



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS

June 8, 2010 ♦ 6:00 P.M.

TOWN COUNCIL
REGULAR COUNCIL MEETING

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1. **CALL TO ORDER**

Mayor Deaton called the meeting to order at 6:40 PM. Mayor Deaton and councilmembers Johnson, Blair, Dodge, Smith, Childs and Samples were present. Staff present: Appointed Interim Administrator, Fellner; Clerk Pinnell; Special Events Supervisor, Ellis; Building Director Donevant; Public Safety Director, Christenson; Finance Treasurer, Hursey and Fire Chief Packard. Attorney Mr. Smith was also present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.**

Councilman Samples gave the invocation and Mayor Deaton led the pledge of allegiance.

3. **AGENDA APPROVAL**

Mr. Smith made a motion to approve the agenda as submitted. Mr. Childs seconded the motion. **All voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL** – Mr. Samples made a motion to adopt the minutes as written. Mr. Smith seconded the motion. **All voted in favor. MOTION CARRIED.**

5. **PUBLIC COMMENTS**

There were no public comments.

6. **VOTE FOR MAYOR PRO TEMPORE**

Clerk Pinnell read the results. There were 3 votes for Councilman Johnson and 4 votes for Councilman Childs. Councilman Childs was voted in as Mayor Pro Tempore.

7. **COMMUNICATIONS: Presented by Interim Administrator Micki Fellner**

Building Report

Ms. Fellner reported that there were 159 inspections, 38 office consultations, 114 permits were issued for a total of \$13,296.80 and 140 contractor business licenses were issued or renewed for a total of \$24,584.18 and this is down 9.4 percent from last May. Last May the town did \$27,132.91 and this is in line to what the town is seeing in Atax and Hospitality and all business. All business licenses are down 7.34 percent as of March 31, 2010 this year; the end of the quarter.

Mr. Johnson asked Ms. Donevant what was going on with the Ocean Pines trees. Mr. Johnson stated that there were several e-mails and comments received by council on the removal of trees. Ms. Donevant stated that Ocean Pines I is an HOA and they asked for some pine trees to be removed. Ms. Donevant and Ground Supervisor, Mr. Newell had inspected them and found them to be hazardous trees and a permit was issued. Mr. Johnson asked if, as an HOA, are they required to replace any trees. Ms. Donevant stated that they did not fall in the replacement part of the ordinance adding

53 that they do, however, plan on replacing some of the trees but if no protected of
54 specimen trees are removed or the number of trees required does not fall below the
55 number of trees required then replacement trees do not come into play. Ms. Donevant
56 added that she will follow up and give council a list of the trees they plan to replace.
57 Mr. Childs stated that he and Mr. Smith met with a gentleman on the board of the
58 HOA and he told them that the HOA does plan on replacing some of the trees in the
59 near future. Ms. Donevant added that they are not required to but they are planning to
60 replace some of the trees. Mayor Deaton stated that he has a concern "this is a PDD
61 and if you're not familiar with zoning issues and things of that nature, we have a gap
62 in our current ordinance that does not address PDD's and it's a planned development
63 area, is what it is, and generally when those are authorized there's a give and take.
64 Usually they want more density or something of that nature and we want more
65 infrastructure or something that they give back to the community to improve our
66 community; to make it better on us and obviously this didn't occur and this was back
67 in the 70's; it was probably a brand new designation at that time but with our current
68 ordinance right now, we have a tree ordinance that we worked very hard on for many,
69 many, many hours and that's still with Planning & Zoning at this point in time, so,
70 this fell under our current ordinance which, as far as I'm concerned, is not worth the
71 paper it's written on, so, it didn't address PDD's and so what happened it fell upon
72 our building person to designate; she designated a C-1 which is commercial.
73 Obviously Ocean Pines is not commercial, it's residential, and I think she had a valid
74 reason for why she did it but it concerns me that we did not have the ability . . . it was
75 not brought before council; we are the policy making deciders and so this fell upon a
76 staff member to designate a zoning designation and also make a determination of
77 what kind of protection is going to be implemented. I felt like we failed here as a
78 town and that we need to close that gap as soon as possible. I think that we need to
79 move that tree ordinance, the new tree ordinance, through Planning & Zoning as fast
80 as possible; it needs to get up here; we need to close that gap because we have a
81 canopy and if you understand trees and the environment; 30 trees have a huge impact
82 on our canopy. These are mature trees and to regain that same effect in our canopy
83 it's probably going to take 20 years, so we need to be aware of this and we need to
84 probably negotiate the type of trees. Hopefully the HOA will come and talk to us and
85 sit down and we'll provide our resources, you know, our Arborist, anything that we
86 have other than probably money, it should be their money not ours to go in and
87 restore that canopy as soon as possible and to the best degree that we can do it and
88 hopefully we'll pursue that and I would like to see that tree ordinance move forward
89 as quick as possible. I'd like to get a consensus of council to agree with that because
90 we've been waiting on a sign ordinance; they've done a good job with the sign
91 ordinance, I understand that that's coming down the pikes now. I would, personally,
92 like to see that tree ordinance right behind it."

93
94 Mr. Smith stated that he was under the understanding that the Planning Commission
95 was going to send the entire zoning package to council at one time. Mayor Deaton
96 stated that the council usually takes one ordinance at a time. Mr. Samples stated that
97 he has no problem with having the sign ordinance but he has a concern about the
98 entire Chapter 17 coming to council at one time being that they are complicated
99 ordinances and suggested having them one at a time. Mr. Smith stated that he was on
100 the Planning Commission and the Commission was working on all of the zoning
101 ordinances and he thought the direction of council was to have them all presented at

102 one time. Ms. Donevant stated that the Planning Commission is in the process of
103 finishing the list of ordinances and the plan was to present them to council to give
104 them time to review and then they would present 2 or 3 at a time; there would be a
105 public hearing as well. Ms. Donevant stated that the sign and tree ordinances could
106 be presented first to council.

107
108 Ms. Donevant addressed Ocean Pines. Ms. Donevant stated that there was no
109 provision in the town ordinances for a planned development that has been added to
110 the new ordinance. "The PDD that you referenced has no provision for trees in it.
111 The only time a PDD would come before council is when there is a change to that
112 PDD; there has been no change to that PDD. I understand that you're saying 30 trees
113 is a change, I understand completely what you're saying, but the only thing I have to
114 go by is what the ordinance says and that's certainly things that we need to work on
115 but if there's no trees required in that PDD then they can cut them all out if they
116 wanted to but I tried to go by the most restrictive part of the ordinance which required
117 a certain number of trees, but that's just my explanation of why I did what I did."

118
119 Ms. Blair asked how many units were in Ocean Pines I. It was confirmed by a
120 resident of Ocean Pines I in the audience that there are 104 units. It was confirmed
121 that there was also a petition of owners that wanted the trees removed and Ms.
122 Donevant added that these were pine trees and no protected or specimen trees were
123 removed.

