Buck Creek or Old Buck Creek Road and they would be on an island. They wouldn't be able to get fire or police in there. They only had one exit out and they prayed that the water didn't go over those bridges and it didn't. The \$500 fee expired in ten years. They were allowing the developments and people were moving in taking the chance that they didn't flood. They had just bought flood insurance that day and they should not have to live like this. People would be leaving the area. This was not the time to take 600 acres of forest and destroy it when that 600 acres did not flood. She asked them to think twice before they did this.

Ms. Jean Henderson stated that she lived in Arbor Glen and was in opposition to Ord. 63-18. She and others in her community had been in contact with each other over the previous three weeks to discuss how to get around the area and how to get to the store. Had it not been for Old Buck Creek Road they would have been stuck in the community. Many of the people there had not prepared for the event. They had elderly in their community that had no place to go. They would not take their pets to a facility and would not leave their homes and would have needed to be rescued. With Old Buck Creek Road they were able to get out. A community of this size could not take place in this area until other infrastructure things were set in place. For instance, the I-73 corridor. Once that was finished that would give other byways into their area and into the beach. The tourist could travel to Myrtle Beach without coming Hwy 9. Also, and extension of Hwy 31 over to Hwy 17 in Little River would also give tourists a byway for tourists to travel. She was not opposed to development. Their area is a beautiful area but in order for this development to take place, they needed to have infrastructure in place to support it as well as flood control. The Old Buck Creek flooded all the way up to and past the bridge on Old Buck Creek Road into a farm that had three horses on it. That gentlemen had to move his horses to another area. That flooding was very close to their development and had the Waccamaw risen much more, it would have been in their homes. With the tributaries that run into Old Buck Creek, they would have flooded and been trapped in their area had it not had farms to go onto. She thought they needed to reconsider this decision. Mr. Wooten sells a good sell and talked a good talk because that was his job. He was to promote the developer and what they wanted him to do.

Mr. Jim Mulhearn stated that he also lived in Arbor Glen. His neighbors had spoken well on this situation. They had a wake-up call and this was called the Low Country for a reason. This was a good indication of what was coming. They had to prepare for this type of situation.

Mr. Mike Wooten with DDC Engineers stated that they represent the developers for this project. They were not the developers. They were civil engineers tasked with master planning and designing a project based on applicable county, state, and federal regulations. They had had a storm of catastrophic proportion over the last few weeks. Before that they had Hurricane Matthew which exceeded the flood of 1929 by 1/10th of a foot. Depending on where you measure the flows from this storm it was anywhere from 2 1/2 to 3 feet beyond that. What he was seeing there was a reaction to an abnormal event. They simply could not design anything for something of that magnitude. Even the Federal Highway Administration used a 100 year storm event for interstates. I-95, I-40, and SC22 were all designed to 100 year storm events which was the storm event that they were required to design to in the county on flooding. If they started building any project to catastrophic events basically what happened was you couldn't afford to build anything. You had to pick a storm to design to. This project did not flood during this storm or Matthew. To his knowledge it had never flooded. The county regulations, the toughest storm water regulations in the state, required that they design a project so that the stormwater that leaves that project was 25% less than the stormwater that would have left that project before it was developed. At the end of the day, the stormwater coming off the project under a storm event, not the river flooding... With regard to Old Buck Creek Road the developer of this project through the ordinance had to spend \$1.25 million to improve Old Buck Creek Road out of his pocket and widen it. A county road to meet county standards. There were also improvements at the Highway 9 intersection that he was required to do plus there was a \$500 a unit fee that he was willing to provide for fire and public safety. He had heard it said that there was a ten year limit on that. The rules and regulations for a development agreement were based on the size of a project. A project had to exceed 2,500 acres for it to go up to 25 years. This project fits in the realm where the maximum development agreement by law can take effect is 10 years. However, his client had assured him that until this project was completed he would continue to contribute that \$500 per unit. Even though the agreement that the county required only lasted 10 years, he had agreed to move farther with that. This was a good project. His client assembled this land. He could have come in with 50 acres here, 60 acres there, 100 acres here but because he put this project together and assimilated it, he had a much better traffic and transportation plan. It was scrutinized much greater by county staff. The interconnectivity within the project was much better. There were parks and open space within the project that would not have been had it been a small project. He wanted to point out that the ultimate density of this project was less than the subdivision that of the folks that spoken that night. It was .4 or .5 per acre less in density and the reason for that was because of the county stormwater ordinance and because of the interconnectivity they had done on the project.

