



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
April 14, 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. stating that this was a business
10 meeting. Mayor Deaton, Mayor Pro Tem Truett and Councilmembers Blair, Johnson,
11 Martin, Samples and Childs were present. A quorum was present. Staff present:
12 Administrator Booth; Clerk Pinnell, Building and Planning Director Donevant, Fire
13 Chief Packard and Police Chief Christenson. Attorney Mr. Smith was also present.
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15 **2. INVOCATION and PLEDGE OF ALLEGIANCE.**

16 Reverend Ray Smith from Socastee United Methodist Church said the invocation and
17 Mayor Deaton led the pledge of allegiance.
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19 **3. AGENDA APPROVAL**

20 Mr. Truett made a motion to approve the agenda as submitted. Mr. Martin seconded the
21 motion. **All voted in favor. MOTION CARRIED.** Mr. Samples made a motion to
22 delete item 7B from the agenda. Mr. Martin seconded the motion. **All voted in favor.**
23 **MOTION CARRIED.**
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25 **4. MINUTES APPROVAL**

26 Mr. Samples made a motion to approve the minutes from the March 24, 2009 meeting as
27 submitted. Mr. Truett seconded the motion. **All voted in favor. MOTION**
28 **CARRIED.**
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30 **5. PUBLIC COMMENTS – Agenda Items only**

31 There were no public comments.
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33 **6. COMMUNICATIONS**

34 **A. *Media Presentation: DDC Engineers, Inc.***

35 Mike Wooten gave a PowerPoint presentation. Also in attendance were partners
36 Brad Schultz, Eric Sanford and Tim Kirby. PowerPoint presentation is on file.
37

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

39 Mr. Booth reported that \$350,000 worth of valuations was performed. Two new
40 homes are being built and tourism is looking up. Mr. Booth reported that the
41 Building Department is working on ordinances with the Planning & Zoning
42 Commission and has been attending training classes.
43

44 Mr. Childs stated that the town is now into another season with the moby carts and
45 would like to see the moby cart ordinance that was passed followed. He would like
46 the foreman in Sanitation to add moby carts where necessary adding that Ocean
47 Boulevard is beginning to get busy with trash once again.
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C. Public Safety Report

Mr. Booth reported that there is now a bicycle patrol. The police department has both their beach and safety patrol out. The Police Department has recently put in for three grants. One is to purchase a transfer van for inmates, currently a police car is being used; one is for two new criminal enforcement officers for two years and the other is to upgrade the video cameras in the police vehicles. Mr. Booth added that the Police Department has also been attending training.

Mr. Truett asked if the Sheriff's department was still picking up prisoners. Mr. Christenson stated that they pick them up but do not transport them back to town for bond hearings. Mr. Samples stated that the transportation on bond hearings is tracked and asked if there was additional transportation provided and if this was being tracked and if it was not being tracked asked if it could be tracked. Mr. Christenson stated that the department has just started tracking all of this information and Mr. Samples asked for this information to be added to the monthly report. There was some additional discussion on bond hearings.

Mr. Samples asked if the town currently has an enforceable noise ordinance in place with Bike Week coming up. Mr. Booth stated that the town does not. Mr. Samples asked if council would need to meet as a group to discuss. Mayor Deaton stated that this would need to be presented to council as an ordinance. It was confirmed that the town currently has an ordinance and that the decibels were currently set very low at 65 with Myrtle Beach being set at 89. Mr. Samples asked of the town could make this change. Mayor Deaton instructed Mr. Smith to present this back to council. Mr. Samples stated that he had been e-mailing Mr. Booth back and forth for some time on the issue. Mayor Deaton stated that this is not an agenda item and that the counselor is not prepared at this time to answer questions on the noise ordinance. It was conformed that there would be two additional meetings prior to Bike Week. Mr. Smith stated that it is in the realm of making adjustments to the current ordinance and that he would review it. Mr. Samples stated that he has raised this issue some time ago adding that if there is not time to get this ordinance together than he would be disappointed. Mayor Deaton stated that this is not time for council comments and asked that the meeting move on.