124
125 Public Safety Report

126 **Police**

127 Ms. Fellner reported that the Memorial Day bike event was uneventful; there were
128 fewer cyclists staying in town and there were no major incidents. The Memorial Day
129 Car Show had 140 cars; this was down 50 from last year because only 2 car clubs
130 participated this year. The officers provided bike patrol, traffic control and resolved
131 parking issues and there were no significant problems reported. The Surfside Beach
132 patrol officers attended some recent training which included ocean rescue, Jet Ski
133 training and learned proper techniques for life and death rescue situations; they also
134 participated in the downward sail parasail rescue scenario with the Myrtle Beach and
135 Horry County Police Beach Patrol. The Beach Services personnel also attended this
136 training. During the month of May the police responded to 1,515 incidents or issues
137 and had 25 criminal cases open and 27 warrants. Meter collections for 2010 there
138 was \$26,673.92 collected in May and this is an increase of approximately 49 percent
139 from 2009. In May 2009 collections were \$13,693.65. Mr. Smith thanked the police
140 department and recreation department for having a safe Memorial Day golf cart
141 parade adding that he hoped the town would do it the following year as well. Ms.
142 Dodge asked what the cost was to provide police protection or assistance during the
143 Car Show. Director Christenson stated that the cost was approximately \$150. Mayor
144 Deaton asked Director Christenson if he could compile this report and give it to Ms.
145 Dodge. Ms. Blair asked about the huge increase in parking collections. Director
146 Christenson reported that the increase was due to the extended hours and dates. Ms.
147 Fellner reported that also last year there were more rain days and Mr. Samples stated
148 that Yaupon parking lot was also out of commission for the month of May last year.

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151 **Fire**
152 Ms. Fellner reported that the fire department responded to 7 fires, 45 rescue and
153 emergency medical incidents and 15 other. They completed 67 inspections and the
154 town hall safety inspections were completed and all noted deficiencies were
155 corrected. The department had training given by Walter Masry regarding emergency
156 operations. Mr. Masry was the emergency manager of Jefferson Parish in New
157 Orleans during hurricane Katrina and he is currently a consultant to DRC. Ms.
158 Fellner reported that Mr. Masry conducted the NIMS classes recently for the town at
159 the firestation and did a wonderful job and commended Ms. Lewis for arranging these
160 classes and getting him to give the classes.

161
162 Administrator's Report

163 *i. Police & Fire*

164 Ms. Fellner reported that the lowest consultant quote for Public
165 Safety split received was \$9,000 to \$12,000 and this quote came
166 from Burkhold. Ms. Fellner reported that most entities did not
167 respond knowing that the town would need to go through a bid
168 process and since it would cost over \$5,000 no company would want
169 to provide a public price knowing it would be bid out. Ms. Fellner
170 stated that some of the quotes she got ranged from \$9,000 to
171 \$37,000. Ms. Fellner reported that this would be a bid process and
172 asked if council was interested in moving forward then she would go
173 out for bid. Mayor Deaton stated that the police and fire make up 40
174 percent of the town budget and he feels it is very important for the
175 town to obtain some really good advice. Mr. Johnson made a motion
176 to suspend the rules. Ms. Dodge seconded the motion. **All voted in**
177 **favor. MOTION CARRIED.** Mr. Johnson stated that he is not
178 sure that the town needs a study on this adding that the fire and
179 police departments by the Chief and Public Safety Directors own
180 admission has been running separately for a long time and feels that
181 "this council is confident enough to look at the entities and do what's
182 right. If we need to get rid of positions, get rid of positions. If we
183 need to add positions, add positions. I do not want to spend another
184 \$9,000 to \$12,000 to \$20,000 to \$48,500 on another study."

185
186 Ms. Dodge stated that she agreed and feels that council "could call
187 upon, in our community, a lot of retired police and firemen who
188 could give us any additional advice we think we might need and we
189 could save that money; right now I think we need to save that
190 money. I would not agree to a consultant either."

191
192 Mr. Smith stated that he also agreed that the town does not need a
193 consultant adding that he "spent some time with the police chief and
194 the fire chief and also I visited a local police department to find out
195 how they organize. I think that our police department is well
196 organized; if we did anything in the Burkhold study of 2006 we
197 could look at their recommendation to try to have less police during
198 the off-season and during the busy season fill it with additional help
199 that would just be for the summer months."

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Mr. Samples stated that “given where we are budget-wise, we really can’t afford to not take advantage of the resources and assets that we already have in this town and in the community.” Mr. Samples stated that he agreed with Ms. Dodge and Mr. Johnson adding “we got a lot of talent up here and a lot of talent in town. I do think and I share your concern for the future and ensuring that the people who live in this community have the most effective and efficient public safety services of anywhere on the coast and I do believe there’s room for improvement so I look forward to the next step, as you know, we passed first reading on the split of the Public Safety Department and I’m sure we’ll be discussing this matter again.”

Ms. Blair asked if there could be a subcommittee of council created to discuss the Public Safety split instead of paying for a study. Mayor Deaton stated that this council consists of only 7 members and if the consensus of council is to not go with a consultant than he feels that all 7 members should participate in an equal manner and that the town should not single out 3 members to form a subcommittee. Mayor Deaton stated that if a subcommittee exists it is only one vote shy of a majority vote so therefore it sways that position. Mayor Deaton stated that if council feels they have the confidence that they can restructure the two departments then that is fine but he feels the entire council should be involved. Mr. Samples stated that ultimately the entire council will participate in the final decision but he agrees with Ms. Blair adding that it is not uncommon for bodies to work through their committee structures adding that this is a serious matter and he feels it is a good idea to set up a subcommittee. Mayor Deaton stated that after long conversations with the Municipal Association and some attorneys when dealing with small councils such as Surfside it is more efficient to have the entire council involved adding that subcommittees are more for larger councils. Mayor Deaton reiterated that he feels all votes should be equal and that this council is small enough where it can deal with any and all issues as long as it has a quorum of four members. Mr. Smith suggested council have a workshop. Mr. Samples stated that workshops are wonderful but it is very public and he feels that a subcommittee is a useful tool and feels it would be difficult for people in the community who have an “axe to grind” and give an honest assessment in a council workshop; council workshops turn into a “dog and pony show”. Mr. Childs stated that everyone knows his viewpoint on subcommittees; he feels they are very useful and that it is a way of funneling information to council adding that he understands the Mayor’s position but when dealing with only 3 people it is easier to get together at any given time rather than trying to get the whole council together. Mr. Childs stated that he is in favor of a subcommittee. Mr. Samples stated that a subcommittee makes no decisions and just because there are 3 members serving on a subcommittee it does not mean there will be a

249 unanimous agreement. Ms. Dodge stated that she agrees that a
250 subcommittee would work well and feels that everyone on council is
251 open minded and would be willing to take an objective point of view
252 and added that she would trust 3 people from council to come up
253 with some recommendations adding that these recommendations do
254 not have to be accepted by council and council can also add to them.
255 Ms. Dodge stated that she is very reluctant to spend money on
256 another study. Mr. Samples made a motion to go back into Roberts
257 Rules of order. Mr. Smith seconded the motion. **All voted in favor.**
258 **MOTION CARRIED.** Mr. Samples made a motion to add to the
259 next council agenda the appointment of a subcommittee to pursue
260 the reorganization of Public Safety. Mr. Childs seconded the
261 motion. **All voted in favor. MOTION CARRIED.**

262
263 *ii. Signage at the Pier*

264 Ms. Fellner reported that there is currently a sign ordinance under
265 review. A new sign for the pier will need to be bid out since it will
266 cost over \$5,000. Ms. Fellner stated that council will need to decide
267 if they want an electronic sign which means a \$15,000 upcharge and
268 whether the sign is lighted would be an added \$5,000 to \$10,000.
269 Does council want the sign to conform to the largest size possible
270 which is 35 feet or does council want a statelier but smaller one;
271 does council want it to have a natural look and these are all items
272 that need to be addressed and need to go into the specs of the bid
273 packet? Ms. Fellner stated that the town has no ordinance allowing
274 temporary signage, however, since the town did take the sign down
275 the town attorney is researching a temporary replacement sign
276 possibility and there may be something in the law that allows a
277 temporary sign. Ms. Fellner has asked the attorney to research this.
278 Mr. Samples asked if the town could adopt a resolution to waive the
279 current town ordinance to allow temporary signage. Attorney Smith
280 stated that council could issue a resolution upon a consensus vote.
281 **There was a consensus of council to add a resolution to the next**
282 **agenda.**

