



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS

January 11, 2011 ♦ 6:30 P.M.

TOWN COUNCIL
REGULAR COUNCIL MEETING

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8 **1. CALL TO ORDER**

9 Mayor Deaton called the meeting to order at 6:30 PM. Mayor Deaton, Mayor Pro
10 Tem Childs and councilmembers Blair, Smith, Dodge, Samples and Johnson were
11 present. Staff present: Administrator Duckett; Deputy Administrator, Fellner; Clerk,
12 Pinnell; Police Chief, Frederick and Building Director, Donevant. Attorney Mr.
13 Moss was also present.

14
15 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

16 Police Chaplain Carmen Carella gave the invocation and Mayor Deaton led the
17 pledge of allegiance.

18
19 **3. AGENDA APPROVAL**

20 Mr. Smith made a motion to amend the agenda to delete item 7 f Resolution
21 supporting Municipal Associations Legislative Agenda. Mr. Samples seconded the
22 motion. Mr. Johnson questioned why the item was deleted. Mr. Smith stated that he
23 is not prepared to vote on it; there are some items he needs further clarification on;
24 one of the items is the penny sales tax. **All voted in favor. MOTION CARRIED.**
25 Mr. Smith made a motion to approve the amended agenda. Mr. Childs seconded the
26 motion. **All voted in favor. MOTION CARRIED.**

27
28 **4. MINUTES APPROVAL**

29 Mr. Smith made a motion to approve the workshop meeting minutes from November
30 29, 2010 meeting and the regular meeting minutes from December 14, 2010. Mr.
31 Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

32
33 **5. PUBLIC COMMENTS- Agenda Items only 3 minutes per speaker**

34 **a. Comments on Recommendations from SCDOT Pertaining to Proposed**
35 **Intersection Change at 5th Avenue North Frontage Road**

36 Mr. Childs explained the proposal which was to detour the northbound traffic
37 on the frontage road at 5th Avenue North adding that it would not be blocked
38 off; it would be rerouted. A right turn would be made at 6th Avenue North
39 extended, then it would go a half of a block and a left would be made onto
40 Azalea and then it would be taken back on 5th. It would make the motorist
41 take a u-turn; currently it is a four way intersection. It would redirect all of
42 the traffic coming both ways; there would be a barricade on the north side
43 only which would reroute the traffic to come back onto 5th to head east.

44
45 Ms. Dodge stated that she thought that it would create more of a problem than
46 help. Mr. Childs stated that he disagreed adding that this would be temporary
47 and if it did not work the barricades could be removed.

48
49 **Mr. Kohlmann, 1610 S. Ocean Blvd.:** "I understand what you're trying to do.
50 I think you got it half right. The problem I see is when you put the barrier on
51 frontage road people are going to get confused. The problem . . . you're also
52 still going to have the problem if you're going northbound on frontage road

53 into that intersection; that's where it clogs up also. People want to make that
54 right turn to go across; sometimes they want to make the right turn and get to
55 the left. So my suggestion would be . . . don't put barrier . . . the barrier there;
56 have the northbound frontage, you have to go north, you cannot make any turn
57 at all but you go up to 6th Avenue, like you were saying, and this is what you
58 do, you go around and you come down; they do it in . . . you're going to use
59 Jersey barriers, well, this is what they do in Jersey; it's called a jug handle.
60 They would go down to 6th, they would come around and then they would
61 come down off Azalea and then go across in any direction they wanted to go.
62 You're talking about southbound; I'm talking about northbound, how the
63 people go through the intersection of 5th Avenue, go to 6th Avenue the same
64 way you're talking about, people coming south and making a right on 6th
65 Avenue. Everybody takes 6th Avenue. They come around and you now have
66 a long block where people can jockey where they want to go. I had a little
67 map I did up for you; if you want to look at it."

68
69 Mayor Deaton asked Mr. Kohlmann to give a copy of his map to the clerk.
70

71 **Mr. Kohlmann:** "The idea is to keep the traffic flowing at that intersection
72 because you have that median in the middle and there's really no place for
73 people to go. If you're going a right turn on north. Do you understand what
74 I'm saying? Going north you make a right turn, it clogs up, have them go past
75 6th, just like you're saying, north, come down frontage road and make the
76 right on 6th, have vehicles pass 5th, make the right on 6th then come around.
77 That's just my idea. That's what they do up in New Jersey; jug handles."
78

79 **Carol Lanzarone, 613 7th Avenue North:** "I agree that the intersection is
80 horrible; that's the way we come in and out all the time. I like what this
81 gentleman just said because I agree with him. I didn't understand, Mr. Childs,
82 when you were talking, you were only talking about southbound but if you are
83 coming say from the Piggly Wiggly up towards 5th Avenue and you're trying
84 to make a right and there's two cars who are also trying to make a right, forget
85 it. You're back there several lights for that intersection to happen and now if
86 you're going to have people coming out of the other side of 5th Avenue so
87 they can go straight, now, you're really going to have a problem because
88 you're going to have all these people going straight and then you're still going
89 to have these right hand people turning, so, I agree with the gentleman; I'm
90 not sure that that's the only answer but I think there has to be more of an
91 answer than just blocking off the southbound and sending them around.
92 Thank you."
93