D. Administrator's Report

Mr. Booth added a few items to his report. Mr. Booth reported that one of the pilings at the pier broke loose and they found that it was beginning to cause damage so they removed it. Earthworks, Mr. Newell, Mr. Taylor, some staff from Public Works along with himself went out to address the situation. Mr. Booth reported that they found that the piling was destroyed by worms. Divers would be inspecting the remaining pilings and that a construction company would be brought in to make necessary repairs. Mr. Booth stated that this was a real effort for Public Works in performing a task that they do not normally take care of.

Mr. Booth reported that there was some controversy regarding Palmetto Lake regarding whether a particular area was wetlands or not. OCRM came out and reviewed it; they determined that the area was in fact wetlands and that they would be forwarding a letter. Mr. Booth reported that the town would be clearing out the

98 ditch that goes to Dogwood and also a portion to the west side of that lake; it would
99 be cleaned out by a small machine. The large machines used by Cooper were too
100 large to take care of this area. Mr. Samples asked if the town got permits prior to
101 going into the ponds. Mr. Booth stated that the town did not and it saved \$80,000;
102 the Corp of Engineers determined the ponds as stormwater retention areas therefore
103 no permits were required. Mr. Samples asked if there was a minimum limit and was
104 under the impression that there was litigation involved across the country that the
105 federal government deemed anything less than a quarter of an acre to be outside of
106 any kind of regulation or restriction. Mr. Samples asked if Mr. Booth could look
107 into this. Mr. Booth stated that he was personally involved with the Corp of
108 Engineers and they deemed all of the lakes as stormwater retention. Mr. Samples
109 stated that one of the councilmembers had personal experience in dealing with the
110 Corp of Engineers and mitigation issues. Mr. Booth reiterated that in this case the
111 Corp of Engineers deemed the town lakes to not need permits because they were
112 stormwater retention areas. Mr. Booth stated that he believes that the quarter acre
113 has more to do with individuals. Mr. Childs stated the he was the one that Mr.
114 Samples was referring to and explained that when he was building his house there
115 was an area of wetlands and he had to deal with the Corp of Engineers and the South
116 Carolina Coastal Authority for almost three years and after the three years was up the
117 law changed; he was then told that anything under a quarter acre they would not be
118 bothered dealing with.

119
120 Ms. Blair asked for confirmation stating that Mr. Booth had stated that OCRM was
121 involved. Ms. Blair stated that a few years back OCRM gave her an opinion on an
122 issue but referred her to the Corp of Engineers for the final determination and asked
123 if OCRM had requested Mr. Booth to do this as well. Mr. Booth stated that they did
124 not; they reviewed the area and determined it to be wetlands.

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126 **i. Yaupon Parking Lot**

127 Mr. Booth reported that the parking lot is approximately a quarter of the
128 way complete adding that this would be the “cookie cutter approach” to
129 other lots in town.

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131 **ii. Crossovers Update**

132 Mr. Booth reported that a paver sidewalk and crossover was also installed
133 on the corner of Surfside Drive and Business 17 and was done with a
134 \$20,000 grant adding that there is some more to do with the grant funds
135 but this was just a start to the project. Mr. Johnson asked for a completion
136 date on the Yaupon lot. Mr. Booth stated that it should be completed by
137 the end of April and added that they are moving fast and are working on
138 the weekends. Mr. Childs asked if there were any additional problems
139 regarding the parking at the pier adding that he had shown Mr. Booth
140 how Myrtle Beach handled their paid parking with a spray painted dot on
141 each parking spot. Mr. Childs stated that the town would be doing the
142 same and then the town could probably remove most of the signs at the
143 pier parking lot and then asked Mr. Booth how the green dot project was
144 going. Mr. Booth stated that the town has the stencil and it should be
145 completed soon. It was conformed that buttons for pedestrians were

146 installed at the light by the new crossover. Mr. Booth stated that more
147 paver crossovers would be installed in town.
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150 **iii. SCDOT letter regarding right turn on right**

151 Mr. Booth reported that there had been a comment at the last council
152 meeting regarding the right turn on red sign and reported that the town
153 had received a letter from SCDOT informing the town that they were not
154 going to change the signage.
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156 **iv. Billboards: Covenant Media**

157 Mr. Booth reported that a lawsuit had been placed awhile back on the
158 town from Covenant Media and it has been thrown out. The Municipal
159 Association represented Surfside along with many other towns regarding
160 this suit. It was confirmed that the town was not charged legal fees.
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162 **v. Seaside Underground Wiring Project**

