



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
AUGUST 9, 2011 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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7 1. **CALL TO ORDER.** Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton,
8 Mayor Pro Tempore Childs, and Councilmembers Blair, Dodge, Johnson, Samples, and Smith were in
9 attendance; a quorum was present. Staff present: Administrator Duckett; Deputy Administrator Fellner;
10 Building Director Donevant; Fire Chief Packard, and Police Chief Frederick. Others present: Town
11 Attorney Moss and Town Clerk Herrmann.

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13 2. **INVOCATION AND PLEDGE OF ALLEGIANCE.** Father Bill Hearn, St. Michael's Catholic
14 Church, gave the invocation. Mayor Deaton led the Pledge of Allegiance.

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16 3. **AGENDA APPROVAL.** Ms. Dodge moved to approve the agenda as presented. Mr. Smith
17 seconded. **All voted in favor. MOTION CARRIED.**

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19 4. **MINUTES APPROVAL.** Mr. Samples moved to approve the minutes as presented of the
20 regular meeting held July 26, 2011. Mr. Childs seconded. **All voted in favor. MOTION CARRIED.**

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22 5. **PUBLIC COMMENTS – AGENDA ITEMS.** There were no public comments.

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24 6. **COMMUNICATIONS.**

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26 a. Proclamation #11-74 – Cam Richards, NSSA National Men's Open Surfing Champion. Mayor
27 Deaton presented Proclamation #11-74, a copy of which is on file in the clerk's office, to Mr. Richards that
28 proclaimed in part, "...a favorite son of the Town, and hereby bestow upon him the honor and recognition
29 due based on his winning the 2011 National Scholastic Surfing Association Open Men's Championship,
30 and hereby deliver a Key to the town along with this Proclamation as a reminder of the Town's friendship
31 and support." Mr. Richards thanked Mayor Deaton and the town saying he was honored to receive
32 recognition and that he loved living in town. Mr. Richards received standing ovations upon introduction
33 and after the presentation.

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35 b. Employee Appreciation – Mike Hans, 5 Years of Service. Mayor Deaton thanked Mr. Hans for
36 his five years of service to the town and its citizens then presented him with a service plaque, anniversary
37 pin, and award check. He received a standing ovation.

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39 c. Department Reports

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41 i. **Building.** Mr. Duckett presented the building report, a copy of which is on file in the clerk's
42 office, and is made a part hereof by reference as if fully set forth herein. Effective August 15th, permits will
43 only be issued from 8:00 a.m. to 1:00 p.m.

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45 ii. **Police.** Mr. Duckett presented the police report, a copy of which is on file in the clerk's office,
46 and is made a part hereof by reference as if fully set forth herein. Mr. Samples asked if the ten-percent
47 increase in arrests could be attributed to any specific reason. Chief Frederick said increased traffic and
48 officers were more focused on neighborhood patrolling for breaking and entering vehicles. The better the
49 job done; the higher the crime rate reported. Chief Frederick said, "We have an exceedingly low crime
50 rate here; don't let the numbers fool you." Mr. Childs thanked Chief Frederick for additional visibility in
51 neighborhoods; he and the residents appreciated the patrols.

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53 iii. **Fire.** Mr. Duckett presented the fire report, a copy of which is on file in the clerk's office, and
54 is made a part hereof by reference as if fully set forth herein. The fire department trains every Monday
55 night and does a great job with its training program.

