



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
May 12, 2009 ♦ 6:30 P.M.

TOWN COUNCIL  
REGULAR MEETING MINUTES

1  
2  
3  
4  
5  
6  
7  
8 **1. CALL TO ORDER**

9 Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tem  
10 Truett and Councilmembers Blair, Johnson, Martin, Samples and Childs were present.  
11 A quorum was present. Staff present: Administrator Booth; Clerk Pinnell, Building,  
12 Planning & Zoning Director Donevant, Police Chief Christenson, Training Lieutenant  
13 Matyjasik, Fire Chief Packard, Special Events Coordinator Ellis. Attorney Mr. Smith  
14 was also present.

15  
16 **2. INVOCATION and PLEDGE OF ALLEGIANCE.**

17 Pastor Scott Wachter from Surfside United Methodist Church said the invocation and  
18 Mayor Deaton led the pledge of allegiance.

19  
20 **3. AGENDA APPROVAL**

21 Mr. Truett made a motion to approve the agenda as submitted. Mr. Samples seconded  
22 the motion. **All voted in favor. MOTION CARRIED.**

23  
24 **4. MINUTES APPROVAL**

25 Mr. Truett made a motion to approve the minutes from the April 28, 2009 meeting as  
26 submitted. Mr. Johnson seconded the motion. **All voted in favor. MOTION**  
27 **CARRIED.**

28  
29 **5. PUBLIC COMMENTS – Agenda Items only – 3 minutes per speaker**

30 There were no public comments.

31  
32 **6. COMMUNICATIONS**

33 **A. *Recognize Connie Barnard for Five Years of Service on Planning & Zoning***  
34 ***Commission***

35 The Mayor presented Ms. Barnard with a plaque for her service on the Planning &  
36 Zoning Commission. Ms. Barnard thanked the council and the staff for working so  
37 hard.

38  
39 **B. *Building, Planning & Zoning Report***

40 Mr. Booth reported that the building department is still low on building permits and  
41 the department is moving towards more code enforcement adding that he plans to  
42 present soon to council a proposal to hire a Code Enforcement Officer. Mr. Booth  
43 stated that the town is putting a lot of ordinances in place that require more code  
44 enforcement. He is currently using a part time Code Enforcer; he will still utilize  
45 him half a day but will have a full time person on board to also cover weekends. Mr.  
46 Booth added that most towns have Code Enforcement Officials. Mr. Booth stated  
47 that one way he plans on paying for this officer is to cancel various memberships to  
48 the gym that were offered to employees. Some employees are not taking advantage  
49 of the offer and the town will no longer cover them. Mr. Johnson thanked Mr. Booth  
50 for pointing out the need for a Code Enforcement Officer adding that it has been  
51 needed for a long time. Mr. Booth stated that the town needs to be more proactive

52 and in keeping in line with beautification the town needs to get rid of and enforce  
53 signage. Mr. Booth stated that he also plans to hire some temporary part time  
54 employees to work with the beautification and plantings throughout town. Mr.  
55 Booth stated that the town has also been recruiting volunteers to do some of the  
56 work. Mr. Booth reported that the town is going to do a demonstration project over  
57 on the 3<sup>rd</sup> Avenue South swash area; the town will create a sample planting area to  
58 show how the town can better control parking areas. Mr. Booth reported that he  
59 handed out a copy of the old town parking plan provided by Mr. Childs. Mr. Booth  
60 stated that the plan is to bring this plan up to date; he does not want to spend a lot of  
61 money bringing it up to date but he would like to see it brought up to date adding  
62 that he will have a workshop with council regarding the plan. Mr. Booth stated that  
63 the parking plan is in the comprehensive plan for the town which means it has a  
64 component with the Planning & Zoning Commission. Mr. Booth stated that since  
65 parking is such an issue the Planning & Zoning Commission really needs direction  
66 from council. Mr. Booth stated that the town is not the parking lot for the county and  
67 feels that the town is providing a fair amount of parking and that the town would  
68 need to require guests and people outside of the town to help pay for the cleaning of  
69 the bathrooms, trash pickup, cleaning of the beaches and maintaining the crossovers.  
70 The cost for parking helps defray these costs. Mr. Booth stated that as the State  
71 keeps cutting funds to the town the town will need to start living on some of this  
72 parking money. Mr. Booth stated that he would like to start limiting the parking  
73 areas where individuals do not have to pay adding that the plan is not to place  
74 parking meters everywhere but to limit some parking areas.