163 Mr. Booth reported that there is one house that will not give Santee
164 Cooper an easement therefore one pole will remain.
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166 Mr. Johnson asked if there was any interest in the mural. Mr. Booth stated that there
167 were many interests and all of the proposals would go in front of the Beautification
168 Committee. Mr. Booth stated that he will have the contractors that get awarded the
169 firestation be given the job of demolishing the concrete in the empty lot next to where
170 the mural will go.
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172 Mr. Samples stated that the last financial report received was through the end of January
173 and added that he would like to see a more current report. Mr. Booth stated that at the
174 next meeting council would receive the end of the year. Mr. Childs asked for
175 confirmation on the underground wiring project. It was confirmed that the project would
176 include the firestation area. The town will be doing this portion of the project and will
177 get reimbursed by Santee Cooper. Mr. Booth confirmed that the owner on Seaside Drive
178 was contacted many times regarding the underground wiring project.
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180 **7. BUSINESS**

181 **A. *First Reading: #09-0664 Burning Ordinance***

182 Mr. Booth stated that this ordinance prohibits open burning in town. Mr. Martin
183 made a motion to approve the ordinance as submitted. Mr. Childs seconded the
184 motion. Mr. Martin stated that this ordinance covers open burning and does not
185 include grilling, barbeques, fireplaces or anything like that; just open burning which
186 is primarily a health, safety and quality of life issue. Mr. Truett asked Clerk Pinnell
187 to read the definition of Open Burning. Ms. Pinnell read the definition. Mr. Johnson
188 asked if there was a bagging of leaves requirement in town and asked if leaves could
189 be placed at curbside without bagging. Mr. Booth confirmed that the town would
190 not pick them up if they were not bagged. Mr. Johnson asked what people do with
191 their leaves if they refuse to bag them and asked if there have been many complaints
192 on open burning. Mr. Booth stated that they have had a couple of complaints. Mr.
193 Johnson asked if this was logged anywhere. Mr. Booth stated that he gets

194 complaints all of the time but does not log them in and added that perhaps the police
195 department may have record of these. Mayor Deaton stated that this is a question
196 that the Administrator is not prepared for and asked to move on to other questions.
197 Mr. Childs thanked Mr. Martin for requesting this ordinance. **All voted in favor.**
198 **MOTION CARRIED.**

199 B. *First Reading: #09-0665 Authorize Town Administrator to Execute License*
200 *Agreement for Operation of Kiosk/Sales Booths at Pier*

201 This item was removed from the agenda.

202 C. *Second Reading: #09-0662 Business License Ordinance*

203 Mr. Booth reported that this is second reading of this ordinance. Mr. Truett made a
204 motion to approve second reading. Mr. Martin seconded the motion. Mr. Booth
205 confirmed that the fees did not increase. **All voted in favor. MOTION CARRIED.**

206 D. *Decision Paper: Choose Fire Station Contractor*

207 Mr. Booth stated that council was given a decision paper with the three lowest bids
208 adding that architect DP3 had qualified all three contractors. Mashburn came in at
209 the lowest with \$1,951,269.00. Mr. Samples made a motion to approve the
210 recommendation including alternatives of Mashburn. Mr. Martin seconded the
211 motion. **All voted in favor. MOTION CARRIED.** Mr. Samples asked for
212 confirmation that the town has the money for the firestation. Mr. Booth stated that
213 the town would have more money if the Governor would give it. It was confirmed
214 that Mr. Booth was still pursuing additional funding from the government and that he
215 would be attending a stimulus class on Friday.