283
284 *iii. Dog Park Update*

285 Ms. Fellner reported that the dog park is now open. There are two
286 areas where grass plantings still need to be added and the town has
287 the representative from Clemson along with consultant Nicole
288 Saladin coming in to enhance the area and assist with stormwater.
289 Ms. Fellner reported that the town is also pricing the cost of applying
290 rubberized latex to the fencing to avoid rusting and added that this
291 would be included in the next budget. Ms. Fellner stated that there is
292 no other landscaping immediately planned for that area. Mr. Childs
293 asked if shrubbery to cover the fence is planned for the future. Ms.
294 Fellner reported that Public Works Director, Mr. Adair, has directed
295 trees to go in the area that are supposed to spread and eventually
296 cover this area.
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iv. Pier Deck Update

It was clarified that this would be the entertainment deck area. Ms. Fellner reported that OCRM had reported that there is an easement in the area. Ms. Fellner e-mailed the person in charge for the permitting and explained that an easement would be required for residential structures and that this deck was for the good of the public and described the public use and today Ms. Fellner stated that OCRM will waive the easement since it is for a public use and agreed that it is for a good use. The town is moving forward; there was a glitch on obtaining some materials but Ms. Donevant is currently working on this. Ms. Fellner reported that the crane will be moved this evening and the posts would be driven shortly. Mr. Samples asked why the project was not bid out. Ms. Fellner reported that this project was inherited and it came in pieces. The prior administrator previously reported that all of the lumber required was stored at Public Works and, in fact, this was not the case, there were other pieces of lumber that were needed to complete the project. The town is using the town carpenter and they are using the Building Officials General Contractors license; Ms. Donevant will be the inspector on the job so there is not one company doing the project and this is why it was not bid out. Mr. Johnson stated that he has some questions and concerns regarding the deck location and asked how the location was chosen. Mr. Johnson stated that last summer the stage was located on the beach side of the pier and added that it seems like there is more room on the beach side for people to sit and spread their umbrellas and he is concerned that there will not be room for people. Ms. Fellner and Mayor Deaton both stated that OCRM would not agree to have a deck in that location. Ms. Fellner reported that the plan includes Kiwi shades for shade. Mr. Johnson asked if the town was going to allow people to sit in the parking lot. Ms. Fellner stated that deck will allow people to congregate. Mr. Childs stated that the deck should take the place of a band stage during a town event and at that time the parking lot is not used for parking and there should be room.

v. Skate Park Update

Ms. Fellner reported that two options were e-mailed to council; one included asphalt and the other concrete. The project will be expensive and it needs to be bid and Ms. Fellner asked for direction from council. Mr. Johnson made a motion to go with \$9,284 estimated construction cost to use asphalt for the skate park. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.** Ms. Fellner received direction to bid out for asphalt.

vi. Fire Station Update

Ms. Fellner reported that there was a meeting last Thursday between Paul Mashburn, his crew, the concrete installer, the floor finish manufacturer, the fire Chief and herself and added that DP3 was not

347 available to attend. The plan is to grind and resurface a small area
348 and try to put sealer on it and if this works the floor would be redone
349 using this technique. Ms. Fellner stated that Paul Mashburn had
350 requested that the town participate in the financial remedy for the
351 flooring and Ms. Fellner stated that if it was over \$5,000 council
352 would need to review it like it was another change order. Mr. Childs
353 asked how much of the floor needed to be resurfaced. Chief Packard
354 stated that what is on the floor currently was supposed to be stain
355 and there is something in the concrete that is not allowing the stain to
356 absorb; it is currently just lying on the top of the concrete like a coat
357 of paint. Mr. Childs stated that he is familiar with a process where
358 the concrete is stripped and a clear finish is applied; this would
359 eliminate having to strip or paint and it brings out a darker color that
360 does not even look like concrete. Chief Packard stated that this is
361 their recommendation and there is a section in the fire station they
362 will do this. Mr. Samples asked why the town would contribute.
363 Ms. Fellner stated that their thought process was that originally DP3
364 had spec'd a particular product and that product did not come in red
365 and the Fire Chief and the town, at that time, wanted red; so a new
366 product was spec'd and now this product is being blamed for not
367 working properly with this type of concrete; it is working fine on the
368 second floor but not on the first and DP3 claims that if the town had
369 gone with the original spec then there would not have been a
370 problem. Mr. Samples asked what the cost estimate was. Ms.
371 Fellner stated that it depends on the remedy this would not be an
372 easy fix and added that she is currently holding the retainer. Ms.
373 Fellner stated that she will not sign off on the certificate of
374 substantial completion because that would mean that the town would
375 have to give them a significant amount of the money they are
376 holding. If the entire floor needs to be re-grinded that's a cost of
377 \$50,000. Mr. Samples made a motion to not participate in a cost
378 sharing. Mr. Childs seconded the motion. **All voted in favor.**
379 **MOTION CARRIED.**

380
381 *vii. Set up Workshop for Surfside Drive*

382 Ms. Fellner asked council to give direction as to when council would
383 like to hold a workshop on Surfside Drive. Mayor Deaton stated that
384 the town has been holding workshops in lieu of a meeting and has
385 included any pertinent business items that needed to be addressed in
386 that meeting. Mr. Samples made a motion to schedule a workshop
387 for the first meeting in July (July 13th). Ms. Dodge seconded the
388 motion. It was confirmed that the workshop would be part of the
389 regular meeting. **All voted in favor. MOTION CARRIED.**

390
391 **8. BUSINESS**

392 *a. First Reading Ordinance #10-0686: Adopt 2010-2011 Fiscal Year Budget*

393 Ms. Fellner stated that she would like to bring up three items that she brought
394 up to council previously; there are three specific and sizeable items not
395 included in the first reading; the first is the concrete apron in front of the fire

396 house on N. Poplar which according to an Earthworks estimate will cost
397 \$36,887.40; the second is taking up the sidewalks in front of the fire station
398 including the engineering for stormwater and the relaying of the concrete
399 which will cost approximately \$25,000; the last item Ms. Fellner requested a
400 polling of council for the record "since this would be the towns very last
401 opportunity to include any requests for financial consideration from the
402 county to assist us with the build-out of the North Poplar Park property in the
403 deed". The park will cost approximately \$100,000 and the town must provide
404 an As-built to the State within one year. Ms. Fellner stated that she wanted to
405 be totally clear in getting direction from council since the deed will be signed
406 soon. Ms. Fellner clarified "the replacement property for the library
407 expansion, we gave them the .25 acres in Fuller park for them to expand the
408 library, the swap out for that property, which we had to swap out with the
409 State and the Federal government and get the Department of Interior to sign
410 off on was the North Poplar Park piece of property which is .34 acres."

411
412 Mayor Deaton clarified to the audience that this is the property across from
413 the Sundown.