Public input was closed.

Mr. Prince stated that he wanted to point out that there were 10 subdivisions in the Longs area. He went to most of them after the storm and there were not any that he could see had flooded out. Not even the Arbor Glenn. They were in good shape. He went through there and all around it. He also went to this project and it was not flooded out or running across any roads. They had a lot of good developments in this area and they weathered the storm quite well. The worst thing happened to Aberdeen and it was one of the oldest subdivisions there. He hated that for them. He would rather have a controlled development knowing that you were going to get the stormwater done before they got the projects done. You would get the roads upgraded and you would get the amenities, parks, guards, and the things that everybody was desiring than to just get out there and build houses and not have any stormwater drainage. He had been here a long time and he had seen these things. He thought he had done well in helping to make these decisions. He didn't see anything wrong with this project and there was a lot of room in Longs. There were thousands of acres around it that would still be wooded land. He hoped this kind of storm never happened again, but they had to be careful how they lived their lives.

Mr. DiSabato said he was not as familiar with this community and area as he was in his own district so he relied on the Councilman who represented that district and what the staff and professionals told them. What storm did they use when making the design standards for this particular development?

Mr. Wooten said the way the county ordinance was written you design to a 25 year event and then also model for a 50 and a 100 year event. In any of those events, all those events, nothing can get into the homes in the subdivision and in all those events, less water leaves the site than would have left the site had the development not been constructed.

Mr. DiSabato said theoretically speaking, in light of this current event that they had been dealing with, had this community been built then drainage would have been improved by the creation of this development?

Mr. Wooten said the county ordinance was based on a rain fall event in the area not on a Hurricane Matthew or a Hurricane Floyd or a Hurricane Joaquim who dumped water on us from outside the watershed.

Chairman Lazarus stopped Mr. Wooten and said they wanted to get an unbiased opinion and asked Mr. Garigen to answer.

Mr. Garigen said Mr. Wooten was correct in that when they were designing the subdivision, they were designing for the immediate rain event, what you might call flash flooding and those types of immediate storms. When they got a 1,000 year storm in the Waccamaw River watershed which was 2/3s in North Carolina coming down on us, the individual drainage system in the subdivision had already done its work and hopefully nobody was getting flooded during that time period. But when that river comes up and they didn't know how high it was going to come up, there was really nothing they could do about those situations. It was just Mother Nature doing her thing and it was very catastrophic. This was worse than Matthew with three feet higher peaks in Conway. This was unprecedented. None of the calculations and none of the gages that the USGS and national weather service were calculating things on even went that high. That was part of the problem in predicting what the water levels would be. The drainage system in the subdivision was one thing and they would make sure they designed it to standards. He couldn't do anything about when the river floods in these massive storms.

Mr. DiSabato asked how close it was in proximity to the rivers that did flood in this event.

Mr. Garigen said the people in Arbor Glen didn't flood and as Mr. Prince said most of the subdivisions up there didn't have any problems except for the older subdivisions that were not built to the current standards. They would hear about a flood ordinance revision that night that would hopefully help even more in the future.

Mr. DiSabato said if it didn't flood in this flooding event it sounded to him like the development was going to be fine because the standards that the county imposes on the developer makes the drainage better than what it currently was. They couldn't halt progress because of unprecedented events like they just experienced because they didn't know if they would ever experience them again.

Mr. Wooten said that a lot of subdivisions were built before there were ordinances. It was unfortunate and he felt bad for those people who were affected by this storm. His daughter had 9 feet of water under her house but fortunately it didn't get in it. He had employees who had water in their homes so he clearly understood the trauma that something like this brings to a community.

Mr. Vaught said they had two issues and he thought everybody could agree with this. One was they designed subdivisions for flash flood type events. These were things they could actually design for because you had a big 10 inch rain or something like that and that was what these subdivision were designed for. But when the Good Lord sends all that river water towards us that was not something we could control. There were two difference issues. They could control the stormwater issue and the drainage up to the standards but they could not control the river flooding. They didn't need to be getting these two issues confused. If that proposed subdivision did not flood because of the river and it did not flood because of the flash flooding, then why would it flood again?