75  
76 Mr. Samples asked if Mr. Booth had a time line for when he may be bringing a full  
77 time Code Enforcement Officer before council. Mr. Booth stated that if it is not at  
78 the next meeting it would be at the following meeting adding that he needs to look at  
79 the budget and will find some areas to cover this position. Mr. Childs stated that  
80 before anything is done to Ocean Blvd. he hopes that the council will do the  
81 comprehensive parking plan first. Mr. Booth stated that he is only doing a small  
82 demonstration project. Mr. Childs stated that the town certainly does not want to  
83 drive everyone from Ocean Boulevard up into the neighborhoods. Mr. Booth stated  
84 that he has to look at putting up signs that read no parking between signs; the judge  
85 threw out some parking tickets for parking on the yellow line. Mr. Booth stated that  
86 this would not be to force individuals to park further back but to park closer to the  
87 beach in the paid parking areas.

88  
89 Mr. Samples stated that the Yaupon parking lot looks very nice and anyone who did  
90 not get a chance to see it should stop by and look at it.

91  
92 **C. *Public Safety Report***

93 Mr. Booth reported that it is currently Bike Week and the town is seeing a fair  
94 amount of bikers; not the same as there was last year but still a good number adding  
95 that there is no one in Myrtle Beach. Mr. Booth stated that some of the local bars are  
96 active but he has not seen any problems adding that he will keep monitoring the area.  
97 Mr. Booth stated that he has seen a lot of renters but not as many as last year and the  
98 town seems to be fairing well so far. Mr. Booth reported that the town has gone to a  
99 zero tolerance regarding golf carts and are pushing to control night driving and  
100 children driving them. Mr. Booth reported that the town is also looking at the 2:00

101 AM ordinance for serving alcohol. The bars cannot serve after 2:00 AM but  
102 sometime individuals purchase their drinks before 2:00 AM and may still be at the  
103 bars at 3:00 AM and the town is watching this. Mr. Booth stated that there have not  
104 been as many bikers so there is not as much noise and there has not been a need to  
105 enforce the noise ordinance. Parking enforcement is being done with some review to  
106 procedures.

107  
108 Mr. Booth reported that the Bike Patrol has put on 450 miles of patrol to date. Mr.  
109 Booth stated that this gives more of a presence of police officers in town. Ms. Blair  
110 stated that she saw Officer Turbeville out and interacting with people and saw this as  
111 being a positive addition to the town and asked if another officer would be added.  
112 Mr. Booth stated that the officers need to be trained for bicycle duty and not many  
113 classes are available but the town would look into this. Mr. Childs commented that  
114 he agrees with Ms. Blair in that this bicycle patrol is a great addition to the town and  
115 he also would like to see another officer added. Mr. Booth stated that it is  
116 community policing and this is something that the town needs. Mr. Martin stated  
117 that Mr. Turbeville is doing a great job and he even saw him in his neighborhood and  
118 is pleased to see that he is not only policing the beach but is patrolling the entire  
119 town.

120  
121 Public Safety Director Christenson stated that he is very pleased to have the high  
122 caliber of personnel he has on staff in his police and fire departments. Director  
123 Christenson stated that Officer Turbeville and his beach patrol all have great  
124 personalities and are acting as ambassadors for the town.

125  
126 Director Christenson recognized Detective Matthew Prock for his efforts, dedication  
127 and extreme knowledge in how to investigate crimes to catch the individuals who  
128 commit them and read a declaration of recognition in relation to two specific cases.  
129 Detective Prock was presented a certificate. There was applause in the audience.

130  
131 Mr. Booth reported that the start of the fire station should begin in approximately ten  
132 days. The cost of the underground utilities will be presented to Santee Cooper for  
133 their approval. The concrete on the corner lot on Surfside Drive and Poplar will be  
134 removed and the owner of the lot will be paying for this.

135  
136 ***D. Administrator's Report***

137 ***i. Ocean Blvd.***

138 Mr. Booth reiterated that the town Beautification Committee will be doing a  
139 demonstration project over on 3<sup>rd</sup> Avenue and added that this committee has  
140 been recruiting a lot of volunteers to work on various projects and the town is  
141 looking into getting some part time support help to assist this committee as  
142 well.