94 **Betty Lowery, 619 4th Avenue North:** "I use 5th Avenue all the time and I'm
95 always going through that intersection and the only time I've had a wreck
96 there was like 30 years ago, before we had a stoplight. My concern is I hear
97 constantly about traffic being routed to 6th Avenue; that's a very, very narrow
98 road and I'm assuming that you're talking about 6th Avenue that goes by
99 Hardees and Kentucky Fried Chicken and back in by the vet? That's a very
100 narrow road. Do you have any plans for improvements to that road if you're
101 going to be shuttling all that traffic through there? I mean, it's barely two

lanes. So that's something that needs to be considered and I think that barriers going to be very confusing. I'm old and it confuses me."

b. Comments on Agenda Items Only

There were no public comments on agenda items.

6. COMMUNICATIONS: Presented by Administrator Jim Duckett

a. Request for Beach Triathlon: Andy Tyndall/Andy's Sports Training

Andy Tyndall did not show for the meeting.

b. Festival Promotions Report on Turkey Trot: Mike Shank

Mr. Mike Shank from Festival Promotions gave his update report on the Turkey Trot which was held in Surfside Beach on Thanksgiving Day. He reported that there were 700 runners from 25 states including a family from Germany. They worked along with the Surfside Rotary Club; they supplied the volunteers and were a big help. Mr. Shank stated that he appreciated the opportunity to work with the Town and the staff; everyone did a great job. This ended up being the third largest race in the area behind the marathon and the new half marathon in Myrtle Beach. He stated that he is hoping to look forward to a long relationship with the Town on doing this on Thanksgiving Day.

Mr. Childs stated that he was concerned about the lines painted on the street for the race and that he would hope that in the future no lines would be drawn with chalk. Mr. Shank stated that they used the same lines that were already there and he is unaware of anyone drawing new lines. Mr. Johnson stated that he originally thought it was crazy to hold a race on Thanksgiving Day, he did not think anyone would run on that day; he was pleasantly surprised and added that he also helped volunteer and noted that there was a lot of camaraderie and it was a well run event. Mr. Shank stated that a lot of work went into it; they spent a lot of money advertising the event and hopefully this event will bring more people to Surfside. They set up the pack and pick up at Neal and Pam's and he hoped they received some business as well from the event. He hoped this was something they could build on in the future. The Mayor stated that he feels that sports tourism is the future and that it is a marketing tool the Town will depend upon in the near future adding that it is a good way to showcase this community. Mr. Shank stated that they received a lot of good comments about the course and the community. Mr. Samples asked of the Town had been reimbursed for expenses. Mr. Shank stated that the Town was reimbursed. Mr. Shank added that originally he approached Red Cross; they were unable to fully commit to the volunteers that were needed for the event; he used the Red Cross for a race held previously but he chose the Surfside Rotary Club for the Surfside race since they are a Surfside group and they also had done races in Surfside before.

c. Building Report

Mr. Duckett presented the building report for December. There were 67 permits issued for a total of \$4,512.25. Last year in the same period 46 were issued for a total of \$4,575.08. Year to date, using the calendar year, the Town is up 98 permits but down in total permit revenue by \$20,849.55. The reason is that previously the Town had construction of the firehouse and a new commercial

151 business (e.g., Home Accents) which accounts for the difference. For the year the
152 contractor licenses, which include new issues and renewals, the Town had a
153 \$6,000 increase; there is a decrease in revenue over the calendar year of about
154 \$14,000; total revenue for both items comes to an approximate 7% decrease.
155

156 **d. Police Report**

157 The general case load and calls for service decreased during December. The
158 minimum staffing has been cut to facilitate training and allow officers to use their
159 PTO during our low-volume period. More than 160 applications were received
160 for the open officer positions; there are currently four openings with the recent
161 resignations of Sean Daly and James Bender. There is a goal for completion of
162 hiring process for these slots which is mid-February. The Leadership Team, led
163 by the Police Chief, is currently working on ten major initiatives, including a
164 procedural plan to reduce departmental expenses by utilizing seized drug funds,
165 second is revising the organization and methodology of the beach patrol to
166 maximize coverage and minimize cost and the third is creating a part time victim's
167 advocacy program utilizing trained volunteers. All of the other police statistics
168 are available online at surfsidebeach.org. Ms. Blair commented on Chief
169 Fredericks' manifesto and asked that it be placed on-line; there were 24 points.
170 There was consensus of Council to place it on-line.
171