Mr. Worley said he understood that water runs downhill. He asked Council where they had fallen short in allowing these developers to build in floodplains. He took the time to walk Hwy 9 when the water was backing up. His heart broke for those people down there. He knew what it was to be flooded out. Water was running back towards Colonial Charters not out. This flashflood that they were talking about was Mickey Mouse. Just something to hire these guys and pay them big bucks to tell you that it was not going to flood. He could tell you that water would seek its level. He didn't care how many ponds you dug, when the pond filled up it would run out. Do they on the Council have the fortitude to change their ways on Council. The people out there were suffering because they thought that Council knew what they were doing. They did listen to the engineers and he voted no every time. He did that because the people that were flooded out couldn't look at Harold Worley and ask what happened. He knew it would happen someday. Their ways of approving these developments in floodplains was over with. The Council members that continued to do that would get voted out of office and they needed to be.

Mr. Wooten reminded Council that this project was not in a floodplain.

Mr. Worley asked if Polo was in a floodplain. Was Colonial Charters in a floodplain?

Chairman Lazarus said he wasn't there for those so don't point the finger at him. This project was not in a floodplain. They were not talking apples to apples. This project would not get developed over night. He could go on and on.

Mr. Prince told Mr. Worley that he had just let him know that they were not in a floodplain. He let all of them know that the subdivisions all around there did not flood. It did not get into their homes. It only got into the Aberdeen area in the Longs area. They fared good compared to 2 – 3 areas. They couldn't help some of the things that happened because of nature and God's doings.

Mr. DiSabato said he thought he heard him say that if this was not developed in a cohesive plan as it was being developed at the moment the owner of the property could subdivide the large acreage out into smaller subdivision and go ahead and try to rezone several different projects.

Mr. Wooten said he could have done that but they wouldn't have had the quality and the project that they had. They wouldn't have had the connectivity, the trails, or the amenity area to serve a lot of people. You would have a substandard project. You would have a project of less caliber than what the developer had intended for this. He would argue that they ought to take a look at every project on a regional basis. He thought the county had come a long way. The county needed to take a hard look at what it did. He started practicing here 30 years ago and at that time all you needed to start a subdivision was fuel and a bulldozer. A lot of these projects were built during that period of time. Ordinances have continued and the engineering knowledge and the county's ability to govern had gained tremendously, especially under Chairman Lazarus' leadership. In the last 8 years the county had come a long way towards good stormwater ordinances and a way to handle these projects.

Mr. Worley told Mr. Wooten that he was a very intelligent man when it came to his profession and he appreciated and respected that. Would he, in the months and years to come, be interested in sitting on a committee with staff and council to help guide them into a better place than they were now?

Mr. Wooten said yes. He and his staff volunteered their time for a lot of county stuff and statewide stuff so yes.

Mr. Worley said when he went into the subdivisions like Polo and others all around the county, the people were flooding and were told that it had never flooded there before. It made him cry when he saw those people because he knew how it felt. He would like for him to help them come up with some standards so that this won't happen to every new house built henceforth. That was his wish.

Mr. Wooten said he would do his best and would volunteer any time that it took to do that.

Chairman Lazarus said they had some capable staff. If he recalled, the last couple of mining ordinances got voted down. The reason they had to come before Council was because of the mining ordinance that he had spearheaded. Also, the stormwater enhancements that they had worked with Mr. Garigen on. They would talk about Ordinance 88-18 that night and he was going to ask for a revision of that to make it greater than what it was.

Mr. DiSabato asked staff if there was a way to plan for the event that they just experienced from a flooding perspective.

Chairman Lazarus said they had just told him three times they couldn't. They couldn't even predict it.

A vote was held for the development agreement before them. Not for the actual zoning.

<u>Yea</u>	<u>Nay</u>
Vaught	Hardee
Crawford	Servant
Prince	Worley
Loftus	
Lazarus	
Howard	
Phillips	
DiSabato	

The motion for the development agreement passed eight to three.

Third Reading – **Ordinance 60-18** to approve the request of DDC Engineers, agent for EIP Venture Partners LLC, to amend the official zoning maps. **Mr. Vaught moved to approve, seconded by Mr. Howard.**

Mr. DiSabato asked if it would be conditioned on whatever improvements they made to the stormwater ordinance that night.

Chairman Lazarus said it would have to be because they had to bring it back for permitting. It was not permitted yet.

A vote was held.

<u>Yea</u>	<u>Nay</u>
Vaught	Hardee
Crawford	Servant
Prince	Worley
Loftus	Howard
Lazarus	
Phillips	
DiSabato	

The motion passed seven to four.