216 E. *Decision Paper: Choose Fireworks Company for July 4th*

217 Mr. Booth stated that the town had gone out for bid. Melrose is the company that
218 came in the lowest and is being recommended and that Mr. Blair will assist with the
219 music for the event. Mr. Truett made a motion to approve Melrose PyroTechnics
220 Inc. as the company to do the fireworks show for the town. Mr. Johnson seconded
221 the motion. Mr. Samples stated that since the town budgeted \$25,000 for the
222 fireworks display he would like to see a really large show and since the price came in
223 at \$20,000 asked what council thought of adding to the show. Mr. Johnson asked if
224 there was a minimum liability insurance requirement and Mr. Booth stated he
225 thought it was one million. Mr. Johnson stated that the two proposals given, one had
226 a 5 million liability and the other had 10 million. It was confirmed that the show
227 would last approximately 25 minutes and after some discussion council agreed that
228 this might be sufficient. Mr. Childs asked if the town was going to encourage people
229 to come to the town's fireworks show instead of lighting their own. Mr. Booth stated
230 that the town would be advertising to bring people in and perhaps the following year
231 the town would consider banning individuals to light fireworks on the beach. Mr.
232 Martin stated that he would like to consider banning the fireworks this year. Mayor
233 Deaton stated that this could be a discussion item at a future meeting. Mr. Martin
234 requested that this be discussed at a future meeting. There was some discussion
235 regarding contributions from franchises. **All voted in favor. MOTION CARRIED.**

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F. ***Decision Paper: Suncare trailer to be set up by Pier, First Baptist Church***

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Mr. Booth stated that this is an annual request. Mr. Samples made a motion to approve the request. Mr. Johnson seconded the motion. **All voted in favor.**

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MOTION CARRIED.

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8. PUBLIC COMMENTS

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Martha Bullard, Waccamaw and First Baptist Fellowship regarding the suncare trailer:

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“We do have nurses that do maintain this at times and this is wonderful PR for our city.

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We have had many, many people who have commented and think it’s a wonderful thing.

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I would, however, like to request that we do have the same spot if it’s possible; it’s the

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first one across from the bath houses. It’s excellent because we can get the traffic going

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from every direction and it is wonderful for that; if we can have that same spot.”

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Mayor Deaton directed this request to Administrator Booth to take care of. Mr. Booth told Ms. Bullard that can have it.

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Harry Kohlmann, 115 7th Avenue So.: “I’d like to talk about parking and the problems in Surfside Beach along Ocean Blvd. If I may, can I just hand out a couple of pictures?”

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Mr. Kohlmann handed out photos to council

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Mr. Kohlmann: “The first problem I have identified is there’s numerous cars parked on

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both sides of Ocean Blvd. in the north area. One of the problems is it’s very, very

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unattractive but that’s not the biggest problem. The biggest problem is that it’s very,

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very dangerous to pedestrians. The first picture shows how terrible it looks, the second

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picture, if you look right in the middle, there’s an SUV with a cargo carrier on top of it;

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there’s a woman with a couple of kids, pails, blankets and a couple of chairs and she’s

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trying to cross the street. This is an accident waiting to happen. It is very, very

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dangerous. The third picture is their darting across the street; not only can she not see

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the cars coming, a car could not possibly see her. I worked in law enforcement for 27

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years, ten of them in highway patrol, five of them as a commanding officer of highway

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patrol. This is a very, very dangerous problem that’s going to arise very soon and it was

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mentioned that there’s 60 spots you have identified for pay to park on that boulevard; I

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think it’s a big, big mistake. The problem I think is that it’s out of town residents; it’s

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not, I’m not talking about people, tourists; tourists come here they go in the rental

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district and either walk or they rent a golf cart and drive to the beach. People who live

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here have little stickers so they can park in your parking lot; it’s people who live on the

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other side of 17 Bypass in a 3,000 square home in a nice community come here and use

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it. I have no problem with them coming to use it but if you go down to the parking lot

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by the Holiday Inn where, it’s very close to this, about one car was parked there and it

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was just this past weekend, and this is just the start of the season; I can just imagine

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when it gets to the big season.

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Another problem, they’re not using parking lots, pictures 4, 5, 6 and 7, they’re not using

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them, instead they’re parking on 3rd Avenue between Ocean and Dogwood, another

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place that’s very, very dangerous but as you can see, 4th Avenue; on 3rd Avenue there

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was parking spots, 4th Avenue there was parking spots and 6th Avenue there was parking