172 **e. Fire Report**

173 The Fire Department handled 38 total incidents in December; there were 48
174 incidents last year during the same period. All shifts received training on the
175 recently purchased Engine 2 and the Platform Truck. The department has also
176 launched a mandatory physical fitness program for all fulltime personnel. 13
177 inspections were completed last month; 3 pre-plans and 2 plan reviews were
178 conducted including the sprinkler plan for the library expansion; 2 public
179 education opportunities were pursued. Word was received that the Days Inn
180 remodel may take until the first week in May to complete.
181

182 **f. Administrator's Report**

183 Mr. Duckett gave his report.

184 *i. Floral Lake Project Update*

185 In response to last months' questions regarding the raising and lowering of
186 the weir when this project is completed, a small, removable metal or
187 plastic disk will be strategically located over the weir and when the disk is
188 removed a hook can then be inserted to raise or lower the weir. This
189 should be an easy procedure causing no disruption. Mr. Samples asked
190 when this could be demonstrated. Mr. Adair stated that the intention of
191 the architectural design on the outfall design was to have removable deck
192 sections. The size of the deck sections make this impracticable so an easy
193 alternative to correct this would be to create a hatch or hole that could be
194 covered and it could be demonstrated within a month. Mr. Samples asked
195 if the Town made a selection for Dogwood Lake. Mr. Duckett stated that
196 the Town received one bid that was significantly lower than they expected.
197 It was confirmed it would be brought to Council at the next meeting.
198
199

200 ii. *Streetscape Change Order Request (COR)*
201 Mr. Duckett stated that it is never his pleasure to inform Council about a
202 change order request. The Town received its first Change Order for the
203 expansion of the concrete apron in front of the firehouse. This was
204 initially recommended by DP3 to prevent the buckling of the asphalt
205 where it meets the concrete. The option selected is to extend the apron an
206 additional 20 feet on both sides and the cost for this change is \$9,424 and
207 it will not put the project over budget.

208 iii. *Deputy Administrator Duties Clarified*
209 Mr. Duckett stated that the duties of Deputy Administrator will continue to
210 be refined. The duties currently include performing the duties of the
211 Administrator when so directed by the Administrator or in the
212 Administrators absence. This would include signing privileges for both
213 financial and other official business transactions of the Town. Another
214 duty is to perform all other duties as may be assigned. This is being
215 clarified for the purpose of recognizing that the Town ordinances require
216 the Administrators' signature and this clarifies that the Deputy
217 Administrator has that authority as well.

218 iv. *Concession Stand Renovation*
219 This was an added item to the Administrators report. Mr. Duckett stated
220 that since the Town will be taking over the concession stand operations the
221 Town will be moving approximately \$3,078 from the athletics line item to
222 cover the cost of the needed renovations. The work will be done in-house
223 and this money will come from the \$3,500 which was budgeted for the
224 basketball program this year.

225 v. *Wampee Conference*
226 Mr. Duckett stated that there are two dates in March for the Wampee
227 Conference Center availability. One is March 24th and 25th and the other
228 is March 29th and March 30th. Mr. Duckett asked for Councils'
229 consideration of these dates; if there is agreement from Council on a date
230 then staff will proceed if not then staff will look for some dates in April.
231 Mayor Deaton asked Council to get in touch with the clerk.

232
233 Mr. Samples asked if there was a bidder's conference on the streetscape.
234 It was confirmed there was. It was confirmed that the change order is to
235 widen the apron area by the fire station. Ms. Fellner stated that it would
236 include an additional 20 feet on either side. The reason the change was
237 made was to accommodate the longer fire trucks.

238
239 **7. BUSINESS**

240 a. *First Reading Ordinance #11-0693: Transportation Element of Comprehensive*
241 *Plan*

242 Mr. Childs made a motion to adopt first reading. Ms. Blair seconded the motion.
243 Mr. Smith made a motion to amend Page 13, table 4 which currently states U.S.
244 Highway intersection improvement between 13th North and 16th North to change
245 it to read between 15th Avenue North and 16th Avenue North and would like to
246 add a note at the bottom of the table explaining and the note would be 'that US
247 Highway 17 Business intersection improvement project between 15th Avenue
248 North and 16th Avenue North listed above was previously designated by GSATS