143  
144 **7. BUSINESS**

145 ***A. First Reading #09-0668: Amend Animal Ordinance Infractions***

146 Mr. Booth stated that the ordinance amendment is to take the ordinance out of  
147 infractions and placing it back into the court. Mr. Samples made a motion to

148 approve 1<sup>st</sup> reading. Mr. Childs seconded the motion. **All voted in favor.**  
149 **MOTION CARRIED.**

150 B. *First Reading #09-0669: Amend Littering Ordinance Infractions*

151 Mr. Booth stated that these amendments are the reason the town needs a code  
152 enforcer and he will use the court system to enforce them. Mr. Truett made a motion  
153 to approve 1<sup>st</sup> reading. Ms. Blair seconded the motion. Mr. Johnson asked Mr.  
154 Booth to explain to the public why the town is amending these ordinances. Mr.  
155 Booth stated that the Supreme Court ruled that smoking was an infraction and this  
156 did not exist before and therefore the lawyers had determined that by creating  
157 infractions they created an infraction court. The Supreme Court denied this process  
158 stating that the infractions would need to be in the court system. The Supreme Court  
159 has recently given more guidance on these issues. Mr. Booth reported that he met  
160 with the Court Administrator and explained the towns' situation with tickets and  
161 asked for assistance to make sure the town is handling it correctly and he will be  
162 assisting the town with this and the parking tickets are a part of this. **All voted in**  
163 **favor. MOTION CARRIED.**

164 C. *First Reading #09-0670: Amend Smoking Ordinance Infractions*

165 Mr. Truett made a motion to approve the 1<sup>st</sup> reading. Mr. Samples seconded the  
166 motion. Mr. Samples stated that he had a question on the last line of Section 7-117.  
167 Mr. Samples asked if it was correct to mention the South Carolina Supreme Court in  
168 the ordinance. Attorney Mr. Smith stated that it was. Mr. Smith explained that Jean  
169 Toal is the Chief Justice of the South Carolina Supreme Court and as such she is the  
170 administrative head of all legal matters in the State of South Carolina. Typically she  
171 would issue an opinion but an opinion could only derive if someone challenged it in  
172 a lower court and this did not occur, she realized it needed corrective action so she  
173 issued, on April 24, 2009, a memorandum which he and other lawyers had never  
174 seen before. The memo outlines exactly how she wants these ordinances to read.  
175 Mr. Smith explained that the term NRVC stands for Non-Residential Violators  
176 Compact and explained that this is a mechanism where someone theoretically could  
177 have their license revoked pending non-payment of a civil fine. Mr. Samples stated  
178 that the Supreme Court did not issue a memorandum but Chief Justice Toal did and  
179 asked if this was a correct reference. Mr. Smith stated that not all Justices were  
180 involved in writing this memo but he feels comfortable referring to the Supreme  
181 Court because Chief Justice Toal was representing the Supreme Court based on the  
182 letterhead of her memo and her signature appears as approved on April 27, 009. **All**  
183 **voted in favor. MOTION CARRIED.**

184 D. *First Reading #09-0671: Amend Fireworks Ordinance*

185 Mr. Booth stated that this ordinance was requested from council to restrict fireworks  
186 on July 4<sup>th</sup>. Mr. Childs made a motion to approve 1<sup>st</sup> reading. Mr. Martin seconded  
187 the motion. Mr. Childs stated that if this is approved the town should give the police  
188 department as much help as they can and suggested looking into putting a computer  
189 sign on wheels on Ocean Avenue and Surfside Drive to alert the public of the  
190 change. Mr. Booth stated that the town would provide temporary signs in town and  
191 would give the public as much notice as possible. Mr. Booth stated that he and Ty  
192 go out on the beach at night to keep the kids from shooting fireworks. Mr. Johnson