286 spots, so why would you pay if you can just park on the street and again, this isn't town
287 residents because you'd use your sticker to park there. If you're a town resident you
288 have a golf cart; these are people who live not inside the town and they're not bringing
289 any money into the town. I can see you're concerned about it, that they're going to bring
290 some money into here; they're not bringing any money here. They pack their lunch,
291 they pack their coolers, they come here, we don't get one dime out of them and yet our
292 beach, which is beautiful, is getting overloaded; it's going to look like Coney Island.
293 We don't need any extra people here. Renters are fine, people who live here, it's fine.
294 The third problem I have identified, no pictures, is the pier parking lot. As Mr. Childs
295 brought up, there's signs; 17 signs, pay to park, but unfortunately not one, there's one
296 sign that's adjacent to the River Café parking lot; it's a big sign, has all the rules and in
297 very small writing it says between 9 and 5. I've seen people 5:15, 5:30 put their money
298 into the machines and then they find out they didn't have to pay. This is the family
299 beach, the friendly beach; we want people to come and spend money on the pier but I'll
300 tell you what, if I put my dollar in and I didn't have to pay, I'd be pretty upset. I don't
301 know if it was poor planning on making the signs and hopefully it wasn't trying to get a
302 couple extra dollars out of people; that leaves a very, very bad taste in peoples mouths;
303 put the times on a couple more of the signs, let people know, and the paystations, I know
304 that we're in the 21st century but you have to pay a dollar if you want to park for an hour,
305 they've had machine that you take a dollar bill and slide it into a machine, why did we
306 go right to credit cards. I have a dollar, I have a five dollar bill, the machine takes a
307 dollar or five dollars, I'm happy. If I have to get change, five dollars worth of change,
308 it's crazy and I don't want to use my credit card to put into a meter machine so if you
309 could retro fit those things I'd put dollar things in and I'm sorry I forgot about the, I hate
310 giving problems and never giving solutions. The solution to the first one is possibly put
311 trees and bushes along Ocean Blvd, a bench, maybe even a bike path. That sidewalk is
312 used by numerous people. The second problem, that swash on 3rd Avenue is a safety
313 hazard too, you should put up a guardrail or fence that would eliminate some of the
314 parking. That's it. Thank you for your time."

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316 *Nicki Wells, 14 S. Ocean Blvd.:* "I just have a concern about signs. I don't know the
317 ordinance, well, I've had a sign out in front of my business for 3 years now and this year
318 I just got a letter saying that we can't and I've noticed that some other people across the
319 street still have a sign and I use my sign for business and I'm just concerned about what
320 the rules are and are not regarding signs and whether it's for everyone or what the rule is
321 or the law."

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323 Mayor Deaton referred her to speak to the Administrator.

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325 *Trudy Elliott, 1411 Hwy 17:* "I own Surfside Golf Cart Rentals so this is going to be
326 about golf carts. First of all, I want to tell you all what the rules of South Carolina are
327 regarding golf carts. First rule is no driving after dusk, no one under 16 can drive a golf
328 cart and if they are 16 they must carry a valid driver's license on their person. You
329 should not go more than 2 miles from home, which I break all the time myself, cars are
330 to have lights, horns, rear mirror and most importantly a blue tag from DMV and I'm
331 sure that everyone who lives here has a tag. I checked most of the golf carts and they do
332 have them. For to get this tag, you have to furnish the serial number for each golf cart
333 separately, you have to go to DMV, it costs you five dollars for a lifetime, that's not very
334 much, but you do have to have this proper paperwork; furnish the serial number, there's

335 a serial number for every golf cart, different just like an automobile. You have to show
336 proof of insurance on each car. You can have it on your homeowners but in the rental
337 business you must show a policy number that that golf cart is insured. Each car must be
338 registered separately, in other words, you can't get one sticker and cover 25 cars, now,
339 here's my problem, when we opened our business 3 years ago, which has been very
340 successful, we have a lot of support from Surfside and the Garden City area; now we
341 have 5 golf cart rental places. This is not sour grapes because we're already booked up
342 almost for the entire month of June, we've been really lucky because we provide an
343 excellent product, we are a family business, we cater to families and it's just been more
344 successful than I've ever dreamed, but my problem is, we have Best Car Rentals renting
345 carts now, Back Nine which is right here across the street renting golf carts and this
346 week DeFalcos opened a thing called Beach Rentals. These cars all look like crap, my
347 cars are right, my cars are legal, my cars are insured, none of these other 3 people are
348 not. I have personally went to DeFalco today, myself, and looked at every single one of
349 his cars; they're cars have been brought in, it said something like Sand Hole Golf Course
350 and then he just stuck a sticker on there saying rent this car from me. They do not have
351 blue stickers on them, if they do not have blue stickers on them; they are not licensed to
352 be on these roads. Last year we had two golf carts from us towed; some of the police
353 officers found younger people than 16 driving them, they made them stop, get out of that
354 golf cart, leave it parked right there and notified us, we had to go and get the car from
355 the tow lot which that was fine, because the police officers were right, you know, we just
356 billed the customer for it, but we can't have all these Tom, Dick and Harry's opening
357 these golf cart stores; they're not hurting us but it's embarrassment to me because we try
358 to keep our golf carts clean, they're pretty, we put on a parade, we try to do everything to
359 support the community and then you know somebody, somewhere is allowing these
360 people to rent these golf carts and it's not right because if I have to follow the rules,
361 everybody has to follow the rules, I think. Now what are you all going to do about it?"