Chairman Lazarus called for a 5 minute recess.

Chairman Lazarus called the meeting back to order.

Third Reading and Public Hearing – **Ordinance 85-16** to amend the County Code pertaining to distribution of unsolicited materials. **Mr. Howard moved to approve, seconded by Mr. Worley. There was no public input.**

Mr. Vaught said they had talked about if one piece of advertising was laying in the driveway, they couldn't put another piece in the driveway. Correct?

Mr. David Jordan, assistant county attorney, said correct.

Mr. Vaught asked if somebody had to leave that piece in the driveway.

Mr. Jordan said yes.

Mr. Vaught said that as long as they left that piece in the driveway, they couldn't put another piece next to it.

Mr. Jordan said correct. That went back to the First Amendment as far as freedom of speech and press.

Mr. Vaught said he understood that part of it.

Chairman Lazarus stated that you could call and tell them not to deliver any more. Correct?

Mr. Jordan said they had a voluntary system on that. This ordinance didn't address that.

Mr. Vaught said he had seen these things laying in somebody's driveway that had been laying there until they had turned to paste. Did that mean they needed to tell people that if they didn't want something else thrown in their driveway that they had to leave that piece of stuff laying in your driveway forever?

Mr. Jordan said correct.

Mr. Vaught said he didn't know how they dealt with that.

Chairman Lazarus asked if they added an amendment that if someone had called and requested that the circulars not be left in their driveway anymore and they didn't adhere to it?

Mr. Jordan said they had gone around and around with the case law on the federal level and did not believe that would be successful.

Chairman Lazarus asked if he couldn't stop somebody from throwing trash into his yard.

Mr. Carotti said this was First Amendment trash. There was a difference. That had been the issue. It was considered litter but the media doesn't consider it that. They consider it advertising and they have a right to do so. The press association was there the last time and brought their lawyers. They could litigate it. They gave them assurances in 2016 that that was going to be unnecessary. That if people would call and tell them that they didn't want these newspaper segments or fliers deposited on their lawns and driveway that they would stop, but here they were again.

Chairman Lazarus said it didn't stop and they had a gentleman there a few weeks back that called them on it. He had mistakenly told him they had already passed it. He thought they had but obviously they had it sitting there so they were back again.

Mr. Hardee asked if they had a no solicitation sign in the yard, did that mean they couldn't. If you said no solicitation, they couldn't put it on your property.

Mr. Carotti said that the research had led them to believe that drafting something like that would be constitutionally challengeable. This ordinance that was presented to Council, the attorney's office could tell them that they had a great chance of it being successful in court. Anything other than that, they could be challenged and they didn't know what the courts would decide because they didn't tell them ahead of time.

Mr. Hardee asked if he put a no solicitation sign in his yard, he had the right to do like the chairman.

Mr. Jordan said that when it came to the press, no.

Mr. Vaught said that sounded like a property rights violation. He had no problem with it as written except for this one thing. It's not a loophole but it meant he had to leave a piece of trash laying in his driveway so they wouldn't give him another piece of trash.

Mr. Jordan said correct.

Chairman Lazarus asked what would happen if they made an amendment and it basically said that if property was posted as no solicitation and the property owner had asked or called or requested that the materials not be left and put a fine towards it if they do. It might be challenged and then they could take it to court at that time. What happened if they did that?

Mr. Carotti said the attorney's office would defend the county to the best of their ability.

Mr. Vaught moved to amend the county code pertaining to distribution of unsolicited materials to read that if a property owner had their property posted "No Solicitation" or had made calls to the distributor of that material to not do it again and they did, then there would be a fine accordingly up to the discretion of law enforcement, seconded by Mr. Hardee. The motion to amend was unanimously passed. The main motion as amended was unanimously passed.

Second Reading and Public Hearing – **Ordinance 83-18** amending the County Code of Laws pertaining to regulating open burning in the unincorporated areas of Horry County. **Mr. DiSabato moved to approve, seconded by Mr. Loftus. There was no public input. The motion was unanimously passed.**

Mr. DiSabato asked if the definition of a development included areas like Racepath under the current ordinance.

Mr. Carotti said they had a map.

Chairman Lazarus said if there was more than 11 houses in the subdivision.

Mr. DiSabato said it was not a platted subdivision.