193 stated that he had pondered this for the past two weeks and tried to come up with a  
194 way it could be enforceable and stated that it would not be enforceable; there is no  
195 way to prohibit fireworks on the 2 mile stretch. Mr. Johnson stated that he also feels  
196 that the fireworks add to the uniqueness of Surfside Beach and he realizes that it is a  
197 litter issue but he feels that one day a year it should stand as being allowed. Mr.  
198 Johnson stated that the town does not enforce a lot of their ordinances now for a  
199 variety of reasons and this would just be another ordinance that will not be enforced  
200 because it will be impossible to enforce it. Mr. Truett stated that education would be  
201 the key to this and he feels that the town should work very hard with the rental  
202 companies to inform them of the change so that they can post this change on their  
203 website to let rentals that come in those weeks know. Mr. Truett stated that as far as  
204 enforcement goes a suggestion would be that there are two ways in and that there are  
205 also the walkovers that would be the places to deter these people and that is where  
206 ambassadors of the beach would be posted to let everyone know that the town is  
207 sorry but they cannot light their firecrackers on the beach. Mr. Martin stated that he  
208 feels that Mr. Truett said it well and education is the answer and the fact that  
209 temporary signs would be placed he feels that the town could make it work. Ms.  
210 Blair stated that she had also been pondering this for the past two weeks and at the  
211 last meeting she spoke out in favor and does not back track on those reasons; the  
212 beach does look terrible the day after and there probably are injuries but she listened  
213 to Councilman Samples and almost felt guilty for not honoring some tradition; some  
214 individual way of how people feel on that one day of the year. Ms. Blair stated that  
215 if there was no ordinance on file and the town was looking at banning them for the  
216 rest of the year other than that one day she would certainly be all for it but this is in  
217 place and does not feel that she is being true to herself and what she feels that people  
218 out there trying to show and when the economy is down and peoples spirits are low  
219 this may just be the one way to express themselves and to show support for this  
220 country and boost their morale and "goodness knows we need that right now." Ms.  
221 Blair stated that while she stands by what she said previously she will not vote to  
222 support the ordinance and believes the town should still allow it this one day. **Mr.**  
223 **Childs, Mr. Truett and Mr. Martin voted for and Mayor Deaton, Ms. Blair, Mr.**  
224 **Johnson and Mr. Samples voted against. MOTION FAILED.**

225 E. *Second Reading #09-06664: Repeal Ordinance #09-0651 Infractions Court*  
226 Mr. Truett made a motion to approve 2<sup>nd</sup> reading. Mr. Samples seconded the motion.  
227 **All voted in favor. MOTION CARRIED.**

228 F. *Second Reading #09-0667 Repeal Ordinance #09-0652 Infractions Hearing*  
229 *Officer*  
230 Mr. Truett made a motion to approve 2<sup>nd</sup> reading. Mr. Johnson seconded the motion.  
231 **All voted in favor. MOTION CARRIED.**

232  
233 **8. PUBLIC COMMENTS**

234 *Linda Myers from Columbus Ohio spoke on behalf of her mother, Helen Moffet who*  
235 *resides at 616 10<sup>th</sup> Avenue North:* Ms. Myers read her letter to council which follows:  
236

Surfside Beach Town Council  
115 Highway 17 North  
Surfside Beach, SC 29575

May 12, 2009

Dear Town Council Members,

My mother, Helen Moffatt, resides at 616 Tenth Avenue North on Dogwood Lake in Surfside Beach. This letter is on her behalf and is written with her full permission. My parents built their home in 1980. Mom, now a widow, is 86 years old. In August 2008 my mother received a letter (attached) from the city indicating that they wanted to construct a bulkhead in Dogwood Lake to protect her property from further erosion from the storm water. She was asked to sign the document and return it quickly. She did that on August 14, 2008. Before she signed the document, I called the administrator's office to ask for further explanation and was told that four properties had been identified, including my mother's, as having had significant erosion. The bulkhead project, I was told, would help to restore and protect her property from further erosion. That all sounded positive.

Seven months later (March 2009) Mom woke to the sound of trucks and other heavy equipment being moved into her neighbor's yard. A few days later she went over to ask one of the construction workers about the project and how it would impact her. She was told that the project would include the three houses to the west of her but would stop at her property line and not include her property. She became very concerned on hearing this because of the location of her property on the lake. This project would leave the 3 properties to the west of her protected from the water flow. The property to the east of her has a seawall. My mother's property would be the only one left out of the project as originally planned and her property would likely be subject to continuing and possibly even greater exposure to erosion. Hers would be the only property left to bear the brunt of the storm water flow as it turns and heads toward the ocean.

My brother, Bill Moffatt, works for an engineering firm in Albuquerque, New Mexico. His firm has done some very preliminary erosion evaluation work for my mother's property. I have attached two of their drawings of my mother's property. Their preliminary conclusion is that my mother's property should have been the first property to be protected and that its location places it in the greatest jeopardy of erosion from the storm water flow.