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363 Mayor Deaton referred Ms. Elliott to Mr. Booth. Ms. Elliott stated that she had already
364 spoken to Mr. Booth that afternoon. Mayor Deaton stated that council cannot give
365 decisions during public comments and asked her to set up an appointment with Mr.
366 Booth and that he would get in touch with other departments in charge of enforcement.

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368 *Ms. Elliott:* "Mr. Mayor, I was under the impression that you all were elected officials
369 by the community and you all are supposed to support the community and help the
370 community, not pass the buck as it were."

371
372 *Mayor Deaton:* "I assure you we do ma'am."

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374 *David Jackson, 311 No. 10th Ave:* "When I moved here a couple of years ago I noticed
375 I've got all that vegetation and silt and all that kind of stuff sitting at the corner of my
376 property and I got real excited when I heard we were going to dredge out the lakes and
377 do all that along Palmetto, and now I understand that I'm abutting a non-existing piece
378 of wetlands that is still being protected, so I'd like to bring that up and see what we can
379 do about cleaning that up out there."

380
381 Mayor Deaton instructed Mr. Jackson to meet with Mr. Booth.

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383 *Rebecca Hiatt, 719 N. Myrtle Drive:* “I talked to Chris from the OCRM and he said he
384 was called by the Mayor to come to Palmetto Lake and give an opinion to the north end
385 of Palmetto Lake. The opinion was that it could be wetlands since that there’s some
386 vegetation growing there and that we know that that’s true on all of our drainage ditches
387 in town, mostly Elephant Ears. He thought that water ran through this vegetation as
388 filtration for the water which you can go down there now and the water is not running
389 through it. He also said any official jurisdiction protection would have to come from the
390 Army Corp of Engineers; that he could only give an opinion of what he thought at where
391 the water level was at that time, so the answer has to come from the Army Corp of
392 Engineer not the OCRM and he did not see the second drain (SIC) which is east of the
393 one that’s under the road. It’s covered up about halfway with dirt where it’s built up and
394 the weeds, and here is a copy of that memo that you’re waiting on. Then I talked to Ron
395 Huff who is the Army Corp of Engineers; he has not been contacted about this, we do
396 have a site number, 8020021447JD, that has been issued some time back. A jurisdictional
397 determination was made September the 21st 2007, it’s a shame as hard as the stormwater
398 committee and the past council has worked for years to get all the lakes in good shape
399 and that on the last lake that they were stopped. The town paid thousands of dollars of
400 the taxpayers’ money to get these lakes cleaned up and around them; the town owns
401 better than a foot around these lakes that they do have access to the lakes. The Cooper
402 Company did a good job on all the other lakes and it would have been on this one too
403 had they not been stopped; they would have kept on working until they had done their
404 duty of what they were paid for. Right now there’s trees hanging over the lakes,
405 branches in the water, trees growing over the water with no roots under them, just a root
406 system that comes off of the top of the bank. Many of the trees are rotten out halfway
407 through them just waiting to fall, a good wind to fall into the water. Limbs and trash
408 have already floated down the lake and hung up on the sides of the lake. I have not
409 talked to a single neighbor that’s not disappointed in what was done with this lake and
410 the way that it was handled and with the animal life, the swans have not nested there for
411 the past two years and by the way, we do have an ordinance that if you’re caught feeding
412 the swans or the ducks that you’ll be fined \$100, because you’re wanting them to leave
413 anyway because they pollute the lakes. We have a strong council form of government in
414 Surfside Beach and it’s a shame that the daily operations have been interfered with by
415 one person telling the workers . . .”

