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|  | **MINUTES OF****REGULAR COUNCIL MEETING****CITY HALL****OCTOBER 3, 2022 – 6:00 PM** |  |
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| **PRESENT** | **MAYOR** | **TODD M. HARRELSON** |
|  | **COUNCIL** | **JOAN GAUSE****LEWIS C. HARDEE, JR.****ANDREA L. COLEMAN****CARROLL D. PADGETT, JR.****MICHAEL E. SUGGS** |
|  |  | **JAN P. VESCOVI** |
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**CALL TO ORDER:**

The meeting was called to order by Mayor Harrelson at 6:00 pm on Monday, October 3, 2022.

**INVOCATION:**

Councilwoman Gause gave the invocation.

**PLEDGE OF ALLEGIANCE:**

Mayor Harrelson led the Pledge of Allegiance.

**ROLL CALL:**

Clerk Massey called the roll.

**FOIA:**

Notice of the meeting with an agenda was publicly posted, published, and forwarded to the media no less than 24 hours prior to commencement.

**MAYOR’S REPORT:**

1. **CHAMBER OF COMMERCE-** No Chamber of Commerce representation.
2. **HURRICANE IAN-** Mayor Harrelson relayed that Loris Fire Department and Police department were working during all hours of the day and night to ensure the safety of our residents. Ron and Jordan were also working throughout the storm to ensure debris and other damage were minor. Mayor Harrelson stated that we were spared from what damage the hurricane could have done to our town.
3. **MCLEOD LORIS HOSPITAL REPORT-**Mayor Harrelson stated that everything seems fine at the hospital and that two fundraisers are coming up. The first fundraiser allows you to buy a meal for $125.00 which goes to a worthy cause. The second fundraiser allows you to light a light in memory of a loved one. More information can be found on their website. They have many improvements happening on every floor at the hospital and they have plans to make improvements in the future.
4. **COFFEE WITH THE MAYOR-** Mayor Harrelson said that Coffee with the Mayor will be in the Community Room at City Hall beginning at 9:00 am on Thursday, October 13, 2022. He added that the event is an informal, open discussion and an open invitation to anyone interested in attending. He spoke about the previous coffee with mayor and commented on how much he enjoyed having the (18) high school students, he hopes to see them again soon.

**COMMITTEE REPORTS:**

1. **FINANCE & PERSONNEL COMMITTEE-** The Committee did not meet.
2. **PUBLIC SAFETY COMMITTEE-** Councilwoman Vescovi stated that she met with Chief Buley and Lieutenant Larry Williams. They went over ordinances that were previously discussed. They asked Attorney Moss and Administrator Young to review those before next council meeting. She would for Council to have the opportunity to review before the meeting as well. Attorney Moss stated he reviewed them and has some reservations. He would like to discuss in executive session.
3. **RECREATION COMMITTEE-** The Committee did not meet.
4. **BUILDING & GROUNDS COMMITTEE-** The Committee did not meet.
5. **PLANNING, ANNEXATION, & ECONOMIC DEVELOPMENT COMMITTEE-** Councilman Padgett stated that they had a meeting last week and reviewed for amendments to the Intergovernmental agreement that will be discussed later in Executive session. He stated that it is recommended from the committee that we add to that one piece of property. It is #10 PIN 176-00-00-0025. It was also recommended that the impact fees be reduced to one half of what is normally charged. Administrator Young stated that they did talk about the comprehensive plan, and he said that Carol Coleman did leave, they did send someone from their staff and will hopefully be meeting this month.
6. **PUBLIC WORKS COMMITTEE-** The Committee did not meet.