Mr. Carotti said it was a residential development because there could have been developments that would today be major residential subdivisions but they existed before our zoning laws. So it would be 11 or more units and planning and zoning had done a map which they updated regularly so he could see every part of the county that would come under this definition.

Mr. DiSabato asked if it would make more sense to base this on a density rather than something arbitrary like 11 or more units.

Mr. Carotti said that it did equate to density.

Mr. DiSabato said that if you were in an area like Racepath where there were 11 or more units within a specific area but not in a platted subdivision.

Mr. Carotti said you didn't have to be. That was a distinction between a platted major residential subdivision that came to existence after the zoning laws came into existence and major residential developments. They didn't have to be platted subdivisions.

Mr. Vaught said the ordinance did not say a platted subdivision. It said major residential development.

Mr. DiSabato said that was his problem. The word development conjured up a platted subdivision in his mind as opposed to just a group of homes that were closely related to one another.

Mr. Carotti said that was defined in the zoning laws, major residential development. It included others other than purely platted major residential subdivisions.

The motion was unanimously passed.

Second Reading and Public Hearing – **Ordinance 85-18** amending the zoning ordinance pertaining to parking. **Mr. Vaught moved to approve, seconded by Mr. Prince. There was no public input.**

Mr. Howard asked if this ordinance was for the one they had talked about on the parking in neighborhoods on the streets. What parking was this?

Mr. Schwerd said this amended the parking ordinance within the zoning. All it did was update the requirements. The ordinance hadn't been updated in over 20 years and there were a lot of new uses that existed. A lot of commercial and shared uses that existed now. The existing ordinance didn't accommodate any of that so they were just bringing it into the 21st century.

Chairman Lazarus asked him to give them one example.

Mr. Schwerd said car washes. They had uses like a video store, but they didn't have those anymore. There were the other new uses. They had a lot of mixed use office space where you might have 12 different businesses sharing one office and how do you accommodate that. Trade shops and things like that. Those kind of uses that they had that serviced their current economy.

The vote was unanimously passed.

Second Reading and Public Hearing – **Ordinance 86-18** amending the zoning ordinance pertaining to the Socastee Boulevard Overlay Zone. **Mr. Crawford moved to approve, seconded by Mr. Loftus. Public input was closed. The motion was unanimously passed.**

Second Reading and Public Hearing – **Ordinance 87-18** amending the zoning ordinance pertaining to the Little River Overlay Zone. **Mr. Howard moved to approve, seconded by Mr. Worley. There was no public input.**

Mr. Worley stated that he wanted to make some changes but wasn't sure what they were. He needed to get with Mr. Schwerd first.

Mr. Schwerd said they would be going back through. The next overlay that they would be examining was the 544 overlay and then they would go back to Little River. They would be back before Council probably at the beginning of next year cleaning up that overlay. They were trying to standardize all the overlays with the similar language so they didn't have builders, developers and business owners having to determine what one means and one overlay versus another. They would be coming back with Little River again in the spring to clean it up. This was a very specific co-located issue signage that allowed a lot of businesses that don't have frontage.

Chairman Lazarus said this cleaned up the issue that they had been working on. They would bring back a bigger comprehensive overlay.

Mr. Worley asked to defer this until the next council meeting and then they would deal with it, seconded by Mr. Servant.

Chairman Lazarus said to go ahead and vote on it and send it but ask for public hearing at the next meeting.

Mr. Worley said he might want to make some changes.

Chairman Lazarus said ask for a public hearing at the next meeting.

Mr. Worley said okay.

Chairman Lazarus said they would just note that there would be a public hearing at third reading. He asked Mr. Carotti if they needed to vote on that.

Mr. Carotti clarified that they were not going to defer. They were just going to pass second reading and have public hearing at third reading. Chairman Lazarus said yes. Mr. Carotti said that was permissible.

Mr. Worley moved to approve. The motion was unanimously passed.