416
417 *Mayor Deaton:* “Ma’am, I’m going to stop you right there. Everything has to be
418 directed to this council, it cannot be directed about an individual, it cannot be made
419 personal and I will ask you to leave if you continue.”

420
421 *Ms. Hiatt:* “I did not call a name. I did not call a name. They were stopped by one
422 person . . . and I have some pictures that I want you to look at of what the lake looks like
423 and here’s a memo, and that person that stopped it was our Mayor.”

424
425 **9. COUNCIL COMMENTS**

426 *Mr. Childs:* “I would like to address the young lady that made the comments on the golf
427 (carts) and you know you’re absolutely right and I would like to, at this time, direct our
428 administrator to get with the chief and make sure that all these golf cart rental agencies
429 are well aware and I see golf carts every day running around that are brought in here and
430 do not have stickers and you are absolutely, one hundred percent right and the second
431 goes to this gentleman down here. The mayor and this entire council is aware that we do

432 have a parking problem and we're going to work on a parking ordinance that is going to
433 clear up a lot of the issues you brought. We are well aware of them and we are working
434 towards that and I think by the time we finish I think you'll be very satisfied because we
435 have the same concerns that you do."

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437 *Mr. Martin:* "I'll second the golf cart comment and also while we're investigating the
438 legality of the carts themselves I noticed that a number of them are parked illegally on
439 17 Business to the street side of the power poles which I know is illegal so if you could
440 check on that, also and the person who commented about the sign enforcement being the
441 same for everyone, I'm a strong believer in that and I hope Mr. Booth is going to make
442 sure that that is taken care of. Thank you."

443
444 *Mr. Johnson:* "First of all I would like to thank everyone for coming out this evening
445 and thank you for your concerns. We have many of the same concerns. I would just like
446 to echo Mr. Child's comments concerning the golf carts. The parking problem has been
447 in existence for several years; probably ten or so years and the problem has come,
448 indeed, outside of the town limits of Surfside Beach and that has been brought up
449 numerous times. I do believe that this council will address that and make changes that
450 are desperately needed and again, I would just like to thank you for your comments and
451 concerns and thank you for attending."

452
453 *Mr. Samples:* "I agree with all the comments that my fellow council people have made
454 tonight and I think there's an essential principal and it is that we enforce the laws evenly
455 across the board or we don't enforce them at all. I do want to raise a question just
456 because; I assured my friends up here I wasn't going to grand stand. You're brilliant
457 legislators in Columbia have afforded we local municipal officials the opportunity to add
458 a one cent sales tax on all of you and all of us and everybody else in Horry County. I can
459 assure you that I will not be supporting that, but others may or may not. At the very
460 least, the people should have the right to vote on it and thank goodness that Senator
461 Rankin did get the amendment introduced to the bill to, unless there's a super majority
462 of us up here, and that would take five 'yes' votes, for the tax, you all will get a chance
463 to vote on the sales tax. We already have eight cent sales tax in Horry County. Horry
464 County pays for everything it gets, it seems like, and frankly I'm just sick and tired of it,
465 I wish we had some leadership in Columbia. It's amazing, there isn't enough money to
466 market this cash cow called the Grand Strand and we have a leader in Columbia who is
467 unwilling to accept money that is going to go to one of the other 49 States if he doesn't, I
468 just don't get it. Thank you."

469
470 *Mayor Deaton:* "Well first of all I'd like to congratulate Mr. Booth and the Cooper
471 Company on the job that they've done in the dredging process. They've done a
472 wonderful job; they've done Magnolia Lake; they've done Cherry Lake; they've done
473 Floral Lake and it's been different processes on each lake and it's been very successful.
474 It's come in on time and under budget, I believe, it's incredible, I think Palmetto Lake
475 was estimated at something like \$600,000 by Earthworks and they came in at just a little
476 over \$100,000 which is pretty incredible to me. I spent four years as chairman of the
477 Stormwater Committee who implemented all of these revisions and all of these projects
478 and all of these basins, so, and Mr. Samples served there also with me, four years of time
479 and before that I spent five years in the redevelopment advisory board for the City of
480 Myrtle Beach which they spent a lot of money educating me on the Clean Water Act