414
415 Ms. Fellner: "In order to do that we had to supply a rendering of what DDC
416 did in the plan and to build out the park as that rendering states is going to
417 cost us approximately \$100,000. In a deed a lot of times, what you can do, for
418 consideration, is you can say, 'we want your help on this, we're giving you
419 this piece of property, we realize you're giving us an expanded library and
420 that's wonderful but could you also help us out here' and then it's sort of
421 cemented in stone."

422
423 Mr. Samples stated that he went back through some e-mails and he found one
424 where he and previous Administrator, Mr. Booth had a discussion and it was
425 indicated to him that there was an informal agreement with the county to
426 participate in the cost sharing. Mr. Samples asked for confirmation that the
427 \$100,000 build-out was based on the design previously submitted to council.
428 Ms. Fellner stated that this plan was also submitted to the State and the
429 Federal Government; this is part of that package. Mayor Deaton clarified that
430 this was a plan for a park/parking lot. Mr. Samples stated that the town has a
431 year to do this. Ms. Fellner stated that the town may receive a grace period.
432 Mr. Samples asked if the plan must include parking. Ms. Fellner stated that
433 the plan that was submitted to the State in the land conversion packet that
434 went to the Department of Interior did include parking. Mr. Samples stated
435 that 51% of this lot has to be green space/park space. Ms. Fellner "or used by
436 the public pertaining to that." Mr. Samples stated "so you're telling us that
437 we have to come up with quite a bit of money."

438
439 Ms. Fellner stated that this is why she did not want to move forward without
440 asking for clear direction from council. Mayor Deaton stated that he is aware
441 the county's funds are depleted but "all along, through the whole process, the
442 county has said they would partner with us and that this was not going to cost
443 us any money." Mayor Deaton stated that the County is not going to build the
444 park or build the parking spaces, this would cost the town money but as far as
445 the conversion process itself the county was supposed to commit to tree
446 planting, landscaping and items of that nature adding that this has been the
447 dialogue all along. Mayor Deaton stated that he would like to continue to
448 pursue the county in this process and also feels that the town cannot stop now
449 since this has been a long and tedious process. Ms. Fellner stated that if the
450 town continues to pursue then the town cannot sign the deed; the town needs
451 to place a consideration in the deed or the town has to perhaps try to negotiate

452 before the deed is signed adding that once the deed is signed that would be it.
453 Mr. Johnson stated that there will be a new county councilmember soon and
454 added that the town should see what they are worth. Mr. Johnson stated that
455 he feels the town should pursue the county. Mayor Deaton asked if there is
456 any interest from council on stopping the project which would stop the
457 expansion of the library and put the brakes on everything that has been done
458 previously. Attorney Smith stated the town is proceeding, the deed is
459 prepared and it is ready to be sent to the Horry County representative.
460 Currently the deed is drawn with no consideration other than the property and
461 part of this transaction requires the town to improve that property. If the deed
462 is sent over 'as is' the deed will get signed and then the town is dependent on
463 a handshake deal and in these tough financial times it would probably be in
464 the best interest of the town and council to put a number in the deed. Mr.
465 Smith stated that the town could put a number in and continue the
466 negotiations. Mr. Smith asked for a number to place in the deed. Mr.
467 Samples stated that when council purchased that property it was with the
468 intent of developing it for parking long before the library project was even
469 proposed. Mr. Samples stated that "if the town had to fund a \$100,000 project
470 to gain a state of the art library and retain it, I support that." Mr. Samples
471 made a motion to allow the administrator to pursue with the deed transfer.
472 Mr. Childs seconded the motion. **All voted in favor. MOTION CARRIED.**
473

474 Mr. Samples stated that he would like to see if council had some amendments
475 to the proposed budget. Mayor Deaton stated that these amendments could be
476 made in the form of a motion. Mr. Samples made a motion to eliminate the
477 merit pay raise from the budget and require any individual raise or
478 reclassification of a staff member to be brought to council as a formal
479 business item requiring a vote of council. Mr. Johnson seconded the motion.
480 Mr. Samples asked Ms. Hursey if this amounted to \$100,000. Ms. Hursey
481 stated that it amounts to approximately \$65,000. Mr. Samples confirmed that
482 this would be a freeze of merit raises. Mr. Samples stated that there was a
483 discussion at the budget retreat. Ms. Hursey stated that what was budgeted
484 was an across the board 2.5 percent increase and the prior administrators
485 recommendation was that not more than 50 percent would receive a 4 percent
486 increase and the rest would receive less than that. It was confirmed that the
487 motion included eliminating all of this. Mr. Samples stated everyone knows
488 that times are tough and that in July 2007, exactly the wrong time in hindsight,
489 council approved approximately 20 percent raises across the board. Mr.
490 Samples stated that the staff was deserving but since then 2007 was the pique
491 revenue year for Atax and hospitality and since that time council has approved
492 5 ½ percent cost of living raises, Christmas bonuses that are equal to a weeks'
493 pay per staff member, and sick leave and vacation time has been combined
494 into personal time. Mr. Samples stated that council also awards staff on their
495 time and service adding that this is a great place to work but times have
496 changed. Mr. Johnson asked for confirmation that this pertains to this fiscal
497 year budget. Mr. Samples confirmed this. Mr. Johnson stated that he agreed
498 with Mr. Samples adding that times are lean. Mr. Samples asked for some
499 further clarification and asked Ms. Hursey if the \$65,000 was salaries. Ms.
500 Hursey confirmed this was true. Mr. Samples stated that on top of the salaries
501 there is roughly a 37 percent fringe benefit; if the salaries are frozen then the
502 fringe benefit is also frozen. Ms. Hursey stated with the exception of health
503 insurance portion; this would not change. It was confirmed that more than
504 \$65,000 will be saved since fringe benefits are included. Ms. Dodge stated
505 that many other communities, larger than Surfside, are in the same boat and
506 have had to make cuts and the town needs to do the same. **All voted in favor.**
507 **MOTION CARRIED.**

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Mr. Samples made a motion to freeze all hiring immediately and again require any contemplated deviation to be brought to council as a formal business item. Ms. Dodge seconded the motion. Mr. Johnson asked for confirmation if it referred to immediately. Mr. Samples confirmed that it referred to immediately. Mr. Johnson asked what the duration was. Mr. Samples answered that it would be through the end of the 2011 fiscal year or until council rescinds it. Ms. Blair “including administrators position or that would just be brought back to us as part of the package?” Mr. Samples confirmed this would be brought back to council. **All voted in favor. MOTION CARRIED.**

