



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
June 9, 2009 ♦ 6:30 P.M.

TOWN COUNCIL  
REGULAR MEETING MINUTES

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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, Police Chief  
12 Christenson and Building and Planning Director Donevant. Attorney Mr. Smith was  
13 also present.  
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15 **2. INVOCATION and PLEDGE OF ALLEGIANCE.**

16 Chaplin Don Turner said the invocation and Mayor Deaton led the pledge of allegiance.  
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18 **3. AGENDA APPROVAL**

19 Mr. Truett made a motion to approve the agenda as submitted. Mr. Martin seconded the  
20 motion. Mr. Samples made a motion to amend the agenda to include a discussion item  
21 7G on sales tax. Mr. Johnson seconded the motion. **All voted in favor. MOTION**  
22 **CARRIED.**  
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24 **4. MINUTES APPROVAL**

25 Mr. Truett made a motion to approve the minutes from the May 26, 2009 meeting as  
26 submitted. Mr. Martin seconded the motion. **All voted in favor. MOTION**  
27 **CARRIED.**  
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29 **5. PUBLIC COMMENTS – Agenda Items only – 3 minutes per speaker**

30 There were no public comments.  
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32 **6. COMMUNICATIONS**

33 **A. Presentation: Information EPA Study**

34 *Sean Torrens, Recreational Waters and Beach Monitoring Manager for Horry*  
35 *County, South Carolina Department of Health Environmental Control*

36 Mr. Torrens stated that he is speaking in place of the EPA who had time constraints  
37 in their schedule. Mr. Torrens stated that EPA has begun a study in Surfside Beach.  
38 The goal of studies like the one in Surfside Beach is to develop new, faster and better  
39 ways of measuring water quality and to learn more about health problems  
40 experienced by beach goers. Studies have been conducted at seven beaches so far,  
41 close to 2,000 water samples have been collected and nearly 30,000 people have  
42 been interviewed. Previous studies have been conducted in the Great Lakes, Rhode  
43 Island, Alabama and Mississippi. The EPA is studying beaches around the country  
44 that reflect a diversity of beach types; results have demonstrated that a new faster  
45 way of measuring water quality may be effective at measuring water pollution.  
46 These methods can produce results in under three hours with the current procedure  
47 taking twenty four hours. The plan is to expand the studies to a range of beaches  
48 across the United States to see how applicable the results are at different beaches.  
49 2009 has two different study points, one in Puerto Rico and one in Surfside Beach.  
50 Surfside Beach was selected because it has no known point source impact from  
51 sewage discharge or sewage overflows but does have some evidence of suburban

52 runoff from rain or irrigation and has a large population of beach goers. The results  
53 will be used to inform new national guidelines that the EPA is developing for water  
54 quality at recreational water sites in the United States. Surfside Beach was not  
55 selected as a result of any particular problem with the condition of the beach or due  
56 to any reports of health complaints. The EPA goal is to study a wide range of  
57 beaches reflecting typical beaches in the United States.

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59 Swimming in recreational waters can occasionally result in mild illnesses such as  
60 earaches, eye infections, skin infections, sore throats and diarrhea. Each weekend  
61 and holiday throughout August Westats Inc. will be at Surfside Beach conducting  
62 interviews of beachgoers; they will also be handing out a brochure to anyone who is  
63 interested in their studies and the beaches will be checked at the end of the day to  
64 make sure that any brochures left on the beach are collected. Water samples and  
65 testing will be conducted to measure water quality with these samples being taken at  
66 8 AM, 11 AM and 3 PM on the weekends and holidays. There will always be an  
67 EPA representative on the site to answer any press inquiries or any other concerns  
68 about the study. In addition to collecting water samples and conducting interviews  
69 EPA is collecting information like weather conditions and water clarity to help  
70 develop models that can help predict the quality of the water. Participation is  
71 completely voluntary and households who participate would complete an interview  
72 at the beach site and another interview by phone about 10 to 12 days later, after their  
73 visit. All information is completely confidential and households who complete the  
74 study will be given a small gift and a 25 dollar check. Interviewers must be over the  
75 age of 18 and must not have already completed an interview in the past 28 days and  
76 those who do not wish to participate will be left alone and not bothered again. EPA  
77 will be happy to return to Surfside Beach in 2010 to describe their preliminary  
78 findings and are deeply grateful to the Town of Surfside and to the SC Department of  
79 Health Environmental Control for their assistance and cooperation on this important  
80 study.

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82 It was stated that the focus area is the swash area that comes out of 5<sup>th</sup> North; this is  
83 the ground zero for the study with 5 tents spread up and down from that point. Mr.  
84 Martin asked if Mr. Torrens was aware that the 5<sup>th</sup> Avenue Swash area was an area  
85 that the town had a request in to the Corp of Engineers to redo; the intention is to  
86 move the swash to 4<sup>th</sup> Avenue North and to improve the 5<sup>th</sup> Avenue swash and the  
87 quality of water going into the ocean. Mr. Booth stated that this project is dependent  
88 on stimulus funding and there is no immediate plan in place. It was determined that  
89 the project would not take place this summer but it is on their list.