My brother and I have made plans to be in Surfside this week to assist our mother in finding out more about the construction project on Dogwood Lake. We will hopefully be meeting at the end of the week with the mayor, Steve Strickland, and others. Some of the questions we will be asking are:

1. How was the decision made to protect only the 3 properties to the west of Mom's house? We would like to have copies of the engineering studies that supported that decision.

2. What will be the immediate impact of the current construction project on my mother's property and was that taken into consideration when this project was begun?
3. What plans are in the works to reinstate my mother's shoreline and to protect her property from further erosion from the storm water flow?

We fully understand that we do not yet have all of the information about the Dogwood Lake project. We are hopeful that the aforementioned concerns and questions can be easily addressed and that we can reassure our mother that the City of Surfside is addressing her best interests. It is difficult dealing with issues like this long distance, which is why my brother and I have come here to talk with Council members and other knowledgeable individuals in person.

Thank you very much for your time and your interest.



Linda Myer

238  
239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

258

259

260

261

262

263

264

265

266

267

268

269

270

**Bob Hanson, 15<sup>th</sup> Avenue South:** “I go to the pier most every morning and park in the golf cart parking area which is right next to the rest rooms and right next to the parking meter machine. People have quite a bit of trouble with it; it’s working most of the time and I’d say even when it is working half the people have trouble, don’t know how to use it or don’t read the instructions properly and they get frustrated and we don’t want people to get frustrated when they’re here on vacation and not come back. One of the biggest problems is people don’t have change; people that come here every day will bring a bag of quarters but our visitors don’t understand it and there’s very little way to get change. The machine won’t take dollar bills; it won’t take five dollar bills and there’s no change machine next to it and you can get a dollars worth of change at the Pier Tackle Shop or you could go over to Eagles, I haven’t been over there. Part of the problem is the instructions; you can put your credit card in four different ways, three of them don’t work. I put in my card three times over three weeks and finally got a dollars worth of parking time which I really don’t need. One lady was trying to stuff dollar bills in yesterday, into the credit card slot and I said it won’t take dollar bills and she said it says right here dollar, well it says dollar coins is what it said, not dollar bills, so, I just don’t want these people to get upset. One guy had a five dollar bill, he waited ten minutes till somebody came along with a credit card that worked and he used the guys credit card and gave him five bucks and he fished next to me that day and he was mad all day long, never got over it, so, I hope . . . I talked to the Chief this morning, there are better machines that will take dollar bills and five dollar bills, I hope when we get a little money we can afford some better equipment. Thank you very much.”

**Shelby Smith, 911 Cedar Drive North:** “I’m a member of the Beautification Committee and at the last meeting I spoke to you briefly about the volunteer sign we did on the north side, the welcome sign, and we met this past week and want to launch an initiative for beautification volunteerism in Surfside Beach and these would be mini projects, what we’re identifying as two to three hour small projects around town and I’ve identified several, the welcome sign on the south side; Eagles right opposite the pier down on the corner with a very rough dilapidated big flower bed and the Village Café which is the first building as you turn into Surfside and the owner there as well as at Eagles has great

271 interest in participating in a cooperative way with volunteers and with the town and to do  
272 the big large bed on the side of his building and also two other landscape areas right off  
273 of Surfside Drive. Going down Ocean Blvd, River City Café has been approached,  
274 there's a 37 section fence that is molded and very unattractive and needs painting so  
275 that's another project and then the Harrison Realty sign which is just right next to the  
276 new, very much improved entrance to Surfside Drive that the Grounds Department and  
277 Mr. Booth coordinated just recently. I've got a couple of pictures, I'll just run then  
278 down. These are big, they are small in scope but they're big in terms of appearance and  
279 they can be taken care of pretty quickly. We're looking to three groups, the Girl Scouts,  
280 the South Strand Region; several troops have expressed an interest and they can earn  
281 badges for their volunteerism; the Boys and Girls Club of the Grand Strand, we have  
282 these people who want to assist, 8 to 12 year olds and the First Tee of Myrtle Beach  
283 which is a junior golf and youth development program which I am one of the coaches  
284 there, so, we wanted to identify certain times during the week, looking right now at  
285 Thursday evening from 6 to 8 PM and Saturday morning from 8 to 11 AM and bring in  
286 these volunteers and they'll sign special waivers, they won't be attached in any way to  
287 the town, it will just be pure community volunteerism and the town's going to provide  
288 the soil and the mulch and we're going to coordinate everything with Mr. Booth and  
289 Brian Newell, the Grounds Manager, so I just wanted to let you know that we are real  
290 excited about launching this effort starting this week."