Second Reading and Public Hearing – **Ordinance 88-18** amending the County Code to adopt revised flood damage prevention standards. **Mr. Howard moved to approve, seconded by Mr. Vaught. There was no public input.**

Ms. Lauren Harrelson, flood hazard reduction officer for Horry County, said this ordinance was revising the current ordinance with the new state model ordinance. It had higher regulatory standards. The revised state model ordinance would have higher regulatory standards to substantially reduce the future flood risk and damage to the special flood hazard areas of Horry County. Flooding greater than the predicted 100 year flood could occur and increase urbanization and other changes in the watershed could increase flood levels. The last flood ordinance was adopted in 1987 and in order to remain compliant with the national flood insurance program and state regulations it was recommended and required by the state to adopt the revised statement model ordinance, especially prior to the new maps being effective and adopted. The revised ordinance had been

submitted for a technical review for the Community Rating System and when adopted it could be submitted for a credit of modification to improve our ranking from a Class 7 to a Class 6 which would increase the deduction of flood insurance premiums to 20% from the 15% that was currently discounted. In the revised ordinance they had higher regulatory standards. The main one being freeboard. This ordinance was to increase the freeboard to two foot which was an extra factor of safety expressed above the 100 year flood level. They currently had a one foot freeboard. New critical facilities would have to be constructed outside of the 100 and 500 year floodplain. Coastal A Zones would need to meet the same requirements as coastal high hazard rezones and substantial damage and substantial improvement would go to 48% over a ten year period from the current 50% over a five year period. That was better efforts to make non-conforming homes conforming to the most recent regulations. There were regular regulatory standards being added in the language that was not in the current ordinance. Some of those regulations were for elevators, swimming pools, decks, porches, any type of water porous alterations that needed to be done, utilities, fill and all of their technical bulletins were incorporated in for further guidance and reference. The substantial damage determination used in FEMA's residential substantial damage estimator software to conduct damage assessments after an event had occurred. Those were the main changes in this revised ordinance from the current ordinance.

Mr. Servant referenced the last two points of the staff briefing memorandum. He asked her to explain those in more detail.

Ms. Harrelson said substantial damage was any damage sustained to a structure by any origin where the cost of repairing the structure to its before damage condition would equal or exceed 50% of the value. They were trying to take that from 50% to 48%. Once that home had flooded and the cost of repairing it exceeded that 48% over a cumulative ten years, they would have to elevate their home if it was not elevated to the current standard meaning the base flood elevation. That would have to meet the new two foot freeboard.

Mr. Servant said meaning that any house built along the Intracoastal Waterway that was not grandfathered in, that was just flooded, would have to be built elevated under this current standard.

Ms. Harrelson said if they were located within the special flood hazard area which was the 100 year floodplain, and if they were not currently elevated high enough to the current standards, then yes.

Mr. Servant said he wanted to make sure that Council understood that people were not going to be able to build their houses back the way they were if they had been more than 48% destroyed under this recent flood.

Ms. Harrelson said they currently had 50%.

Chairman Lazarus said FEMA had a program where they pay \$33,000 to raise your house.

Mr. Servant said it was not just 50%. It was going to be 48% if anybody filed a permit after this passed third reading come October 16th.

Mr. David Jacobs said he wouldn't think so. The ordinance currently in effect was 50% during the flood. He thought anything after this flood would go to 48%.

Ms. Harrelson said the second point was substantial improvement. That was any improvements that were being done to the home where the value of those improvements would exceed that 48%. If they were not currently conforming they would have to elevate so they were conforming over a period of ten years. That was just trying to help home owners putting this money into homes that were at a risk of flooding and had flooded multiple times from putting more money in it and not being elevated high enough.

Mr. Servant asked how the county was going to track improvements done to a property over a ten year span.

Ms. Harrelson said they could only track what permits were pulled.

Mr. Servant asked for an AC unit or for ...

Ms. Harrelson said the regulations did not include the value for anything that was for a code hazard so replacing your HVAC, it would not include that value into their substantial improvement.

Mr. Servant asked if it only dealt with residential construction.

Ms. Harrelson said residential and commercial.

Mr. Servant said his question was for Garden City and the entertainment district if there was a flood around the pier they would not be able to restore their buildings in that historic area. They would have to build them up, correct? Like Dunes Realty, Garden City Realty, the arcade.

Mr. Gosnell said if this ordinance was in effect they would have to meet the terms in this ordinance.

Mr. Servant said they would not be able to build it back.

Ms. Harrelson said if it was a historic structure then there were variances to where they could build it if it was a historic structure.

Mr. Worley said they could flood proof.

Ms. Harrelson said they could flood proof if it was a commercial building.

Mr. Worley said they could flood proof so those people down there could spend lots of money.

Mr. Servant said that basically what they were doing was driving people out of business in the commercial area.

Mr. Worley said they were in essence building a swimming pool shell. It had to be designed to hold water from coming in just like a pool would hold it to go out. So structurally they were talking about probably eight inches of structural reinforced concrete up to two feet above.