249 as an intersection improvement between 13th North and 16th North; upon
250 reviewing the needs for roadway improvements along Highway 17 Business
251 corridor Town Council, by adoption of this element, has amended the details in
252 the project description to express opposition to the proposed improvement at 13th
253 Avenue North and to prioritize our needs between 15th North and 16th North
254 intersection. Mr. Childs seconded the motion. Mr. Samples stated this may be a
255 wonderful amendment but he feels that some of Council may be at a disadvantage
256 in that they do not have the document which is being referred to; if Council did
257 have it they were unable to locate it due to the voluminous amount of documents
258 they have received adding that it has been a couple months since they received it.
259 The amendment sounded very detailed and he would like to see it in writing to
260 consider and added that he knows that everyone else would like to see it as well.
261 Mr. Smith stated that the amendment is that it changes the intersection
262 improvement from 13th Avenue to 16th Avenue North and it is to explain to the
263 public that the position of Council disagrees with that of GSATS. Mayor Deaton
264 further explained that this is an opposition to the 13th Avenue
265 stoplight/intersection and the motion includes a recommendation for an
266 alternative. Mr. Johnson stated that he would feel more comfortable seeing
267 something in writing at the next meeting; he does not want to vote on something
268 he cannot see. Mr. Samples stated that this is only first reading; Council can
269 accept it and in the next package the complete plan along with the proposed
270 change could be provided adding that there also may be additional changes.
271 **Mayor Deaton, Mr. Smith, Mr. Childs and Mr. Samples voted in favor of the**
272 **amendment. Ms. Blair, Mr. Johnson and Ms. Dodge voted against.**
273 **MOTION CARRIED. Mayor Deaton, Mr. Smith, Mr. Childs and Mr.**
274 **Samples voted in favor of the original amended motion. Ms. Blair, Mr.**
275 **Johnson and Ms. Dodge voted against. MOTION CARRIED.** Mr. Samples
276 stated that if Council receives the package there could be a second reading two
277 meetings from this date. Ms. Donevant stated that she would get this out as soon
278 as possible to Council. Council was in agreement to have the second reading two
279 meetings from tonight (February 8th, 2011).

280
281 *b. First Reading Ordinance #11-0694: Conveyance of Scipio Lane Property to*
282 *Horry County*
283 Mr. Childs made a motion to adopt first reading of ordinance #11-0694
284 conveyance of Scipio Lane Property to Horry County. Ms. Blair seconded the
285 motion. Mr. Smith stated that he would like to include a letter to the County
286 specifying the Towns desire to have the road paved up to the gate that enters the
287 Surfside Beach property. This was verbally discussed he would like to make sure
288 explicit instructions are submitted along with the conveyance of the property. Mr.
289 Samples stated that he agreed with Mr. Smith. Mr. Duckett stated that staff has
290 had a subsequent meeting with the County; it is the County's intent to do this if
291 the funding for the project allows this. They have agreed with Mr. Adair that if
292 the money does not cover paving of the entire road then they will do an alternate
293 gravel solution so that the trucks do not bring mud to the roads. Mr. Duckett
294 asked Council to consider allowing staff to work with each other. Mr. Smith
295 stated that he just wanted to make sure the County did not deny the agreement in
296 the future. Council instructed staff to somehow document this verbal agreement.
297 Ms. Dodge also suggested getting an agreement from the County that they will

298 not approach the Town in the future asking for more property from the Town that
299 would possibly go through the property the Town currently owns. Mr. Duckett
300 stated that this assurance has been give to the Town; if they did have to come
301 back to the Town it may consist of possibly two feet of right-of-way on either side
302 of the road they are putting in which would not be a substantial change. Ms.
303 Dodge stated that her concern was that it looked as if the road would go through
304 further in on that property. Mr. Duckett stated that the latest drawings received
305 had shown it would not do this. Mr. Samples asked if Council could be provided
306 a copy of the revised plat once it is done. **All voted in favor. MOTION**
307 **CARRIED.**

- 308
309 c. *Second Reading Ordinance #10-0692: Amend Administration Section 2-114*
310 Mr. Childs made a motion to adopt second reading of #10-0692. Mr. Samples
311 seconded the motion. **All voted in favor. MOTION CARRIED.**

- 312
313 d. *Decision Paper: Hiring of Public Works Laborer*

314 Mr. Duckett stated that he has spoken to each councilmember and added that he
315 hopes that this will be the last decision paper needed to fill an approved and
316 budgeted position. Mr. Duckett stated that he understands the reasons but would
317 hope it would be unnecessary in the future adding that this is, however, a Council
318 decision. Mayor Deaton stated that he believes in delegation; Council sets
319 policy and procedure and does get into the day to day operations. Council does
320 give input on directors but that is the extent of authority. Mr. Samples stated that
321 he supports Mr. Ducketts' request but wanted to be clear that the Town just
322 finished a budget year and when the budget was introduced Council was told
323 there would be four of five fewer staff members than the Town ended up with;
324 this precipitated this Council unanimously approving a freeze. Mr. Samples
325 stated that the Town continues to spend much more money than the Town brings
326 in adding that he understands the Town needs to fill an existing position which
327 management had to take steps to create. Mayor Deaton stated that the Town
328 ended up with close to \$100,000 in savings of what was budgeted for positions
329 allocated by Council in the budget adding that there are a lot of logistics involved.
330 Mr. Childs agreed with Mr. Ducketts' request. Ms. Blair stated that this is a
331 budgeted position and it has remained unfilled for the last three and a half months
332 and with a lot of the spring work and various projects that will need to be done to
333 get ready for visitors and residents and she agrees with the need to hire someone
334 adding that the Town also has an employee out with a broken hip. Mayor Deaton
335 stated that Council needs to resolve the issue; does the administration need to
336 come to Council to fill already budgeted positions. Mayor Deaton asked for
337 consensus of Council. Currently there are also four police officer positions that
338 need to be filled as well. Mr. Childs stated that the Town has a new
339 Administrator and he feels that Council has learned from the past and would like
340 to give Mr. Duckett the opportunity to prove himself without Councils' approval.
341 Mr. Smith stated that he supports Mr. Ducketts' request as well and suggested
342 Council be provided a report of filled positions at each Council meeting. Mr.
343 Samples stated that he agrees with Mr. Smiths' request and also suggested a
344 report separating seasonal employees from permanent. Mr. Duckett stated that
345 the police department is not rushing to fill positions during the off season when
346 they can get by with fewer officers. Staffing will increase around the end of