56
57 d. Administrator's Report – Update on Current Events. Mr. Duckett presented his report, which is
58 on file in the clerk's office and is made a part hereof by reference as if fully set forth herein. The Poplar
59 park is completed and he invited everyone to go see it. Mayor Deaton asked if the proposed construction
60 for the Dogwood bank stabilization project was a bio-friendly Geo-Wall. That style was very successful on
61 the southwest side of Dogwood. Mr. Duckett said it was. Mr. Samples asked Mr. Moss whether the
62 question of licensing for Erosion Restoration might become a legal issue. Mr. Moss was not familiar with
63 the situation. Mr. Duckett said the town's engineers handled the bid process. If SC Department of Labor,
64 Licensing and Regulation verifies that Erosion Restoration can perform within one week, it will be
65 awarded the bid; otherwise, the bid will be awarded to Greenwall Construction. Mr. Johnson asked for
66 pictures of soft barriers. Mr. Duckett said they would be provided. Mr. Samples suggested placing the
67 café district requirements on the town website. **Council CONCURRED.**
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69 **7. BUSINESS.**
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71 a. First Reading Ordinance #11-0706, Amend Chapter 17, §17-641 & Chart 17-622C. Mr.
72 Duckett presented the decision paper that is on file in the clerk's office. Mr. Smith moved to adopt first
73 reading of Ordinance #11-0706 as presented. Ms. Blair seconded. Mr. Samples asked if the maximum
74 roof sign height was 6-feet above the ridge line. Ms. Donevant said yes. Mr. Samples asked if 1.25
75 square feet per lineal foot was allowed for the building, not the lot. Ms. Donevant said correct and
76 explained that the code was inadvertently changed to state 'lot,' which was not interpreted that way in
77 buildings with multiple businesses. This change corrects the code to allow signage per business lineal
78 front when there are multiple businesses on a lot. Mr. Johnson asked if this code affected freestanding
79 signs on the highway. Ms. Donevant said no. Mr. Johnson asked if there is a maximum allowable limit.
80 Ms. Donevant said 150-square feet for a single building on a lot. Mr. Duckett explained that periodically
81 sign ordinances are changed because when the public believes sign ordinances are too restrictive,
82 variances are requested resulting in the planning commission reviewing ordinances and subsequently
83 making recommendations to town council. Ms. Blair believed that the maximum allowed is for a free
84 standing building; when there are multiple businesses there is no maximum. Mayor Deaton said the
85 allowance was per business. Ms. Donevant agreed saying the maximum was 150-square feet per
86 business when there are multiple businesses on a lot. Mr. Johnson said for the public's benefit that this
87 was first reading and that changes could be made when the ordinance was presented for second reading.
88 **All voted in favor. MOTION CARRIED.**
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90 b. First Reading Ordinance #11-0707, Rezone "Village at Surfside" from PD Planned
91 Development to C1 Commercial. Mr. Duckett presented the decision paper that is on file in the clerk's
92 office. Mr. Childs moved to adopt first reading of Ordinance #11-0707 as presented. Mr. Samples
93 seconded. Ms. Donevant explained that Moonwood brought this project for approval, but never began
94 work. The ordinance provides for zoning reversion when this happens. Mr. Childs said he attended the
95 meetings during which Moonwood presented its project. He was sorry that it wasn't developed because it
96 looked like a nice project. **All voted in favor. MOTION CARRIED.**
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98 c. Appointment to Board of Zoning Appeals. Mr. Duckett presented Daniel P. Sine as a nominee
99 for the Board of Zoning Appeals. Mr. Childs moved to appoint Mr. Sine to the Board of Zoning Appeals,
100 saying that Mr. Sine was an excellent person to appoint as he has served well on the Stormwater
101 Committee. Ms. Dodge seconded. Mr. Johnson recalled that an ordinance was recently adopted that
102 allows residents to serve on more than one board. The clerk said that was correct. Ms. Blair asked if Mr.
103 Sine's intention was to serve on both boards. The clerk said yes. Mr. Samples supported the
104 appointment. **All voted in favor. MOTION CARRIED.**
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106 Mr. Samples referred to the clerk's memo regarding a vacancy on the Municipal Election
107 Commission and that State code mandates 6-year terms, which conflicts with the town's ordinance. He
108 asked if council would concur to defer to State Code until the ordinance could be corrected so an
109 advertisement to fill the vacancy could be published. Mr. Childs agreed. **COUNCIL CONCURRED.**
110 Mayor Deaton asked Mr. Moss to bring an ordinance to correct the conflict.
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112 8. **PUBLIC COMMENTS.** There were no public comments.
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114 9. **COUNCIL COMMENTS.**
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116 Mr. Childs, "Thank you, Mr. Mayor. I only have one thing and I would like to ask the
117 transportation subcommittee if they would possibly get with South Carolina Department of Transportation;
118 see if they can't replace the yield signs on the frontage road with stop signs. I don't know if anybody is
119 keeping track. About two weeks ago, I was going south on 17 and some out of town tourist did what he
120 was supposed to, made a right on the frontage road and some guy T-boned him with a yield sign.
121 Nothing all along, they should be, it's hard enough to get people to stop at a stop sign, but yield signs are
122 just a waste of metal. They really need to put stop signs where those yield signs are, so that I would
123 hope that possibly the committee could ask SCDOT about them."
124