Ms. Harrelson said base flood elevation.

Mr. Servant said that would be a catastrophe, but what if they just had a couple of king tides come through and bring a foot of water up into their building, four or five of them, over a decade. You would have to go in and pull a permit, and a water restoration company goes in and does the work and get above that 48%. Until staff comes up with a way for them to have a historic district that dealt with a lot of the prominent businesses that were located in his district he couldn't vote for this. He thought the Council members that had housing located along the Intracoastal Waterway, until they took a good hard look at this and saw what it was going to do to their constituents, he thought more diligence needed to be done.

Mr. Worley said they might separate residential and commercial.

Mr. DiSabato said that would make sense to him.

Mr. Gosnell said this needed to pass if they could get it to pass. If it didn't he recommended it move back to the I & R committee to be re-vetted. The benefit of passing it would be they would probably save those folks in the flood zones on their flood insurance.

Chairman Lazarus said by 5%.

Mr. Servant said FEMA had implemented new fees on top of flood insurance bills over the last 24 – 36 months that exceed in excess of the credit that these people would get back on their statements. Correct?

Ms. Harrelson said she didn't know.

Mr. Servant said he did on his bills.

Mr. Worley said this was not just FEMA builds that were insured. What if they had one of their arcades that had no flood insurance? Every time it floods, they just push the water out and run the fans and were back in business the next morning. What it was saying was if they had a hurricane and it demolished that building more than 48% you could not build it back unless you raise it and then they were out of business.

Mr. Gosnell said that existed today only it was 50%.

Ms. Harrelson said they currently had that in their ordinance for commercial buildings. They either had to elevate or flood proof one foot above. They were just trying to increase that.

Mr. Worley said it was 48 in this.

Mr. Gosnell said that was correct.

Mr. Servant said and 5 years not 10 years.

Ms. Harrelson said correct.

Mr. Servant said it doubled the time period.

Chairman Lazarus asked Mr. Worley which way he wanted it.

Mr. Worley said he wanted it separated. He wanted residential and commercial separated.

Chairman Lazarus said they wanted to protect the people. They didn't want to make bad decisions. They wanted to protect the people, correct? Who were they protecting?

Mr. Worley said they needed to stay focused on the problem. The problem was not Main Street where it flooded every time they had a king tide. They built it knowing that was happening.

Chairman Lazarus said to take commercial out of it.

Mr. Worley said take commercial out of it and then they were fine.

Mr. Gosnell said to get it to be part of the national flood insurance program they had to have this ordinance in place.

Mr. Servant said they were talking about two different things. They were talking about a historic district located in his district on Atlantic Avenue and they were construing it with residential. So they could take commercial out or they could come up with a solution.

Mr. Harrelson said for commercial buildings if they did not want to have a higher standard minimum national flood insurance program regulations where they had to be at least at or above the base elevation or flood proofed to that. The current ordinance was one foot and they were just trying to go up another foot. Either way they would have to meet the minimum in a (inaudible) for construction.

Chairman Lazarus asked them to send it back to...

Mr. Servant asked if they could pass it that night and then send it back to the I&R committee.

Chairman Lazarus said he wanted them to send it to the I&R and Administration committees. They were talking about money and construction. They would send it back to I&R and in the meantime get the attorneys working on the issues. He wanted to see the freeboard go to three feet and not two in the residential subdivisions.

Mr. Servant asked that when they came back to give a detailed layout to what the municipalities were doing as it related to freeboarding.

Ms. Harrelson said Surfside Beach and Myrtle Beach had three foot.

Chairman Lazarus said that was why he wanted to go to three foot.

Mr. Worley asked Mr. Jacobs when they would have the new flood maps. He and Mr. Servant could take a look at them and see how it would affect Garden City, Myrtle Beach, North Myrtle Beach, and Little River.

Mr. Gosnell said they had prepared maps and the county appealed those because they didn't agree with them. They had been working back and forth with FEMA on that issue. They reran their model and they were waiting on them to provide revised maps and then they would start back through the process.

Mr. Worley asked if he thought with the recent flood that they had it would set them back another couple of years.

Mr. Gosnell said he didn't think so. He didn't believe that would affect the maps. The mapping where they had come from and where they were at that point, he didn't think so.

Mr. Worley asked Mr. Gosnell when he thought they would be able to adopt that map.

Mr. Gosnell said one year.

Ms. Harrelson said they had said one year's time.