347 February. There was some discussion regarding seasonal employees. Mayor
348 Deaton stated that the Town policy does not require administration to come to
349 Council for permission to fill positions. The hiring freeze was a monetary issue
350 and he does not feel it is as dire as it was when the motion was previously made.
351 Mayor Deaton stated that he feels that Council has put themselves in a position of
352 micromanaging. Mr. Johnson stated that he agrees with what Mr. Childs stated
353 earlier; there were problems in the past and he would like to see Council allow
354 Mr. Duckett to do his job. Ms. Blair agreed with Mr. Smith's idea; the fears
355 Council battled were due to lack of communication in the past. Ms. Blair stated
356 that as long as Council is informed there should be no issues. Mayor Deaton
357 stated that Council has now put together the best team for Surfside Beach and he
358 feels that Surfside is going to go in a good direction.
359

360 Mr. Smith made a motion to allow the Town Administrator to fill budgeted
361 positions. Childs seconded. **All voted in favor. MOTION CARRIED.** Mr.
362 Smith clarified that this includes filling the currently proposed position for the
363 Public Works.
364

365 *e. Decision Paper: Business 17 and 5th Avenue North SCDOT Improvements*

366 Mr. Childs made a motion to adopt the SCDOT proposed improvements. Mr.
367 Smith seconded the motion. Mr. Samples stated that Council should consider the
368 suggestions presented by the public. Ms. Dodge stated that she agrees adding
369 that she thought the suggestions to be valid. Mr. Johnson commented that the
370 plan includes a ground mounted sign to be placed at or near the intersection but
371 previously SCDOT denied this request due to a visibility issue adding that he has
372 a concern that it may impact the approximate 16 businesses either one way or
373 another; there are also 2 churches in that area; they are not all located in Surfside
374 Beach but they are in that area. Azalea Drive will be impacted; there are also
375 townhouses that will be impacted and this does not include the complex by the
376 bowling center. Mr. Johnson stated that he has a real concern about blocking off
377 the frontage road adding that he feels that it needs more discussion and insight.
378 Mr. Smith stated that he feels that it is a fairly good plan to block off the north
379 and south bound traffic on the north side of the frontage road; instead of having
380 four directions of traffic coming in at that intersection it would be reduced down
381 to three and with the appropriate signage directing people to Azalea Drive and
382 back to the frontage road he believes it would minimize confusion even for
383 tourists. Mr. Smith stated that if this is approved and a letter is sent to DOT it
384 should state that the Town needs all of the appropriate signage directing people to
385 Azalea Drive and back to the frontage road in both directions. Mr. Childs stated
386 that this is just a temporary setup and would suggest trying the recommendation
387 from the South Carolina Department of Transportation and then work on an
388 alternative solution. Mr. Childs added that this has been going back and forth for
389 two years; barriers can be removed and he feels that the Town should at least try
390 it. Ms. Blair stated that she feels that this would add to the confusion; one day
391 there would be barricades and the next day there would be none. Ms. Blair stated
392 that the Town is in its slower down time and asked what the rush to start
393 something now was; she added that she would like to see the motion taken off the
394 floor and allow more time to look at other ideas and to do it right the first time.
395 Mr. Smith stated that he does not see that there is more than one option available;

396 if the Town decides not to do the barrier at all then that is one thing but to reduce
397 the amount of traffic when coming across 17; there are people coming from three
398 different directions. If the Town places the barrier there then there would be only
399 two directions to look for. Mr. Smith stated that he feels this would minimize the
400 traffic people would have to interface with when crossing the intersection at 5th
401 Avenue. Mr. Smith stated that he realizes that there are many people that may not
402 understand the plan but DOT had explained it to the subcommittee and Mr. Smith
403 added that this is the best time to do it since it is the slow season; it would get the
404 locals used to the alternate route and once the tourists come and with the proper
405 signage they should be able to follow it. Mayor Deaton stated that is an extremely
406 important issue and added that he would be more comfortable with a workshop
407 explaining in detail and graphics what is being proposed. Mr. Childs withdrew his
408 motion. Mr. Smith withdrew his second. Council agreed to set up a workshop on
409 the issue at the next meeting at 6:30 PM. It was agreed that graphics would be
410 included in the packets to Council.