Mr. Samples “you all heard how short we are; how much more we’re spending. This is not any easy motion.” Mr. Samples made a motion to “eliminate and terminate the Director of Public Safety position since we have been operating as two separate departments, fire and police, and based on the information that they have provided to us previously, it’s clear we have a duplication in responsibilities.” Ms. Dodge seconded the motion. Mr. Smith asked if council plans on eliminating the Director of Public Safety what about his duties as Police Chief. Mr. Samples stated that “he was hired as the Director of Public Safety; he serves as the Director of Public Safety and, in fact, in the information that he prepared and provided to us April 27th, the organizational charts, it’s clear that his, frankly, he and the Captain have the identical scope of responsibilities. This town needs working managers.” Mr. Smith stated that in the ordinance it specifies that the Director of Public Safety is also the Police Chief so he could not support a motion like this adding that he feels the town needs a Police Chief. Ms. Dodge made a motion to amend the motion to immediately advertise for a Police Chief. Mr. Johnson seconded the amended motion. Mr. Johnson stated that this leads right into the upcoming discussion regarding forming a subcommittee to discuss the police and fire departments adding that he does feel that the town needs to advertise immediately if this is council’s wishes. Mr. Smith stated “I think we voted tonight to have a subcommittee to study this problem and I don’t think these motions should go forward until we have an opportunity for that subcommittee to do its job.” Mr. Samples stated that there was a discussion at the budget retreat where the Mayor clearly identified what is called over capacity. Mr. Samples stressed that the town needs “working managers”. Mr. Samples stated that the Captain used to be a Lieutenant who supervised a couple Sergeants who supervised 4 Corporals who supervised a patrolman for the 2 square mile town and added that it is evident to him that the town definitely needs an outside objective look because the town has grown, in his opinion, into a “top heavy command structure”. Mr. Samples added that he feels the town needs more people on the road. Ms. Blair “I’m not sure I understand why we would advertise for a Police Chief before we acted on the original motion. That seems to certainly be duplicating what we already have and I didn’t know if, I wanted to ask councilman Samples, if his intent, while I certainly agree, has merit in everything that was said, if his intent was if that original motion moves forward that those responsibilities would now fall to the Captain while we were advertising.” **Ms. Blair, Mr. Smith, Mr. Samples and Mr. Childs voted against the amendment. Ms. Dodge, Mr. Johnson and Mayor Deaton voted for. MOTION FAILED.** Mr. Samples stated that “the intent was for the duties to fall, in the interim because at some point we will be faced with a Chief decision, if you will, because our ordinance that is being proposed and as Mr. Smith has pointed out we do have a position, it would fall to the Captain, in the interim.” Mr. Samples added that the Captain

564 is "doing the job now." There was clarification that the Public Safety position
565 would be eliminated. Mr. Johnson asked when this would be effective. Mr.
566 Samples answered July 1st. Mr. Smith stated that he feels this is ill advised
567 before the subcommittee meets to review the responsibilities of the positions
568 involved in the split. Mr. Smith stated that this item should be deferred until
569 after an internal study by the council is performed. Mr. Childs stated that he
570 agrees with Mr. Smith. Ms. Blair stated that the decision to split has already
571 been made. It was confirmed there was a first reading. Ms. Blair asked for
572 confirmation that the purpose of the subcommittee is to look at how to do this
573 appropriately and adequately and legally. Mr. Samples stated that he believes
574 that the subcommittee will "look at a much greater range of issues than the
575 elimination of . . . duplication of a position." It was confirmed that the
576 subcommittee would not decide to separate but to look at how to do this. **Ms.
577 Blair, Mr. Johnson, Ms. Dodge, Mr. Samples and Mayor Deaton voted
578 for original motion. Mr. Smith and Mr. Childs voted against. MOTION
579 CARRIED.**
580

581 Mr. Samples made a motion to reassign the vehicle currently used by the
582 Public Safety Director and to eliminate from the budget the contemplated
583 purchase of the Impala. Ms. Dodge seconded the motion. Mr. Samples stated
584 that he believes the Impala was going to be for the detective and now the town
585 has an asset that can be reassigned. **Ms. Blair, Mr. Johnson, Ms. Dodge,
586 Mr. Samples and Mayor Deaton voted for original motion. Mr. Smith
587 and Mr. Childs voted against. MOTION CARRIED.**
588

589 Mr. Samples made a motion to eliminate and terminate the Victims Advocate
590 position and if necessary provide it through a contractual arrangement with
591 either the County or the City of Myrtle Beach. Attorney Smith confirmed that
592 the town would need to have a Victims Advocate and would research this for
593 the town. There is a Victims Advocate bill of rights which is statutory. Ms.
594 Dodge seconded the motion. Mr. Samples stated "the Victims Advocate as a
595 role is very, very important in places where you have violent crime. The fact
596 of the matter is the Victims Advocate works Monday through Friday, so we
597 don't cover the weekends now and as most people know Friday nights,
598 Saturday, that's the busy time for victims." Mr. Samples stated that
599 historically this was a part time position and it was attached to the court but at
600 some point council was informed that it needed to be a full time position and
601 he does not feel it is a full time position in the town of Surfside Beach. Ms.
602 Blair stated that she feels the town should find out what its option are before it
603 does away with the position since it is required; the town needs to look into
604 the cost of contracting etc. Mr. Samples withdrew his motion and Ms. Dodge
605 withdrew her second and suggested the town move quickly on this.
606

607 Mr. Samples made a motion to reduce the Christmas bonus from \$400 to
608 \$150. Mr. Johnson seconded the motion. Mr. Johnson stated that he had a
609 problem with the amount of bonus given and thought it to be excessive. Mr.
610 Johnson "when you look at the employees on the lower end of the pay scale I
611 do think they deserve a bonus, as do all the employees, but I don't want to
612 eliminate them all together."
613

614 Mr. Smith stated that he has a difficult time reducing the Christmas bonus
615 "but because our budget is out of balance I'm going to have to go along with
616 this one." Ms. Dodge agreed that council has to do something "I hate to do it
617 as well, but I agree." **All voted in favor. MOTION CARRIED.**
618

619 Mr. Samples made a motion to move contemplated staff personnel costs out of
620 the Capital Projects budget that was adopted and sold to the people as a
621 Capital Projects budget and not a personnel budget. Ms. Hursey stated that
622 the fund is called a Capital Projects fund and assumes that this was for the
623 intention of which it was established “but what it really is, is a special revenue
624 fund that can be used for any purposes, however council wishes. If you’re
625 going to have staff of the town providing a function for the fund I just don’t
626 see why you wouldn’t appropriate the salaries and other costs associated with
627 that personnel.” It was confirmed that Capital Projects funds includes the 5
628 mills of stormwater. It was confirmed that the town is coming towards the
629 completion of the first 5 year phase and another 5 mills was appropriated for
630 another 5 years. Ms. Hursey stated that this pertains to stormwater projects
631 and improvements. Ms. Hursey stated that there are no full time positions
632 being funded through this fund just 1 quarter of the supervisor and foreman’s
633 salaries from the Grounds Department to maintain the lakes. Mr. Samples
634 asked that the full salaries go back into Grounds adding that he feels it
635 maintains the integrity of the Capital Projects fund. Ms. Hursey asked if
636 council proposed moving the lake maintenance out of this fund along with in
637 house education. Mr. Samples state he would like to propose moving in house
638 personnel costs only. Mr. Smith asked if the town could identify in the
639 Capital Projects fund lake treatment of a certain cost and then hire internally
640 to do the work. Ms. Hursey stated that the town could treat it as a contractual
641 expenditure of the fund and leave the salaries in the General fund and relieve
642 the General fund of a certain amount of money and charge it to contractual
643 services. Mr. Smith asked if Mr. Samples’ objective was to not have salaries
644 in the fund but to leave the project in the fund. Mr. Samples stated that the
645 project will stay anyway and it was confirmed that this would be an ongoing
646 project. Mr. Samples “we did what she’s proposing to do, our capital projects
647 in our current year out of the General fund and all I’m suggesting is leave it in
648 the General fund.” It was confirmed that no dollars are being eliminated. Mr.
649 Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