**BUSINESS:**

1. **2ND READING OF ORDINANCE 07-22, AN ORDINANCE TO AUTHORIZE AND APPROVE A 2022 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND HORRY COUNTY RELATING TO THE LORIS COMMERCE CENTER, SO AS TO, AMONG OTHER THINGS, PROVIDE THE CITY’S CONCENT TO THE CREATION OF A MULTI-COUNTY PARK FOR THE LORIS COMMERCE CENTER AND TO SET OUT HOW CERTAIN ECONOMIC DEVELOPMENT INCENTIVES MAY BE USED FOR PROJECTS LOCATING IN THE LORIS COMMERCE CENTER.-** Attorney Moss stated the committee, as councilman Padgett has reported, recommended two changes to this proposed ordinance between the time it was given its first reading and now I do not believe either of those changes are substantial enough to require a new first reading. It would be appropriate in any motion for the second reading to include those amendments. Councilman Padgett stated that those two amendments must be in the agreement before they sign it. He made a motion to pass Ordinance 07-22 with this stipulation. Councilwoman Vescovi 2nd the motion, all members in favor. Motion passes.
2. **2ND READING OF ORDINANCE 06-22, AN ORDINANCE OF ANNEXATION WITH PIN# 176-12-01-0004.-** Councilman Padgett stated that he asked previously for a letter or indication that the highway department owns the property. They received an email correspondence, but it didn’t say that they approved it or had any objections to us doing what we proposed to do in the annexation. Administrator Young stated that he hadn’t received anything else, but that they stated that they didn’t reject it by using a right of way, they don’t normally object to annexations based on state law. State law says it can’t prohibit a roadway annexation based on right of way as is. Councilman Padgett stated that he cannot vote for it until he has something in writing. Mayor Harrelson thought that they had enough information to take a vote on the subject. He stated that they have received three or four different opinions, including one from attorney and one from one of our committee members. Councilwoman Vescovi asked Attorney Moss based off the email and what was discussed in the previous meeting, she asked him to review and restate the information. Attorney Moss stated, what I said my opinion to you was, it’s my opinion specifically that the property is sufficiently contiguous for the purposes of annexation, and I worded it that way because there is not an actual touching of the property, and the nearest adjacent property isn’t in the city limits. I gave you all language from the Supreme Court of South Carolina opinion that provided in the context of analysis of continuity and actual touching was not required but did not actually include an actual touching. That’s what the Supreme Court’s told us. They told us expressly in that Supreme Court opinion that the courts have liberally construed. The continuity language in the context of annexation they referred to the definition in that opinion, and I sent you all the opinion. I’m not going to give you the opinion that its absolutely continuous because it doesn’t touch, but in my opinion, it doesn’t have to for the purpose of the annexation. I base the opinions of South Carolina Supreme Court. There were two cases. One lacked standing to challenge if you’re not the property owner and the other was continuous doesn’t require actual touching. The DOT confirmed in that colored map that they’re right away not only the highway 701 NS corridor, but it also is the apron of the roadway that enters that property. I think it’s a continuous within the meaning of the South Carolina Supreme Court. Councilman Padgett responded, the Supreme Court has said that unless we had never condoned an annexation, it was not continuous. He also said that it was not an annexation case, it was a taxation case. It’s not a law when it doesn’t deal with that case. It’s a statement. Attorney Moss stated, it is interesting that was a taxation case, but they pulled the definition of contiguous out of the annexation statute and it said here is an example of this word and courts construe that very liberally. So, it wasn’t an annexation case, but they pulled taxation definition now to talk about it. I’m very comfortable with it based on the lack of standing to challenge it and the fact that it doesn’t require actual touching. I can’t speak in absolutes because we don’t have the case out there that addresses this issue. I can only give you my informed opinion that I believe is sufficiently contiguous for the purposes of annexation. Mayor Harrelson asked if anyone would like to make a motion to approve the annexation. Councilwoman Vescovi makes a motion to approve the annexation based on the information that she heard. Councilwoman Gause 2nd the motion. Mayor asked to take a vote with a roll call. Councilwomen Gause, Coleman, Vescovi and Mayor Harrelson voted yes. Councilmen Hardee, Padgett and Suggs voted no. Motion passes.
3. **APPOINTED STAFF POSITION CHANGES-** Administrator Young asked to discuss this in Executive Session based on personnel issues.