411
412 *f. Resolution #11-103: Support of Municipal Association Legislative Agenda*
413 *This item was deferred.*
414

415 **8. DISCUSSION ITEM** – *Establishing a Pier Oversight Committee: Councilman*
416 *Samples*

417 Mr. Samples stated that this was discussed briefly at the last meeting and he believes
418 that it was agreeable of Council to form a pier committee. The Council would be able
419 to provide more focus on pier matters by establishing a Pier Committee as the Whole;
420 this committee would consist of the existing body, Town Council, and would work as
421 a committee. The committee could receive public input and other specialized advice;
422 the committee could consider alternative actions dealing with associated strengths,
423 weaknesses, costs and potential benefit. Mr. Samples stated that he believes the
424 committee would give the Council a chance to be proactive rather than reactive.
425

426 Mr. Childs stated that he agrees with Mr. Samples on the need for committees but at
427 this time the Town has a new Administrator and he feels he should be given the time
428 to prove himself. Mr. Childs suggested having workshops on a day other than a
429 scheduled Council meeting to discuss the pier. Mr. Childs stated that he believes that
430 the Council currently acts as an oversight committee; it approves what the
431 Administrator presents adding that he feels that Mr. Duckett will be forward and
432 honest with Council and will ask for Council approval in the future. Mr. Childs stated
433 that he feels that workshops are very beneficial and suggested having some on the
434 pier. Ms. Dodge stated that she agrees with Mr. Samples that the entire Council
435 should be involved with the pier adding that it is the Towns' most important asset and
436 Council needs to guard this asset and that Council, up to this point, has not been
437 doing a real good job. Ms. Dodge agreed with forming a Committee of the Whole of
438 Council and if anyone wanted to opt out, they could. Mr. Johnson concurred with
439 forming a Committee of the Whole. Ms. Blair stated that she agreed as well. Ms.
440 Blair commended Mr. Samples for refocusing since it was more than likely going to
441 be difficult to choose several councilmembers to be on the committee. The question is
442 should Council place something as important as the pier on the shoulders of just a few
443 councilmembers. All of Council is in charge of carrying the load and making the
444 decisions for the pier. Ms. Blair stated that by establishing the Committee as a Whole

445 it would place specific emphasis on the pier. This has been such a focal point not only
446 with decisions that were made and changes that have occurred but it is a focal point of
447 the Town and it is the Towns' biggest asset and Mr. Samples is trying to show
448 specific intent on this one element and by establishing this committee of all of
449 Council, Council could sit together in workshops and talk about all of the new
450 opportunities that the Town may have to develop the pier and bring it back as a main
451 focal point. Ms. Blair supported establishing a Committee as a Whole. Mr. Samples
452 stated that he appreciates the support. The idea is to give emphasis to the pier and it
453 has no reflection upon the new Administrator adding the Mr. Duckett is certainly
454 capable but added that the pier is different it is not a normal government operation; it
455 has elements of business and there are risks associated with it and it is the focal point
456 of the Town. Mr. Samples made a motion to establish a Committee of the Whole of
457 Town Council for consideration and deliberation of matters associated with the Town
458 pier. The scope of the committee shall include but not be limited to efforts to plan,
459 design, engineer, construct, repair, restore, replace, maintain, operate, manage and
460 administer the Town pier and its associated enterprise fund. The committee shall
461 provide for appropriate planning and oversight necessary for Town Council to be
462 accountable for the pier and related activities to the citizens of the Town. Mr.
463 Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

464
465 **9. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**

466 *Harry Kohlmann, 1610 S. Ocean Blvd.:* “Like Mr. Samples said, Mr. Duckett, I’m
467 sure you’re going to do great but the problem was the guy before you, he conned this
468 Town into believing everything was great and some of you was conned so much you
469 thought he was the next best thing to sliced bread, well, he wasn’t. We learned over a
470 year and a half ago, nine of our pilings were worm infested. He swore last year and I
471 don’t want to beat a dead horse but I just want to let you know, it was a year ago he
472 told us that the job was half way done on fixing the pilings; a month later he says ‘oh,
473 there’s only one piling was fixed’ and that company was kicked off the pier and
474 nothings been done since, oh no, we did something, we put a deck, we put new
475 decking on a pier, a pier that might be falling down. We have bolts in the pier we
476 found out they’re rusting. It’s like have a house and your foundation’s falling down,
477 the bolts that support the house are rusting and can break any minute now and you
478 have a roof that looks a little shabby but it’s not leaking; would any of you put a new
479 roof on? Or would you fix the foundation? We’re in over a year and a half now, we
480 had money to fix this, is it here anymore? I don’t even know. We just had something
481 placed, I don’t even know what it is, 3rd Avenue and Dogwood, it’s a deck; I don’t
482 know what it’s for. Who authorized it? How much did it cost and what is it for and if
483 it’s for fishing, people have been fishing off the side of a lake since the beginning of
484 time so that’s why we need all of the Council because their responsible for what
485 happens. I’m sure you’re going to do a great job but you really haven’t gotten your
486 feet wet here; this is a Town unlike any other Town in the world; it’s only two square
487 miles yet it has more drama than New York City and I’m sure you’re going to do a
488 good job. Thank you very much.”