291  
292 **Mr. Barnard, Horry County Councilman, 119 Ocean Blvd.:** "I bring you greetings and  
293 a check for \$16,600 for our Recreation Department." Councilman Barnard presented the  
294 check to Mayor Deaton. There was applause in the audience.  
295

296 **Kerry Ann Dame, 4<sup>th</sup> Avenue South, Chairman of the Beautification Committee:** "I  
297 just wanted to talk a little bit about a project we are working on with the Surfside Drive.  
298 I think most of the people that we talked to in the town are in agreement that it looks a  
299 little bit depressed and has looked a little bit depressed for many years now. The trees  
300 are very overgrown and there's been a lot of discussion about what to do about that. Our  
301 hopes are to continue with what we started at the front of Surfside Drive and you've all  
302 seen the new landscaping where the old stuff was ripped out, what has been planted  
303 there are Knock Out Roses which are those roses that bloom all summer, so in a couple  
304 months as they grow up and get bigger it's going to look fantastic and we're talking  
305 about possibly another little welcome sign on the lawn in front of the gas station and just  
306 really making that look like a nice entrance and continuing where we've got the  
307 crosswalks going now and you'll notice there are some pavers there continuing that look  
308 for the sidewalks down through Surfside Drive, if we can come up with little grant  
309 funding and however we can get that done. Our hope is that the trees will come out and  
310 I went last week to every business on Surfside Drive and just introduced myself and told  
311 them and they had all heard of the project and I talked to everybody except maybe three.  
312 Every single business owner that I spoke to said that they absolutely a hundred percent  
313 were dying to have the trees taken out because they felt it would give them more  
314 visibility and it is my understanding that you would probably, would like to hear from  
315 them, so they all agreed that they would either write you a letter or come to a meeting  
316 and let you know in person that they are definitely, they are the ones who are directly  
317 affected, I think, anybody that knows me knows that I'm constantly talking about people  
318 taking out trees that shouldn't and calling and asking if this or that person has a permit to  
319 take out a tree, so I'm a huge tree hugger but at the same time I'm a business person and



320 I think that the look of Surfside Drive has really deteriorated and the reason that those  
321 spaces don't stay rented is that the visibility is so poor and it is so monotonous looking  
322 and it just doesn't look like anybody's home in any of those businesses, so, the plan  
323 would hopefully be to replace the trees with other trees. The best type of tree that we've  
324 come up with after a lot of discussion this year would be Palm Trees. They give the  
325 town a very resort look which people like to see when they come here on vacation but  
326 more importantly they won't have the on-going problems that you have now with the  
327 trees getting overgrown so it would be nice to have big fluffy green trees but they're not  
328 appropriate for the amount of space that we have and the types of buildings that are there  
329 so if we use a Palm Tree you won't have further tearing up of the sidewalks because they  
330 have a root that goes straight down; you don't have roots spreading outwards to crack up  
331 the sidewalks. That's going to take care of that problem and also as they get taller,  
332 they're fluffy at the top but the trunks are narrow which means that you'll be able to see  
333 all of the storefronts so if we can work with the business owners on Surfside Drive,  
334 we've already started talking to them about paint colors and the idea of making it look  
335 like a village and individually getting their building painted different colors so that you  
336 notice the different things that are there. It will not only look better, I think it will help  
337 business too, so, I'm kind of here on behalf of the business owners and the  
338 Beautification Committee to let you know that we've been thinking about it and talking  
339 about it for a long time about what the different possibilities are and we're talking about  
340 improving the entire street and not just removing trees and all of the business owners  
341 that we've talked to think it's a great idea; they're behind us, so, just wanted to let you  
342 know that. Thank you."

343  
344 **9. COUNCIL COMMENTS**

345 **Mr. Childs:** "Howard I was hoping that Connie would have stuck around because I  
346 personally wanted to thank her for her service to the Planning & Zoning Commission.  
347 She was really the backbone of that commission; she was very knowledgeable; she did  
348 her homework and she is truly, truly going to be missed and I'm sure Chairman Hanson,  
349 back there, will also miss Connie and so I wish that you would relay that to her. Thank  
350 you."

351  
352 **Mr. Samples:** "I wanted to thank everybody for coming out tonight. I also wanted to  
353 let you know that on my way over here, Myrtle Beach adopted first reading of the sales  
354 tax proposal and I think you all know my view, I think Myrtle Beach should go ahead  
355 and pass that and raise as much money as Myrtle Beach possibly can. Now, when it  
356 comes to Surfside Beach, well, I got a different view."