**DEPARTMENTAL REPORTS:**

1. **PUBLIC WORKS-** Ricky Bellamy stated that we did have a few issues regarding the storm but nothing major. They had some issues at one station, but it wasn’t anything major. He thanked Ron and his team for preparing and helping fix issues that did occur. Jordan Phillips now has a B license and passed his C test. Mayor Harrelson and Councilwoman Vescovi thanked everyone involved in the cleaning up and working through the storm to make sure that we were all safe. There was a pipe that burst in the middle of the storm and Jordan was there to turn the water off. It meant a lot to have employees that are so dedicated to their jobs. There is not a set time on when all the debris and limbs will be cleared but everyone is working diligently. Von and his team were seen going to different areas and picking things up by hand. Roy and Sean and the team were out on the truck picking up as much as they could. Call city hall to report piles that need to need to be picked up just in case they may have missed something.
2. **CODE ENFORCEMENT-** Clerk Massey stated that Meredith reported to him that they had opened and closed sixteen different building permits last month. Anything from power service, new homes to roofing. There is a lot going on.
3. **RECREATION DEPARTMENT-** Councilwoman Vescovi stated that the hurricane did require a lot of cleanups at the park with signs and windscreens, but they are repairing that. Football starts tonight. There will be home games on October 3rd, 4th, 11th, 17th, 22nd and November 1st. We haven’t had that many home games in a while. Softball also starts this week; a lot of others aren’t doing fall softball but that was a request from parents, so he is working on getting that going. Volleyball has been a success so far. They’ll begin playing each other and Conway teams soon. He’s working on getting that schedule set up. They have practice tonight and a scrimmage on Wednesday night. Football, cheerleading, softball and volleyball combined 258 youth in Loris are participating in those programs. That’s great numbers for us. Four softball tournaments scheduled for 2022. Including this upcoming weekend. In September, he said that they had the second highest net income tournament of the year. He is currently working on a grant through the Major League Baseball that he will hopefully get to help cut costs for next season. That will include being able to help with the purchase of jerseys, balls and or umpires. And that they're currently grading the fields at Heniford and tilling those up to help with drainage, that's one of the projects on the agenda for this week.
4. **POLICE DEPARTMENT-** Police Chief Buley thanked Jordan for assistance with the police station because when it rains heavily, water does get in. Councilwoman Vescovi thanked the police department for everything that they have been doing, especially the last seven days with different instances that she heard of. Chief Buley responded, we are working on a project with Shoreline through our Cast Coalition which is a Community Action for a safer tomorrow. We did send in youths into vape shops and they did sell to them. We are working with them now to get them educated and hopefully stop that from happening again. Vapes are in the schools right now so hopefully that will slow it down a little bit.
5. **FIRE DEPARTMENT-** No one present from the fire department to speak.

**PUBLIC AND PRESS:**

Jamie Stevens bought property off Helena Drive and wanted to get it annexed out of city limits. He has 9.8 acres outside of city limits, bought a smaller piece of land inside city limits next to his property. He wants to get the small piece of land outside of city limits, so he can make it one piece of property and get a well.

**EXECUTIVE SESSION:**

1. **DISCUSSION ON PERSONNEL MATTERS.**
2. **DISCUSSION ON CONTRACTUAL MATTERS.**

Motion made by Councilwoman Vescovi to enter Executive Session; Seconded by Councilman Suggs. All members voted in favor to enter Executive Session at 6:39 pm.

Motion made by Mayor Harrelson to exit Executive Session. All members voted in favor of exiting Executive Session at 7:06 pm.

Councilman Padgett made the motion to make City Clerk Keith Massey Interim City Treasurer, Councilwoman Vescovi 2nd the motion. All members voted in favor. Councilman Suggs makes the motion to make Samantha Williams Interim City Clerk. Second by Councilwoman Vescovi. All members voted in favor. Both motions pass.

**ADJOURNMENT:**
Motion made by Mayor Harrelson for adjournment; Seconded by Councilwoman Gause. All members voted in favor. There being no further business, the Council Meeting was adjourned at 7:09 pm.

**ATTEST:**

 **BRANDY GRAHAM TODD M. HARRELSON**

**CITY CLERK** **MAYOR**

 **LORIS COUNCIL MEMBERS**

 **JOAN S. GAUSE**

 **LEWIS C. HARDEE JR.**

 **ANDREA L. COLEMAN**

 **CARROLL D. PADGETT, JR.**

 **MICHAEL E. SUGGS**

 **JAN P. VESCOVI**