489
490 *John Wright, 1710 S. Hollywood Dr.:* “It is a new year, praise the Lord. It’s a new
491 year for new opportunities; it’s also a new year to take a close and a long look at
492 Surfside Beach. Surfside Beach was founded on sound principals of family. We
493 have heard earlier tonight of, even on Thanksgiving Day of, a very large number of

494 people visiting our Town; that is just wonderful. There was no alcoholic beverages
495 involved in that 'till afterwards, probably, but I want to encourage our Council to take
496 a close look at the plans for this new year, to do what we can to make Surfside Beach
497 the strong Town that its reputation in the past has upheld to be a family beach; a
498 family vacation; a place to come, to enjoy, to take fond memories back home; for the
499 residents of this Town, who has worked so hard to be members of it, to enjoy day in
500 and day out without some of the publicity that we have enjoyed over the past. Let me
501 encourage you to work together to make it a better town and a better year than 2010.
502 Thank you.”

503
504 **Betty Lowery, 619 4th Avenue N.:** “I just have to thank you so much for the dog park.
505 We are so excited; I have a 75 pound boxer who is there every day when weather
506 permits, sometimes twice a day and it is wonderful. It’s not a real big one but even
507 that’s great because all of the people who go there can keep an eye on their animals
508 while we’re visiting with each other. We have not had any aggressive animals. They
509 squabble sometimes over the tennis ball when they all want the tennis ball at the same
510 time but it’s just been wonderful. I’ve met people I didn’t even know lived in
511 Surfside and everyone who has been there; we have become very possessive of that
512 dog park; we fix things that we think maybe need to be fixed; we’ll fill in the holes
513 that were there sometimes and with the weather changing we’ve noticed that you’ve
514 had to bundle up the water fountains which is perfectly alright; I saw the same thing
515 when I was in Nags Head right around Christmas so you’re doing very well but we
516 even bring out water for the dogs and it’s really cute, even in the big dog park, to
517 have people come out with their little bitty ones; some look just like a dust mop and
518 their owners will put them in there with the big dogs and if that’s not the funniest
519 thing you’ve ever seen in your life. The big dogs don’t know that they’re big and the
520 little ones don’t know that they’re little and it’s just a wonderful experience. We have
521 thoroughly enjoyed it and we thank you so much for that; we really do.”

522
523 **Shane Johnson, 675 Hwy 17 S.:** “As the lady just said from her speaking there you
524 can see that people take pride in this Town. I mean they’re fixing stuff that the
525 Town’s responsible for and Mr. Mayor you said something earlier in the meeting that
526 you’re aware of Surfside Beach going places; that Surfside Beach was heading
527 somewhere. Where are we headed? Which way are we going; which ride are we
528 taking? Are we going to take the path less traveled or are we going to follow the path
529 that everybody else is on? Words are good and words get us into our actions but
530 which way are our actions going to go? We talk a lot about, what we are going to do,
531 we’re going to do that; when are we going to do it? When are we going to become
532 the family beach? Now I’m the pastor at that Solid Rock Baptist Church and I hadn’t
533 always been a Christian. I didn’t come to Surfside Beach when I wanted to get wild
534 and crazy; I went down there to Garden City and Murrells Inlet or I went to Myrtle
535 Beach. We didn’t come to Surfside Beach because we knew there wasn’t that kind of
536 atmosphere here. Now that I’m a Christian and I preach the word of God in Surfside
537 Beach and you tell people where your church is at; they’re comfortable with it
538 because there’s not all this city life going on around us; all this sin is not taking over
539 Surfside Beach but if we allow this public drinking or all this other stuff; we’ve taken
540 so much consideration into not letting pornography stores in Surfside Beach; we don’t
541 want that here; what’s the difference? Why would we allow someone to get drunk
542 outside where my kids can see it but we can’t ride by a triple x store or anything like

543 that in Surfside Beach? We've got priorities on some things but we're neglecting the
544 priorities on the other things; we need to look at it as a broad spectrum and ask
545 ourselves, I mean we got it sitting right here; it's sitting right here in front of us. Is it
546 here for show or is this what we're based off of. Are we based off the principals that
547 God set for us to follow and if we are we've got to make some changes and address
548 some issues in it and focus on God first; if we seek God first all these problems that
549 Council seems to have and the Town seems to have with Council and with things
550 going on in the Town, if every one of use seeks God first all those problems will fall
551 away. We won't have to have two hour Council meetings over stuff like that. Thank
552 you."