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91 ***B. Building, Planning & Zoning Report***

92 Mr. Booth reported that the town building was still down; it had approximately 2  
93 million dollars in new construction. The building department is currently working on  
94 ordinance and code enforcement and they are also reviewing signs.

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96 ***C. Public Safety Report***

97 Mr. Booth stated that this report is on file. Mr. Booth reported that there were less  
98 tickets and less trouble reported during the Bike Weeks in May. Mr. Booth reported  
99 that the town is collecting more money from the pay stations and there are less

100 parking tickets being issued. There was some discussion regarding Yaupon parking  
101 lot not be included in the numbers.

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103 **D. Administrator's Report**

104 **i. Transfer of Budgeted Expenditures**

105 Mr. Booth reported that the sidewalk project and Yaupon parking lot were  
106 not completed in the previous budget; they continued into the following year  
107 and the town would need to acknowledge payment for these projects in the  
108 current year. It was confirmed that it would be a transfer of budget authority  
109 to the approved budget for the current year.

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111 **ii. Blue Wave Designation**

112 Mr. Booth reported on the Blue Wave Designation. The town went through a  
113 process with the Guy Daniels Foundation to receive this designation.  
114 Surfside Beach is one of two beaches in the State of South Carolina to  
115 achieve this designation.

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117 **iii. Transportation Study**

118 Mr. Booth stated that he is half way through this study. He will issue a  
119 preliminary report to council; this report will indicate the streets that need  
120 paving within the next 5 years, the study will also include sidewalks and  
121 drainage. Mr. Booth stated that some complaints have been received  
122 regarding vegetation growth but individuals are unaware that the Stormwater  
123 Phase IV permit promotes vegetation to assist in filtering water which helps  
124 to clean the water and added that the public will need education on this. The  
125 town receives approximately \$100,000 to do paving of the roads and the town  
126 should be able to complete a majority of paving projects within the 5 year  
127 plan. \$300,000 is currently in reserve for roads. There will be discussion in  
128 the plan to close off some of the crossover roads. The town is looking at  
129 adding two additional stop lights; one on 10<sup>th</sup> South and one on 13<sup>th</sup> North.  
130 Mr. Booth reported that there will be a GSATS meeting the following week  
131 where recommendations will be given.

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133 **iv. Fire Station Update**

134 Mr. Booth reported that the town has put up a large tent they purchased from  
135 Isle of Palms. Isle of Palms paid \$35,000 for the tent and sold it to the town  
136 for \$3,500; fire engines will be stored in the tent. Demolition has begun and  
137 the town is in the process of starting the underground wiring project. It was  
138 reported that the town closed the road temporarily and that it is not a State  
139 road. It was confirmed by Mr. Booth that the fire station project was  
140 previously accounted for in the funds for the underground wiring project.

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142 **v. Town Mural**

143 The town mural design was selected by the Beautification Committee. The  
144 old time postcard design will include a pier in the drawing. There was  
145 concern stated about vandalism and Mr. Booth stated that this area will be  
146 monitored and in his experience he has found that the chance of vandalism  
147 lessens once murals are put in place of graffiti; murals are usually given  
148 respect.

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*vi. Request for Workshop End of July*

Mr. Booth stated that he would like to suggest a workshop at the end of July to discuss fire equipment and signage. There was a consensus of council to have a workshop at the end of July.

**7. BUSINESS**

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**A. Second Reading #09-0673: Amend Fireworks Ordinance**

Mr. Childs made a motion to adopt second reading of 09-0673 amend fireworks ordinance. Mr. Martin seconded the motion. All voted in favor. **MOTION CARRIED.**

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**B. Second Reading #09-0674: 2008-2009 Budget Amendment**

Mr. Samples made a motion to adopt second reading of 09-0674. Mr. Martin seconded the motion. Mr. Samples stated for the record that he wanted to report that the increase is \$643,000 over the initial approved budget. Mr. Martin stated that \$371,000 of this was capital projects. **All voted in favor. MOTION CARRIED.**

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**C. Resolution #09-085: Road Closing**

Mr. Childs made a motion to accept resolution 09-085 road closing. Mr. Martin seconded the motion. Clerk Pinnell read the resolution that is on file. **All voted in favor. MOTION CARRIED.** The 4 step process was explained by attorney Smith. A resolution to authorize the filing of a petition is signed, the petition then goes to the circuit court (Court of Common Pleas), the judge then handles the 3<sup>rd</sup> step which is a judicial hearing to allow any oppositions from the public and then the 4<sup>th</sup> step would be where the court orders the road to be closed. This process should take approximately 4 weeks.