125 Mr. Samples, "Thank you, Mr. Childs, and I think the committee would have no problem with
126 requesting that the mayor sign a letter to DOT, and I think staff has addressed in the past that issue
127 previously. But, we may have missed the yield signs. It seems every time that the town, not every time,
128 most of the time, much of the time, almost all the time the town asks for anything from DOT, the answer is
129 a resounding no, and that's unfortunate. Having said that, I really want to compliment everybody who
130 came out tonight, because I could tell everybody has had, either having too much fun during the summer
131 or they're working too hard like I have been, and there were no comments and I'm sure that there are
132 some out there. So maybe next time you'll rest up, you won't have quiet as much fun and bring them in
133 and give us your feedback, because we appreciate it. And as I finished last time, if the transportation
134 committee has a moment, we can do it by consensus afterwards."
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136 Mr. Smith, "No comments."
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138 Ms. Dodge, "I have nothing this time."
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140 Mr. Johnson, "It's hard to follow Mr. Samples. Thank you for coming out."
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142 Ms. Blair, "Thank you all for coming. I just want to say I think the park looks great. I know I asked
143 in our last meeting if the new statue was in, and there were some comments on both sides of not
144 understanding it, liking, don't like it. I actually think it looks very nice. I think it's a nice focal point there,
145 and commend Mr. Duckett and public works for all that they did to get that done. I also wanted to
146 congratulate our 14-year old ball players. They fell about two games short of bringing the championship
147 home again this year, and I feel like I jinxed them. I gushed too much about them at the last meeting. I
148 was heartbroken to [hear,] but they had to deal with the rain and some games getting rained out and
149 doubling up on playing, and in this heat, I know it was exhausting for them. So, I just want to
150 congratulate; they have represented us very well for the last three years, and I'm sure we're all very proud
151 of them. So, if you know any of those guys or their families, be sure to congratulate them and welcome
152 them back. Thank you all for coming. Have a great evening."
153

154 Mayor Deaton, "I'd like to encourage everyone to go out; take a look around town. This town is
155 operating like a well-oiled machine right now. We're very proud of it, and thank you for coming out in this
156 heat. We have no control over the heat, but go down and walk on the beach. I do it every day, and the
157 beach is phenomenal. Our staff is just doing a great job. Thank you for coming."
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159 11. **ADJOURNMENT.** Mr. Smith moved to adjourn the meeting at 7:09 p.m. Mr. Johnson
160 seconded. **All voted in favor. MOTION CARRIED.**
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162 Respectfully submitted,
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165 Debra E. Herrmann, CMC, Town Clerk
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168 Approved: August 23, 2011

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K. Allen Deaton, Mayor

Vicki W. Blair, Town Council

Robert F. Childs, III, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L Johnson, Town Council

Douglas F. Samples, Town Council

Roderick E. Smith, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In accordance with FOIA, meeting notice and the agenda were distributed 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.

Approved