Mr. Worley said that was what they had told them for the last three years.

Mr. Garigen said he wanted to clarify that they did not appeal their mapping on the coast. It was the riverine so whatever they published for the 2015 they didn't have a problem with and they could probably rely on those to get an idea of what the final map would be. They were protesting and appealing what they did on the waterway and what they did on the Waccamaw River.

The motion was unanimously passed.

Chairman Lazarus said it would go back to the two committees before coming back to Council.

OLD / NEW BUSINESS: Mr. Carotti said it would be appropriate for the Council to entertain a motion to ratify the cancelation of the September 18th and 25th meetings. **Mr. DiSabato moved to ratify the cancelation of the September 18th and 25th meeting, seconded by Mr. Loftus. The motion was unanimously passed.**

Mr. Hardee asked when the ban of burning would be lifted.

Mr. Huffman said their main concern was they had areas that they couldn't get to with firetrucks. Once they had access to all the areas (inaudible)

Chairman Lazarus said hopefully it would be sooner or later but they were doing it for protection. They couldn't get there if there were issues.

Mr. Hardee said people had asked him when it would be lifted. They had asked him if they could burn the debris in their yard and that kind of stuff.

Chairman Lazarus said they would check on it and see when the earliest would be.

ANNOUNCEMENTS: None.

Memorial Dedications: Amanda Holbrook; Lacie Adams Shelley; Buddy Gore; Karen Sarvis Norris; Mark C. King; Debbie C. Rion; and Jeanette L. Hughes.

Upcoming meetings: Regular Council Meeting – October 16, 6:00 p.m.; Public Safety Committee – October 10, 9:00 a.m.; I & R Committee – October 4, 9:00 a.m.; Transportation Committee – October 10, 3:00 p.m.; and Administration Committee – October 23, 2:00 p.m.

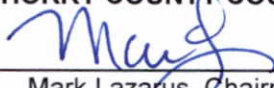
EXECUTIVE SESSION: Discussion of compensation of an employee or a person regulated by a public body or the appointment of a person to a public body. **Mr. Howard moved to enter into executive session, seconded by Mr. Loftus. The motion was unanimously passed. Mr. Phillips moved to exit executive session, seconded by Mr. Loftus. The motion was unanimously passed.** Mr. Carotti said that while in executive session Council engaged in a discussion of compensation of employees or persons regulated by a public body or the appointment of a person to a public body. While in executive session, no decision were made and no votes were taken.

Motion: Directing the Administrator to take employment compensation action as discussed in Executive Session.

Chairman Lazarus said he was going to offer up a motion for someone to make where they were going to provide the employees scheduled to work on the days county offices closed due to Hurricane Florence normal pay up to 2.5 days and provide additional compensation equal to one holiday per full day shift not exceeding a maximum of 3 days for employees working from noon Wednesday through Sunday consistent with a holiday leave policy. **Mr. Servant moved to approve, seconded by Mr. DiSabato. The motion was unanimously passed.** Chairman Lazarus explained that they had employees that worked a lot of hours. They had employees that couldn't come in. They had employees that took leave time because they had the emergency leave enacted and they used all their leave time. This helped compensate those that did work. It helped provide more holiday days that people could put in for the extra days they were not here to help the employees in Horry County. It was something very beneficial that staff put together for them and that Council did. This was basically the same thing that they did during Hurricane Matthew.

ADJOURNMENT: With no further business, Mr. Servant moved to adjourn at approximately 8:45 p.m. and it was seconded. The motion was unanimously passed. The meeting was adjourned in memoriam of: Amanda Holbrook; Lacie Adams Shelley; Buddy Gore; Karen Sarvis; Mark C. King; Debbie C. Rion; and Jeanette L. Hughes.

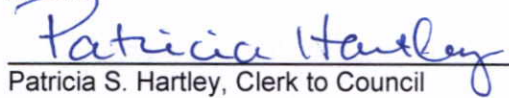
HORRY COUNTY COUNCIL


Mark Lazarus, Chairman

Harold G. Worley, District 1
Dennis DiSabato, District 3
Tyler Servant, District 5
Harold Phillips, District 7
W. Paul Prince, District 9
Al Allen, District 11

Bill Howard, District 2
Gary Loftus, District 4
Cam Crawford, District 6
Johnny Vaught, District 8
Danny Hardee, District 10

Attest:


Patricia S. Hartley, Clerk to Council