481 which was implemented in 1994 and all of the mandates and when I came to council, we
482 implemented our Stormwater Committee, we were ahead of the curve, we are still ahead
483 of the curve for most of the Country at this point in time. I just received a letter today;
484 I've got an invitation to sit on a Blue Ribbon Board, a commission for stormwater and
485 oceanfront management for OCRM which is to explore the past 20 years; in 1988 they
486 had a Blue Ribbon Board that implemented most of the laws that are currently on the
487 books now for the Legislature of the State of South Carolina as far as clean water
488 management, beach management, oceanfront management, wetlands maintenance; and
489 I'm proud, I'm proud that they invited me to participate in that decision making process
490 and go through and renovate these laws and bring them up to date. Our projects are on
491 schedule; no one has micromanaged; our manager has done a good job, no one's going
492 there; this entire council, other than myself, because I had a previous engagement, sat
493 through the stormwater committee meeting of probably two plus, three plus hours
494 explaining the importance of point source pollutants as far as the foliage, as far as the
495 plants adjacent to water. The lakes right now are drained down, I mean if you don't
496 know that, you're probably not aware, that we're doing another project on the west side,
497 west south side of Dogwood Lake which is one of the two larger lakes; we've got the
498 water drained down as far as it can go right now. We have a weir system that was
499 implemented and put in after Hugo and it's a very good weir system; the County's
500 paying 70 percent of that improvement on that wall there; they're going in with a nice
501 eco-friendly wall to prevent erosion on that area there, so, these lakes are down about 3
502 or 4 feet at this point in time, so that's why they're down. They'll be brought up when
503 the weirs are closed, the lakes will be brought up to their full potential and they were for
504 about 4 days, and if you were around the lakes you saw them, they were beautiful, they
505 came up to their full potential, they were great and looked really good. I think that
506 council paid attention to stormwater and the importance of point source pollution
507 absorption; trees, the importance of trees; we're not reinventing the wheel here folks,
508 this is something that's been talked about for years and years and years as far as the
509 environment goes and no one is micro managing, so I just wanted to make those points.
510 We're mandated with a Clean Water Act to make sure that our stormwater is clean and
511 these are stormwater; they're not actually retention, is a natural flow system so I'm very
512 proud of this system."

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10. EXECUTIVE SESSION

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Mr. Samples made a motion to go into executive session. The purpose was to discuss the appointments of the Planning and Zoning Commission, Atax Committee and Parks Recreation and Special Events Committee. Mr. Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

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Mr. Truett moved to appoint Lynn Livesay to the Planning & Zoning Commission. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.**

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Mr. Truett made a motion to appoint Carolyn Harbin to the Accommodations Tax Committee. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.**

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Mr. Truett made a motion to appoint Elizabeth Kohlmann, Richard Kirby, Ken Sizemore, Robert Blair and Curt Hein to the Parks, Recreation and Special Events Committee. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.**

11. ADJOURNMENT

Mr. Truett made a motion to adjourn. Mr. Martin seconded the motion. **All voted in favor. MOTION CARRIED.** The meeting was adjourned at 8:40 PM.

Approved: April 28, 2009

Sharon Pinnell, Town Clerk

K. Allen Deaton, Mayor

Joseph P. Martin, Town Council

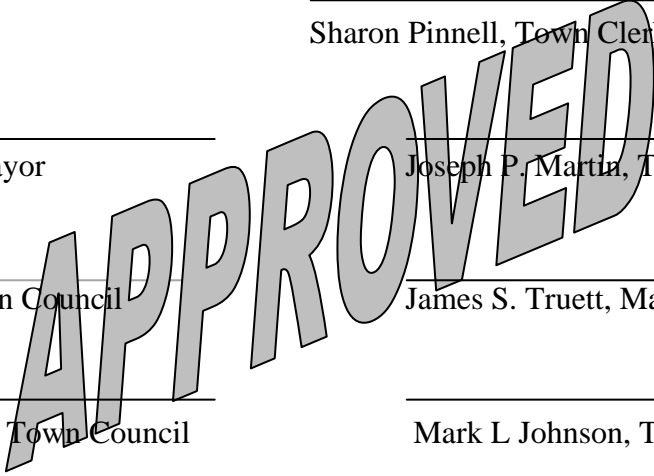
Vicki W. Blair, Town Council

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.