357  
358 **Mayor Deaton:** "Okay, now I'll clarify that's not before us at this time."

359  
360 **Mr. Truett:** "I think the volunteer Beautification Committee that Shelby was talking  
361 about, I think it's a wonderful idea, it's something that's cheap, that's going to beautify  
362 the town and Kerry Ann, I can tell you, I've been talking about those trees on Surfside  
363 Drive until I'm blue in the face, so, I think we need to come up with a conceptual plan, I  
364 think just going in there and cutting these trees down arbitrarily is not the way to go,  
365 obviously, but if we come up with some kind of dynamic plan and we've seen one here  
366 before, in this very room, that was very appealing and I think you guys are on the right  
367 path and I appreciate it."  
368

369 **Mr. Martin:** “Wow, I was going to say what Mr. Childs said and then I was going to  
370 say what Mr. Truett said. Thank you Barnard’s, both of you, and we earlier honored  
371 Connie and I know we all appreciate the work that she did on the Planning & Zoning  
372 Commission and thank you Howard for everything you do at County Commission and  
373 thank you Beautification Committee, we really appreciate everything you’re doing and  
374 this idea of getting volunteers involved and the Girl Scouts and everything. I think it’s  
375 just absolutely wonderful. Thank you.”  
376

377 **Mr. Johnson:** “Can we start down here next time? Thank you all for coming out,  
378 specifically, Ms. Barnard, I served on the Planning & Zoning Commission with her,  
379 she’s a wonderful lady, had some great ideas, still has great ideas and is an asset to this  
380 community. One of our areas of concern and insight was Surfside Drive and there are  
381 plans and sketches and pictures and drawings in place that have to be at least laying  
382 around here somewhere that we need to go back and look at to come up with a concept  
383 and I agree it should continue and that’s about all I have to say. Thank you.”  
384

385 **Ms. Blair:** “I really was going to say what Mr. Johnson said. He and I both served with  
386 Connie and it was a delight. She was always smiling and always trying to find the happy  
387 medium to make everybody happy which we all know is a very brave road to take  
388 because you just can’t always make everyone happy, but she gave it her best effort and  
389 had everyone’s best interest at heart and I really, I knew we were recognizing her for the  
390 five years but I didn’t know she was going off Planning & Zoning and I guess she’s  
391 made that decision. She’s talked about it for a while and I know I did, I tried to do some  
392 fast talking a year ago to keep her on for at least another year because I thought we  
393 needed her there so I wish her all the best. Howard, if you will, I’m sure, pass that along  
394 to her. We certainly have talked about Surfside Drive forever and, but you know we’ve  
395 made so much positive strides in town this last year and have progressed so much and  
396 have seen so much come into reality that we talked about previously and I have no doubt  
397 that this group and the Beautification Committee under their leadership will make this  
398 happen now. They’re moving forward and they’re on a roll and I just urge everyone to  
399 be out there and support them and with those of your neighbors who haven’t been out to  
400 see the improvements, get them out, urge them to take notice, they’re doing great things  
401 and I know they’ll be right on stride with doing exactly what they want to do. Thank  
402 you. Thank you all for coming out tonight.”  
403

404 **Mayor Deaton:** “I’d like to thank everyone for coming out tonight as we conducted  
405 your business for the Town of Surfside Beach and also I’d like to reiterate what  
406 everyone said about Ms. Barnard. I was on council when she was appointed and that  
407 was a tough time. When she came onto Planning & Zoning there were a lot of major  
408 changes going on as far as Planning & Zoning goes, particularly zoning and there were a  
409 lot of good, hard, tough decisions made on that Planning & Zoning Commission and she  
410 was phenomenal, she did her job and we appreciate her service. I’d like to move onto  
411 the sign issue. I think our administrator likes signs, I consider signs clutter and at some  
412 point in time we’re going to approach our sign ordinance. We’re methodically going  
413 through our ordinances and as we’ve done in our other ordinances, we’ve methodically  
414 gone through and made sure there’s no conflicts and that everything applies to state and  
415 federal laws and we will be approaching our sign ordinance here, probably shortly, that’s  
416 one of the ones’ that’s coming up in the near future so I would like to see less signs in  
417 Surfside; I’d like to see more appropriate signage. One idea, we’re really close to be