650
651 Ms. Hursey asked for clarification on the first motion regarding the merit
652 increases and the individual raises. Ms. Hursey “are you going to require the
653 items that are already in this first reading of this budget to be presented as
654 individual items? As to raises and/or classifications; there are already raises
655 and classifications in this.” Mr. Samples asked if they could be outlined for
656 council. Ms. Hursey stated that a few are outlined in the Pay Plan being
657 presented adding there are nine positions that were not titled in the original
658 pay plan “there are not nine additional positions to our pay plan; there are
659 other positions that are open that were in the original pay plan.” Mr. Samples
660 asked if these were new. Ms. Hursey stated that there is one new position.
661 Mayor Deaton asked if this could be addressed during item ‘d’. Mr. Samples
662 asked if there are any other changes beyond those nine positions. Ms. Hursey
663 stated that there are changes that are already built into the budget for raises for
664 a few employees that are above the merit. Ms. Hursey stated that this
665 concerns the salaries that are in the budget. Mr. Samples stated that his intent
666 is for this council to be informed of raises on an individual level. Ms. Hursey
667 stated that there are no changes to the budget retreat. Mr. Samples stated that
668 two people were discussed at the budget retreat. Ms. Hursey “if you could
669 just clarify your intent regardless of whether it’s in first reading or not; you
670 want each and every proposed raise and or reclassification presented to
671 council, so then you propose then that we also change our employee manual?”
672 Mayor Deaton stated that we are getting into personnel issues and council
673 getting involved in day to day operations. Mr. Samples stated that he
674 disagreed and what he was suggesting was for “council to be informed about

675 merit raises and individual raises or reclassifications. We have a budget
676 deficit of almost a million dollars.”

677
678 Ms. Hursey: “Sir, those are not current operating revenue deficits; the current
679 operating revenue, the current operating expenditures are not in a deficit.”

680
681 Mr. Samples: “I understand what you are saying but this town does more than
682 pay staff, ok and to pay for operating costs.”

683
684 Mayor: “Sir.”

685
686 Mr. Samples: “Time out, Mr. Mayor, I want to answer that. We have an
687 obligation to pave streets, to maintain streets.”

688
689 Mayor Deaton: “We’re off of our agenda at this point in time. We’re off in a
690 new different world. We’re going to have to resume this either individually
691 among you two to clarify it. We need to move forward with our agenda.”

692
693 Mr. Samples: “Sounds like the federal government.”

694
695 Mr. Samples made a motion to adopt the budget as amended. Ms. Dodge
696 seconded the motion. Mr. Johnson clarified to the public that this is the first
697 reading and that it can be changed prior to the second reading. The second
698 reading will be held at the next council meeting. It was confirmed this would
699 include the six motions just approved. **Ms. Blair, Mr. Johnsons, Ms. Dodge,**
700 **Mayor Deaton, Mr. Samples and Mr. Childs voted for. Mr. Smith voted**
701 **against. MOTION CARRIED.**

702
703 *b. First Reading Ordinance #10-0685: Tax Millage*
704 Ms. Hursey reported this is for the 44 mills tax millage with no changes. Mr.
705 Johnson made a motion to adopt ordinance. Ms. Blair seconded the motion.
706 **All voted in favor. MOTION CARRIED.**

707
708 *c. First Reading Ordinance #10-0684: Health & Sanitation Insanitary*
709 *Pools/Bodies of Water*
710 Mr. Childs made a motion to adopt first reading of ordinance 10-0684 health
711 and sanitation insanitary pools/bodies of water. Mr. Smith seconded the
712 motion. Mr. Childs stated that this is an excellent ordinance which is overdue.
713 This ordinance allows staff the legal right to go onto properties after the
714 owner has been notified and take care of abandoned property pools which
715 contribute to mosquito growth. Ms. Blair stated that she is thankful for this
716 ordinance so that staff can address these health issues immediately. Mr. Smith
717 asked if this ordinance could be used to get rid of the pile of dirt on 10th
718 Avenue South. Ms. Donevant stated that she would follow up with the
719 attorney. **All voted in favor. MOTION CARRIED.**

720
721 *d. Decision paper: Pay Plan 2010/2011*
722 Ms. Hursey stated that the pay plan was adopted on July 24, 2007. At the
723 time the pay plan allowed for merit increases as well as cost of living increase
724 annually as approved by council. Each position at that time was established at
725 a ten point scale; the beginning point of that scale which would then move
726 with any cost of a living increase. Ms. Hursey stated that Mr. Samples
727 pointed out that there was an increase on April 1st 2008 of 2 percent and April
728 1st, 2009 of 3.5 percent. Ms. Hursey stated that these particular cost of living

729 adjustments were approved through the budget process and an individual
730 decision on the pay plan was not presented to council; those items were part of
731 the budget. Ms. Hursey stated that since there have been questions about this
732 recently staff has decided to put together the pay plan schedule as a decision
733 paper to council. There is no cost of living increase this year so this was not a
734 factor and now there will also be no merit increase. Ms. Hursey stated that
735 staff wanted to bring to councils' attention that there are several titles not
736 included in the original pay plan. In administration a new position is being
737 proposed, Director of IT and Communications, formerly this was an
738 administrative manager position; a part time intern was also included and this
739 was not identified in the original pay plan; the municipal court has a position
740 of ministerial recorder which requires additional training and responsibilities
741 and this was not in the original pay plan, the town only had deputy clerk of
742 court listed; under the police department there is now a community services
743 officer, an evidence coordinator/transport officer and part time beach safety
744 officers and none of these positions were specifically approved in the existing
745 pay plan. Ms. Hursey stated that they are all, with the exception of the intern,
746 currently staffed positions. Ms. Hursey stated that in the fire department there
747 is a new position proposed which is an EOC Manager; this is a new position
748 for the town. Under Planning, Building and Zoning there is a position of the
749 Construction Services Coordinator which was previously a Permit Clerk. In
750 the Sanitation Department there was no provision for a Supervisor and there is
751 currently a Supervisor in the Sanitation Department. Ms. Hursey reported that
752 these positions have been accounted for in the proposed budget. Mr. Smith
753 asked if any of these people currently in these positions need to get raises in
754 order to fit into the plan. Ms. Hursey answered no, with the exception of the
755 Director of IT and Communications, which is currently our interim
756 Administrator; in her prior position she was not making the salary of the
757 intended position and all of the other positions are currently making their
758 salaries and will not receive any increases. Ms. Hursey explained that steps
759 are not automatic; they are just established to assist in hiring personnel and
760 also for promoting personnel. Mr. Smith made a motion to accept the
761 decision paper on the pay plan. Mr. Childs seconded the motion. Mr.
762 Samples asked for clarification. Mr. Samples stated that he does know the
763 procedures for the cost of living allowance increases approved by council and
764 that the merit increases is also approved by council. Ms. Hursey stated the
765 merit increase is part of the employee manual and council has voted to
766 suspend those increases but that is not part of the pay plan. Mr. Samples
767 stated that the steps are used upon hiring. Ms. Hursey stated upon hiring or
768 promotion. Mr. Samples asked if a promotion would be through merit. Ms.
769 Hursey explained as an example in business licensing there is currently a
770 Business License Official and a Business License Inspector; the Business
771 License Official has gone through all of the training and currently has her
772 Masters in Business License if she were to leave and the current inspector
773 received her training she would then be promoted; she would not necessarily
774 start at level one but since she has experience she may start at level 2 or 3 or
775 4. **All voted in favor. MOTION CARRIED.**
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9. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker

Mr. Alan Beck, 626 10th Avenue North: “I’d like to commend all the councilmembers for their efforts in public service which is (***) to try to do your best; I was impressed in the invocation that said let’s pray to do the right thing and we need to do the right thing and I know that you all get up and try to do the right thing as do all the town employees that are also in public service. In the invocation that was even mentioned to do it right. A few minutes ago we had some discussion on the fire station that talked about why would the town want to pay the company if the company bid to have the sealant the certain way and the town then came and changed the spec and what the town changed the spec to it didn’t work but the original one might work and councilman Samples said ‘why would we want to do that’. He was assured we could get by with that. I had an instant flashback to, gosh, back in the early 80’s, when I was teaching a graduate course in contract administration down for the American University, it’s a business school and I had a bunch of young interns in those classes that were questioning this concept of the government and fairness and we had to explain that the government has to be fair to the contractor as well as fair to the government and you have to do what’s right by looking at things all together. Transition; a couple of months ago, someone asked me what this deal was on the pier that’s going on at Surfside Beach and I said well you have to trust the process. The town council’s got to do what’s right; the procurement people there have to do what’s in the procurement thing; the state code, I’m sure, requires the town to be fair and reasonable in its dealing with contractors and not have an arbitrary capricious kind of a contract. Then one morning I was going in for breakfast and I found out that the proposed lease had in it a requirement that said that they could no longer have a microphone out on the edge and I went home and I got on line and I read the lease and I was shocked and appalled at that lease . . . and the microphone. I got to the part in the lease that said that the town had the right to remove all the windows and board up the sides of the building on each side. I then got to the part in the lease that said the town could build over and around the restaurant. I got to the part in the lease that said the town may provide restrooms but the town administrator had the power, under the lease, to immediately remove the restrooms and say ‘no restrooms today’ which would put a contractor out of business. It says in the lease that they can deny access; they can change the ramps. It says in the lease that you can’t have any insects detected in the building; how closely that would be monitored by the town administrator, I don’t know, but it would have given the authority to the town administrator to go into the restaurant, every hour, perhaps with a white glove is how I used to do in the military when I was an inspector of trainees and find one smudge and say ‘you’re in default of your contract’. The lease provides that in a default the town administrator has the power to take away the security deposit or a portion of it as he decides. To me this was just a total amount of arbitrary one sided power to the town administrator and I said why would anybody want to bid on this kind of a lease so I sent an e-mail to all the members of the council and I got an acknowledgement of receipt from one and nothing from the rest. This was after it was already out for bid. I didn’t really worry because I knew that the fine print of the RFP said the town has the right to reject any or all proposals which you’ve done and took that right and rejected both of whatever came in. I also noted in there that it said the town had the right to waive any irregularities and the town within its rights elected not to waive

826 irregularities. What I would hope that you do now, you reconsider and I wasn't really
827 worried coming into that meeting because I read the reference that said it was a
828 mandatory pre meeting so I said 'well if it's mandatory then they're going to be
829 renegotiating all the lease terms anyway' although to sign a lease which some of you
830 thought said sample it had very clear language in there that said there would be no
831 changes made in that repugnant lease unless it was for the towns' benefit and I said
832 where's the fair part here of the town council having the ability to decide what's fair
833 both ways for the citizens of the town because the price that we would get on a lease
834 like that I can't imagine. Would somebody bid a dollar to have the right to be shut
835 down in two days or whatever happens down there; so I hope in going back to the
836 drawing boards or, whatever, that you're doing now that you'll all collectively
837 consider that carefully. I've provided some of my comments on that; it ought to be
838 simple to make a lease. There's some uncertain things in there; I don't understand all
839 the stuff in the lease about the new construction. The tenant, running the restaurant,
840 has to be out of the way of whatever construction the town's doing which presumes
841 they're going to knock some walls down and do something. I don't know what that
842 plan was. There's a place in the lease that says that they're supposed to propose
843 changes to the restaurant; this is a guessing game or it smells like somebody knew
844 what changes were needed but it wasn't really communicated. I don't know why we
845 need changes like that. It looked in the lease as though the restaurant was going to be
846 closed for a long period of time and we wouldn't be able to eat there next Spring
847 because there was going to be a big construction period going on. I don't know if
848 that's what the citizens of Surfside Beach expected. There was a requirement in there
849 that said the administrator could dictate to the restaurant tenant the hours of operation
850 with only 7 days notice so on the 15th of December they could come and tell the
851 contractor we want you to operate 23 hours a day or 1 hour a day. I think that you all
852 should read the lease very carefully and the request for proposal before you go out
853 and figure what would be fair if you were a contractor taking a contract. If you would
854 sign up for something like that. The lease could be simple; I looked on the internet
855 and seen a pier lease in California where it just says restaurant on pier for lease so
856 many bucks. It goes anyways up from that but now all this uncertainly about
857 construction and all; I don't understand that. I mentioned that to a couple of you and
858 I just wanted to make that statement publicly because I hope that you all will take the
859 opportunity to do it right."

860
861 **Tom Dodge, 15th Avenue N:** "Opinions expressed by me are by me and not by my
862 employer. I want to thank council for the actions they took tonight. It took a lot of
863 guts and I appreciate what you've done. This is going to save the town a lot of
864 money and going to the sign ordinance, the mayor got upset having some pine trees
865 down in a PDD. Cut the trees, make lumber and build a sign for down at the pier. We
866 own the businesses at the pier; our prior administrator did everything he could do to
867 curtail those businesses. Taking Nibil's sign down to me was thievery. The mayor
868 got upset and said let's really fast make a new tree ordinance, well, it's been 15
869 months, give or take that there's been no signs at the towns own businesses. We're
870 short on tax this year yet we choose not to advertise our own businesses to bring in
871 more tax. I'm not a rocket scientist; I didn't go to that class but a moron knows
872 advertise your businesses. Thank you council for doing what you did tonight."
873

874 **Kathy Goddard, 320 15th Avenue S:** “I’d just like to say after reading the paper this
875 week council that the past administrator is now on Cecil LLC with business partners.
876 It stinks, it reeks. Somebody knows a little more that’s going on in this town and I
877 think it’s the citizens and I think that this town council better straighten this up; quit
878 fooling around; quit postponing; quit coddling people that are doing and breaking the
879 laws that are in this town and the people that work for this town they ought to be kept
880 out of doing other business that is a conflict of interest when they represent this town
881 and that’s a prime example and it stinks. Thank you.”

882
883 **Carrie Johnson, 9th Avenue S:** “Mr. Mayor, you gave your word on something and
884 with all due respect; you didn’t do what you said so in the words of Joe Wilson
885 ‘you’re a liar’.”

886
887 **Harry Kohlmann, 1610 S Ocean Blvd.:** “I just want to talk about the lot by the
888 Sundowner. That’s supposed to be 51 percent park and 49 percent parking. Now the
889 way I understand it is that you bought the lot, you wanted to put parking in it
890 originally then you found out that you really couldn’t do that, so you have a lot, what
891 are you going to do with it? The library thing came up, you needed to take some park
892 land to make it into a parking lot so here we go we’ll switch the lot; the park lot put it
893 up half park; half parking lot up at Surfside Drive and I think the reason why you
894 wanted parking up there is because you have businesses up there and you need
895 parking, well, you don’t need parking anymore if you’re doing the Surfside Drive
896 project. There’s going to be plenty of parking, so, instead of spending \$100,000, into
897 a 51 percent park that no one’s going to use except maybe a couple of drunks from
898 the Sundown and a 40 percent parking lot get a couple bags of grass seed throw them
899 on that lot, maybe throw a bench or two. You don’t have to make a parking lot there
900 anymore. Your problem is solved. You’re going to have enough parking on Surfside
901 Drive.”