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**D. Decision Paper: Code Enforcement Officer**

The need for a code enforcement officer has previously been discussed. Mr. Booth stated that he wants to wait until he sees what funds come in the next two months prior to hiring someone for this position. There was discussion regarding the duties of the code enforcement officer and the obligations of police officers to enforce ordinances. Mr. Booth stated that his recommendation is to hold off on hiring a code enforcement officer for a couple of months so that the town can see where it is financially. Mr. Johnson asked if personnel could be moved into the code enforcement position. Mr. Booth stated that the building inspector will work under him and act in a code enforcement capacity part time. Mr. Booth stated that he and Mr. Taylor will also go out and do code enforcement to cover the town since there is obviously a need during the week and the weekends. It was confirmed that the inspector is a full time employee and that the need for code enforcement is there. There was some discussion regarding the beach patrol duties.

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**E. Decision Paper: Purchase Additional Pay Stations**

The request was for two additional pay stations. These pay stations would take currency other than quarters. Mr. Booth stated that there is a 3 to 4 month wait and he would like to request these for next season. It was confirmed that the current pay stations would be moved to metered areas. It was confirmed that the pay stations

192 were not budgeted; this is also a request for an increase to the budget. Mr. Martin  
193 made a motion to approve the administrator's plan to purchase two more pay  
194 stations. Mr. Truett seconded the motion. **All voted in favor. MOTION**  
195 **CARRIED.**

196 F. *Decision Paper: Appointment to Stormwater Committee*

197 Mr. Martin made a motion to appoint Melodye Lane-Laveglia to the Stormwater  
198 Committee. Mr. Samples seconded the motion. **All voted in favor. MOTION**  
199 **CARRIED.**

200 G. *Discussion: One Penny Sales Tax*

201 Mr. Samples stated that he would like to add this item to the next agenda to have a  
202 vote on the matter. Mr. Samples stated that council could do nothing and there  
203 would be no penny sales tax adding that he is not in favor of having the penny sales  
204 tax but by requiring a vote and assuming that the council does not have a super  
205 majority in favor of it there never will be a penny sales tax unless the town voters  
206 vote to adopt it. Mr. Samples stated that he feels that if the penny sales tax was to be  
207 adopted it should be a vote by the people. Mr. Childs stated that he echoes this and  
208 he would like it to go on record where everyone stands on the issue. There was a  
209 consensus of council to add this item to the next agenda.

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211 **8. PUBLIC COMMENTS**

212 *Carrie Johnson, 617 9<sup>th</sup> Avenue South:* "There was an occurrence that happened in  
213 town a couple of weeks ago that was really upsetting to me and so I have written a letter  
214 to Mr. Ed Booth, Town Administrator, Mayor Allen Deaton and the Surfside Beach  
215 Town Council. I was appalled to find a police report printed on the back of a letter  
216 which was addressed to the Stadium Club and copied to all of the above with my name  
217 on it. A black magic marker had been used to cover my name but could easily be seen  
218 through. This call was made from a business, Carrie Johnson Insurance, a phone number  
219 was listed on the police report, it is my home phone number and my name was typed as  
220 the one making the call. I did not give my name to the officer and there are several  
221 females that work out of this office, therefore this call could have been made by any one  
222 of them, yet the officer assumed the call was made by me and proceeded to give out my  
223 name. He did not ask for my name and I did not volunteer it. Also I noticed in the  
224 complaint that was given to you nowhere is it mentioned that I saw not one, not two, not  
225 three but four police officers in the Stadium Club on the night in question. When I asked  
226 the officer why a citation was not issued for the smoking he asked me if a complaint had  
227 been filed. I did not think it was necessary for a complaint to be filed for a citation to be  
228 issued when someone is clearly in violation of the law. I then gave him the scenario of  
229 driving down Surfside Drive at 50 miles per hour, being seen by an officer but if no one  
230 filed a complaint then I assume I would not get a ticket. He told me we were not talking  
231 about that but we were talking about the smoking issue and gave no answer. He did ask  
232 me if I wanted a follow up call, probably hinting for my name and when I said 'no' he  
233 took it upon himself to put a name to the complaint. Again, this call could have been  
234 made from any female which works in this office and I do not appreciate the assumption  
235 that was made. Had it been another female in the office which did, in fact, make this call  
236 there could be cause for a liable suit and what if I had been reporting a more serious  
237 crime such as assault and battery or armed robbery and the officer states a name to the  
238 report without verifying, in fact, it is that person, and without that persons knowledge.