418 getting a Blue Wave designation which, there would be only two beaches in the State of  
419 South Carolina to have that designation. We fit the entire criteria except for one, signage  
420 issue, and I think that can be corrected readily. Our “no” signs on the beach that say  
421 “no” and you’ve got 20 items that come down and say “no this”, “no that”, they suggest  
422 the international symbol of a circle with a slash through it with a cigarette or a whatever,  
423 a thong, I don’t know, whatever is illegal on the beach, I’m not sure, but I would suggest  
424 we try to look for that and I’m sure we will approach that. As far as the firework issue, I  
425 was on council when we made a decision, it was a tough decision, and Mr. Martin was  
426 on there too and Mr. Truett and I believe Mr. Samples and the determination was that we  
427 could not enforce it and I think it’s an education issue; I think it needs to be very clear  
428 that we take no liability as a town for what happens down there as far as the fireworks.  
429 The problem is and I would have voted yes tonight but I think that this is a State  
430 problem, as long as they allow the sale of fireworks in the State of South Carolina it’s  
431 going to be extremely difficult for our people to enforce it, so I think it’s a State issue. I  
432 think our legislators should be bringing this up and I think they should take a good hard  
433 look. I know Allen Clemmons did and allowed homeowners associations to outlaw  
434 them in their areas and their private property and things of that nature but I don’t think  
435 that went far enough and so, us as a community, one day, we need to discourage it, we  
436 need to educate people, we need to tell people they can be hurt and possibly even some  
437 signs that say ‘we accept no liability’ for that one night. That’s my concern about that  
438 and it’s education, education, education, information and it could be done a ton of ways  
439 these days and our law enforcement officers and our public safety officials and our code  
440 enforcers and everyone needs to get the message out in a friendly manner. I don’t like it.  
441 I think it is dangerous, but we’re spending \$20,000 this year to shoot fireworks for the  
442 first time and I think it’s going to have an impact. I think maybe it will discourage some  
443 of the private firers or whatever you want to call them, pyrotechnics experts, but too, I  
444 noticed in the years that it’s only been about a 30- 45 minute period. I had a friend come  
445 down from Charlotte and this doesn’t make any sense to me at all. He spent \$500 for  
446 fireworks and he walked down the beach and 10 minutes later he’s walking back up and  
447 I said ‘what’s the deal?’ and he said ‘they’re all gone’ and I was thinking how much  
448 sense does that make \$500 in ten minutes and so maybe people will start realizing  
449 there’s a financial factor playing here also but I think it’s a State issue, I really do and I’d  
450 like to thank you for coming tonight. At this point in time we’re going to need a motion  
451 to go into executive session. We’re going to have to go in and choose a town engineer.  
452 We’re going to discuss pending civil litigation from the Surfside Beach Rescue Squad  
453 and also our pier leases, so we’re not adjourning this meeting, we’re going to move into  
454 a private session or an executive session in the back, I’m not a big fan of them but we  
455 need it in these issues, so I’ll entertain a motion.”

456  
457 Mr. Booth stated that before the council moves into executive session he informed  
458 council that the town has enough money to place sidewalks on another street and asked  
459 for recommendations to be forwarded to Ms. Pinnell.

460  
461 Mr. Truett made a motion to go into executive session. Mr. Samples seconded the  
462 motion. **All voted in favor. MOTION CARRIED.**

463

#### 464 **10. EXECUTIVE SESSION**

465 Mr. Samples made a motion to reconvene. Mr. Martin seconded. **MOTION**  
466 **CARRIED.** No action taken in executive session.

467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
503

**11. ADJOURNMENT**

Mr. Truett made a motion to adjourn. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.** The meeting was adjourned at 9:00 PM.

Approved: May 26, 2009

\_\_\_\_\_  
Sharon Pinnell, Town Clerk

\_\_\_\_\_  
K. Allen Deaton, Mayor

\_\_\_\_\_  
Joseph P. Martin, Town Council

\_\_\_\_\_  
Vicki W. Blair, Town Council

\_\_\_\_\_  
James S. Truett, Mayor Pro Tem

\_\_\_\_\_  
Douglas F. Samples, Town Council

\_\_\_\_\_  
Mark L Johnson, Town Council

\_\_\_\_\_  
Robert F. Childs, III, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin boards outside Council chambers and in the town hall reception area. Meeting notice was also posted on the town marquee.