902
903 **Joyce O’Brien, 613 S. Myrtle Drive:** “I don’t usually voice my opinion about
904 anything but I’d like to say that people of Surfside in the past, and I think the new
905 election has proven, have not been fooled by the shenanigans that were going on in
906 the past and I hope that the new council will take that into consideration and do the
907 right thing in the future. Thank you.”

908
909 **Randle Stevens, 412 1st Avenue N.:** “I just wanted to say I agree with the man down
910 over here with the blue shirt about the lease. I agree with Mr. Dodge back here and I
911 agree with the other fellow but also want to do one thing I’ve never done before. I
912 want to commend members of council for being bold and cutting the cost; that’s a
913 real good thing and a first step for ‘we the people’. Thank you a lot.”

914
915 **Sue Clark, 616 Juniper Drive:** “I just have a couple things in looking and
916 considering the budget. Back in 2008 under the animal licensing for dogs I paid more
917 than 10 percent of that. I was glad to see the changes that came in 2009 so I look in
918 2010 projected and it’s an odd number so since licenses are ten dollars it can’t be an
919 odd number then also I looked, that was roughly 90 dogs in our two square mile town
920 and then I look in the 2011 projection and we’re going to get 90 more dogs but I’d
921 like to know doubling the amount of dogs how much have we collected in fines from
922 people not having licenses and I know that we had talked before about having a little

923 bit more teeth in the enforcement. Now we're going to have an animal park; would
924 that be a perfect opportunity to enforce that and then and I'll leave that all up to you
925 to think about but it's nice to know; I'm a dog lover, we're going to get 90 more dogs.
926 I just hope they all pick up after their pets still which they aren't doing and then as far
927 as the business licensing I looked at that is down 48 percent in the projected budget.
928 In 2007 I had a Surfside Beach business license and I found that the steps to get a
929 business license are very cumbersome and upsetting to find out the day before
930 opening, when I spent thousands of dollars in advertising and everything else to get
931 by business open, that the electrical inspector hadn't signed off on it that they thought
932 he had signed off on it, so I couldn't open my business, well ,that was kind of
933 frightening, left me in tears, I had a huge investment in my business so I didn't know
934 if there is anything we could do to simplify the licensing process, instead of, either
935 you go here, go there, go here, get this checklist and then maybe we can attract more
936 businesses and bring more revenue in because obviously just cutting expenses isn't
937 doing it. We have to bring more revenue in because obviously just cutting expenses
938 isn't doing it; we have to bring in more revenue and if we're kinder to businesses and
939 tourists then we can do that. As far as the COLA; according to the federal
940 government with the cost of living increases the people on social security aren't
941 getting any kind of COLA for 2 years because there is no inflation so I don't
942 understand how we, of course we all know there is, but I propose eliminating the
943 COLA all together and follow that. We all had to tighten our belts; it's not been a
944 good couple of years. Christmas bonuses, those apparently are just everybody
945 arbitrarily gets a check and that's great, I should apply for a job, but it's not merit
946 based and I understand that we have some lower paid workers and \$400, even \$150 is
947 important but still then in my quick math, didn't bring my calculator, that's roughly
948 \$15,000. Why couldn't you just have a really nice party at a locally owned business
949 instead and maybe we can even cut that number in half, take out alcohol you cut the
950 number way down and then last but not least, as far as the Victims Advocate we must
951 have one, I used to work in security and banking and we had people on call constantly
952 for robberies. When there was a robbery Victims Advocate was there within a half
953 hour because usually they were pretty hostile so I know there's companies that can be
954 subcontracted for that and thank you for everything and Mr. Samples, especially, for
955 cutting the budget."

956
957 **Jack Cahill, Nibils Restaurant:** "The ramp down at the pier you didn't use pressure
958 treated lumber and you've got about 8 boards that are all bubbled up. We had a lady
959 with a walker trip tonight so I think you ought to get down there and have someone
960 take a look at it. It's in tough shape and this is stuff that was just put back last year
961 and the same on the pier; you're not using pressure treated lumber and the same thing
962 is going to happen. You got to take a look at the ramp and just decide for yourself
963 that we got a problem and that's for the benefit of the town. You know a lawsuit is
964 going to come, I'm sure I'll be part of it in case they fall so if you could have
965 someone take a look at it I'd appreciate it."
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10. COUNCIL COMMENTS

Mr. Samples: “What I want to say is one of the things we need to move on, I think, council took some major steps tonight but I must say I was certainly concerned about the appearance, that’s what I want to say, the appearance of conflicts that may or may not have existed and you can’t blame people, we’re a small town, most people know one another, I mean we see each other and it disturbs me, that’s what I want to say, it disturbs me when someone that we put our trust in to was reported to have said some things and that’s all I want to say. I think from a policy standpoint clearly we need better language as it relates to conflicts of interest or the appearance of conflicts of interest.”

Ms. Dodge: “Mr. Samples used part of what I wanted to say but I’m going to say it also. I think we need to have a policy; a strict policy on conflict of interest. Having worked for the commonwealth of Pennsylvania, they were really tough and it gives a bad taste in citizen’s mouth when they see this going on and nothing is being done about it so we have to take a stand on it. Mr. Mayor, could we put conflict of interest on our next agenda to be discussed?”

Mayor: “Well I guess if the council wants that to be on the agenda. Is this the consensus of council? Is that all right? It’s a personnel issue, just that single item; we could address a lot of personnel items at one time.”

Ms. Dodge: “Well there will be more on it probably but I particularly think we need to discuss that.”

Ms. Blair: “This has been a very painful night and with a lot of tough decisions made. Thank you all for coming and to try to end on a positive note thanks to the staff for the celebration we had last Monday for Memorial Day with all of you that took part in the golf cart parade and came out for the service at Veterans Park. It was a beautiful day and a great ceremony and thanks to staff for all that they did and for the weather that allowed us to have it without interruption this time too, so, again thank you all for coming and drive safely on your way home.”

Mr. Johnson made a motion to go into executive session. Ms. Dodge seconded the motion. **All voted in favor. MOTION CARRIED.**

11. EXECUTIVES SESSION

FOIA 30-4-70 (2) Discuss contractual matter – Pier Restaurant

12. REGULAR SESSION

Mr. Smith made a motion to reconvene in regular session. Mr. Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

Mr. Smith made a motion to accept the revised Request for Proposal for the pier restaurant. Mr. Childs seconded the motion.

1014 Mr. Samples: "I really believe that the best interest of the Town of Surfside Beach
1015 would be served by negotiating with the current operator rather than reissuing this
1016 document."

1017
1018 **Ms. Blair, Mr. Johnson, Ms. Dodge, Mr. Smith, Mayor Deaton and Mr. Childs**
1019 **voted for. Mr. Samples voted against. MOTION CARRIED.**
1020

1021 **13. ADJOURNMENT**

1022 Mr. Smith made a motion to adjourn. Ms. Dodge seconded the motion. **All present**
1023 **voted in favor. MOTION CARRIED.** The meeting was adjourned at 9:32 PM.
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1025 Approved: June 22, 2010

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1027 _____
1028 Sharon Pinnell, Town Clerk
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1034 K. Allen Deaton, Mayor Roderick Smith, Town Council

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1040 Vicki W. Blair, Town Council Ann Dodge, Town Council

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1046 Douglas F. Samples, Town Council Mark L Johnson, Town Council

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1052 Robert F. Childs, III, Mayor Pro Tempore

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1056 **Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell.**
1057 **In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete**
1058 **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**
1059 **area. Meeting notice was also posted on the town marquee. When *** is used a section of the transcription is inaudible.**