239 This could put someone in serious danger. The most important point I'm trying to get  
240 across here is the fact that the law was being broken and four police officers were  
241 present there. There was no citation issued. The letter to the Stadium Club also states  
242 that if there are any further complaints not if the law is broken, there will be a formal  
243 citation issued. Is this the way we enforce our laws? Thank you for your time."  
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245 **9. COUNCIL COMMENTS**

246 **Ms. Blair:** "Thank you all for coming. It's been a relatively short meeting but a lot of  
247 things discussed and important issues, and as the Mayor said earlier it is summer and  
248 daylight is longer and people like to get home and do things, but please talk to your  
249 neighbors and encourage them to come out and be with us. There's still lots of  
250 important decisions to be made and good things happening and so drive around and keep  
251 up with those things and especially look at the construction going on at the fire station. I  
252 think that's one of the most exciting things I've seen in a long time around here so thank  
253 you all for coming and do enjoy your summer but try to block out that one Tuesday to be  
254 with us. Thanks."  
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256 **Mr. Johnson:** "Thank you all for coming out. I appreciate it. There are just a couple of  
257 items that I would like to mention; number one is the beach patrol. I had actually had  
258 the opportunity to voice my complaint on two opportunities about some smoking  
259 situations on the beach and I am glad to say that they were taken care of and the beach  
260 patrol officers were very courteous and nice and friendly and they are an asset to the  
261 community and I really appreciate them. The next thing I just wanted to mention is I  
262 still don't see a sign of hours of enforcement at 3<sup>rd</sup> North on the parking stations; there's  
263 one at the pier but I did not see one at 3<sup>rd</sup> North. The third and final thing is the smoking  
264 in the restaurants. I chose not to go into the Stadium Club. I frequented a business just  
265 north of the Stadium Club which does not allow smoking and my friends and I and my  
266 wife walked out and we looked over and there were two public safety vehicles there and  
267 I chose not to go in because in the back of my mind I figured that they were smoking and  
268 so I did not want to put myself into that situation and as it turns out, people were  
269 smoking, and we have Public Safety Officials in there and so now you know the rest of  
270 the story and that's all I have to say. Thank you."  
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272 **Mr. Truett:** " I just wanted to remind everyone, Thursday at five o'clock we have a  
273 Recreation, Parks, Special Events, Pier Committee meeting and we are just looking for  
274 ideas from the public and citizens of possibly, about events that you might want to see in  
275 town. I think you can go on our website and there's also a Facebook page that you can  
276 go onto and I think Micki's collecting all the ideas for a meeting, but if you'd like to  
277 come; come to the meeting on Thursday, it's right here in council chambers at 5 o'clock.  
278 Thanks."  
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280 **Mr. Samples:** "If you didn't read it today in the paper, Mr. Ralph Strong passed away  
281 and I know our thoughts and prayers go out to Ralph's family. He was a great asset to  
282 the town and just a heck of a nice man. When we adopted the fireworks ordinance, since  
283 we didn't have any comments about it I thought I would just remind you, what we did is,  
284 we kept the ordinance essentially as it is. Fireworks are legal July 4<sup>th</sup>. Go out and have  
285 a blast. Don't burn anything down or get hurt but have fun. Also I wanted to mention  
286 that some of you may have seen the Sun News ran an editorial this week, really about  
287 transparency, government transparency and the subject was putting checks on-line.

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Aiken was the 6<sup>th</sup> city in the State to put checks, your money, taxpayers money, on-line. I'm sure it doesn't include payroll checks but the fact of the matter is I think that's something that is useful and certainly a good government practice and I'd like to see us head that way because I think that everybody should know exactly how your money is being spent and where it is going. Thank you. Thanks for coming."

**Mr. Childs:** Mrs. Johnson, I want to thank you for that information. That smoking issue, I hope I'm on council long enough to see it finally settled. I've never seen such a confused thing; so with that information I hope that helps it along and just keep plugging along. Sooner or later we'll get it straightened out."

**Mayor Deaton:** "Well, check out channel 17, our commercial is running there and I'm a star. I had a bad hair day but everything else went ok, but it does look good; it's a really good information commercial for our pier and also we had our festival, our Kids Festival yesterday, I heard it was a big success and also we're having our Super Saturday this Saturday, the 13<sup>th</sup>, so please come out, there'll be a lot of vendors and a lot of family camaraderie and just good old fashioned fun and I'd like to thank you for coming tonight and we look forward to seeing you next time."

**10. ADJOURNMENT**

Mr. Truett made a motion to adjourn. Mr. Martin seconded the motion. **All present voted in favor. MOTION CARRIED.** The meeting was adjourned at 7:23 PM.

Approved: June 23, 2009

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

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K. Allen Deaton, Mayor

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Joseph P. Martin, Town Council

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Vicki W. Blair, Town Council

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James S. Truett, Mayor Pro Tem

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Douglas F. Samples, Town Council

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Mark L Johnson, Town Council

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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.