553
554 **Randle Stevens, 412 1st Avenue North:** "Thank you Mr. Duckett it's nice to meet
555 you; I have not met you yet. I've heard a lot of good things about you. I heard that
556 you're a law and order man and you like things done right. I hope so because my
557 shorted time here in Surfside Beach; my wife has built the house of her dreams but
558 wishes she would have never built her house here because from the day we started
559 our house we had illegal operations operating out of our backyard where the Town
560 ran a commercial enterprise for three to four years. Then later she was sued by the
561 Town of Surfside to close the street; you may be aware of that; I'm sure some of the
562 Council is; we've had other things happen like we've had a dog park built around us.
563 We kind of let that go because we needed something to cut down the dust that has
564 damaged our air conditioning system. We've had so many violations of zoning
565 ordinances and laws in this one little town right around my own home within a two to
566 three block area that I actually have . . . I've filed a complaint, unfortunately the
567 complaint went to the building and zoning part and not to the zoning matter and that's
568 still to be addressed later down the road but the fact is we've moved here because my
569 wife picked this Town years ago when my daughter was growing up and we went
570 down to Fuller Park. This Town also tried to do a quit claim deed one time which
571 was illegal, they tried to transfer federally protected land and if it wasn't for a
572 neighbor of mine who stopped them they would have done that; they eventually went
573 the proper route and they did it and that's all we ask in this Town; we ask you to
574 watch over this Town Council as well. You have seven people here and there are
575 some good people on this Council and smart people but they need guidance and you
576 need to be the one to guide them and guide them in the right way. They also need the
577 voters to guide them too and they not . . . that if they don't do the right job they could
578 very quickly can be voted out. That's one of the things about politics, when you're a
579 politician and you're sitting up here and you're doing things; if you don't do it right
580 quickly you're gone and of course all of them know, everyone on Council knows that
581 there's an election coming up in a year or so and four of them are up for re-election;
582 they'll have to answer to the citizens. We only hope that during that time that you
583 can make us proud of Surfside and we are encouraging you to do everything you can
584 to make us proud. I stand behind you because I've heard a lot of good things about
585 you and obviously we've picked the right man this time. Thank you."

586
587 **10. EXECUTIVE SESSION**– FOIA 30-4-70(a) (2) *Legal Matters regarding Pier*
588 *Restaurant and Contractual Matter Regarding Legal Representation*
589 Mr. Smith made a motion to go into executive session. Mr. Childs seconded the
590 motion. **All voted in favor. MOTION CARRIED.**
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Mr. Johnson made a motion to reconvene to regular session. Ms. Blair seconded the motion. **All voted in favor. MOTION CARRIED.**

Mr. Childs made a motion to accept the professional service retainer agreement presented by the McGougan Law Firm. Ms. Blair seconded the motion. **Ms. Blair, Mr. Johnson, Mr. Smith, Mayor Deaton and Mr. Childs voted for. Ms. Dodge and Mr. Samples voted against. MOTION CARRIED.**

Mr. Duckett stated that the Town is anticipating, in the near future, a formalized legal opinion from the South Carolina Attorney Generals' office. Mr. Duckett stated that if the Town receives the written opinion that the Town is expecting to receive he would like consensus of Council to authorize the Administrator, under the Town purchasing ordinance #09-0678 under section 2-210 bidding exceptions paragraph "f", to permit the Administrator to hire a professional real estate broker to find a suitable tenant and bring a proposal to the Council as a whole for a vote up or down. **There was consensus of all of Council to allow this.**

11. COUNCIL COMMENTS

Ms. Blair: "Thank you all for coming. We addressed quite a bit tonight and seem to be moving forward. Welcome, again, to Mr. Duckett and his initiation into his first meeting with us. Happy New Year to everyone and I hope that our movement addressed in our closing meeting of 2010 that our movement forward is positive and aggressive and proactive and that we only have good things to talk about at the end of the year. Thanks again. Have a great week."

Mr. Johnson: "Thank you. Bring your friends and neighbors to the meeting next meeting. Thank you."

Ms. Dodge: "I have no comment."

Mr. Smith: "I'd like to say Happy New Year too and to the folks who are still here already understand 5th Avenue North, but for those who are not here, they need to drive through and think about how they would make the improvement."

Mr. Samples: "Happy New Year to everyone and I want to welcome Mr. Duckett, again, we have great hopes. That's all I have."

Mr. Childs: "I'll make it quick. I echo Mr. Sample's remarks."

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12. ADJOURNMENT

Mr. Smith made a motion to adjourn. Childs seconded the motion. **All present voted in favor. MOTION CARRIED.** The meeting was adjourned at 8:32 PM.

Approved: January 25, 2011

Sharon Pinnell, Town Clerk

K. Allen Deaton, Mayor

Roderick E. Smith, Town Council

Vicki W. Blair, Town Council

Ann Dodge, Town Council

Douglas F. Samples, Town Council

Mark L Johnson, Town Council

Robert F. Childs, III, Mayor Pro Tempore

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell. 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. When (***) is used a section of the transcription is inaudible.