



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 8, 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 Smith, and Town Clerk Herrmann.

12
13 2. **INVOCATION AND PLEDGE OF ALLEGIANCE.** Reverend Ronald Greiser from the
14 Episcopal Church of the Resurrection gave the invocation. Mayor Deaton led the Pledge of Allegiance.
15

16 3. **AGENDA APPROVAL.** Mr. Samples moved to amend the agenda to include a discussion
17 on the fishing pier operating hours. Mr. Johnson seconded. Mr. Smith said he opposed this motion
18 because he believed the administrator should handle the pier operating hours. This issue was caused by
19 the pier being closed Sunday. He and the administrator were at the pier a little after 7:00 on Monday
20 morning discussing this with the fisherman. Administrator Duckett is fully aware of the situation. Mr.
21 Johnson respected Mr. Smith's opinion, but he thought council discussion with the administrator would be
22 worthwhile. Ms. Dodge agreed and said there were members of the public present that wished to
23 address this topic. Mr. Childs was sure the administrator could resolve the problem, and thought
24 discussion would benefit everyone. Ms. Blair understood the comments and to some degree, agreed with
25 Mr. Smith. There were those present who wished to speak on the matter so adding the discussion item to
26 the agenda would enable them to do so during agenda comments. Mayor Deaton, Mayor Pro Tem
27 Childs, and Councilmembers Blair, Dodge, Johnson, and Samples voted in favor. Councilmember Smith
28 voted against. **MOTION CARRIED.**
29

30 Mr. Samples moved to add a discussion of docks on the town's ponds and lakes. Mr. Childs
31 seconded. Ms. Dodge said there is a problem as docks are being built on the lakes whether or not they
32 are allowed, and something should be done about it. Mr. Samples said this was an old issue that a
33 previous council and planning commission addressed. A policy exists, but it might be time to reconsider
34 it. He understood that the planning commission was going to address docks, and believed it would be
35 helpful to the commission to know council's position. Mayor Deaton, Mayor Pro Tem Childs, and
36 Councilmembers Blair, Dodge, Johnson, and Samples voted in favor. Councilmember Smith voted
37 against. **MOTION CARRIED.**
38

39 Mayor Deaton said agenda items are to be submitted to the town clerk by 5:00 o'clock p.m. on
40 Wednesdays prior to the meeting, which enables the town to comply with the Freedom of Information Act
41 and allows members to properly prepare for the meeting. He encouraged everyone to add agenda items
42 timely.
43

44 Mr. Johnson moved to approve the agenda as amended. Mr. Samples seconded. All voted in
45 favor. **MOTION CARRIED.**
46

47 4. **MINUTES APPROVAL.** Mr. Samples moved to approve the minutes for the regular meeting
48 held October 25, 2011 as presented. Ms. Dodge seconded. Mr. Samples noted scrivener's errors on line
49 166 to include the word "and" between "ocean and should", and line 183 to change the last word "as" to
50 "asked." All voted in favor. **MOTION CARRIED.**
51

52 5. **PUBLIC COMMENTS – AGENDA ITEMS.** Mayor Deaton reminded the audience that pier
53 operating hours and docks on town lakes were added to the agenda on which topics comments may be
54 made.
55

56 "Ron Ott, 7th Avenue North. Relative to your parking plan recommendations, a few months ago it
57 was brought up by the council that the busses, the accommodations busses that come across the street
58 and where they park and when that was brought up I looked at it down there and there is a little problem
59 with people running around the bus and stuff like that. I would hope that you would revisit that, look at it,
60 maybe put it across the street. You have a nice parking lot over there and nobody's in it, not many
61 people are in it. People could walk across, the driver could come over and you know stick a sign in the
62 beach in the sand and say we're boarding, and people would know that the bus is there. Take a look at it
63 for us. Thank you."

64
65 "John Ard, Cypress Drive. Mr. Mayor and Council, and Administrator. I've lived on this beach a
66 long time as y'all well know, and this is the first time I think I have ever heard or seen this pier, the fishing
67 on it from nine to five and closed on Sunday. The people have already bought a yearly pass. It is costing
68 them money and it's depriving them of the use of this pier. I think this whole situation needs to be thought
69 again, and I'm sure that y'all will come to the right conclusion on it."

70
71 "Harry Kohlmann, 1610 South Ocean Boulevard. I'd like to speak about the parking plan. I came
72 up to you about three-and-a-half years ago, I brought pictures of a mother and three children trying to
73 cross Ocean Boulevard, and it was right around Easter time. So, this parking plan should really
74 incorporate safety as the most important thing. The pictures show the woman and her three children
75 trying to poke their heads between cars so they can get across. That's the most important thing. This is
76 what our livelihood is; it's families coming here using the beach. So I am totally against any parking on
77 Ocean Boulevard. It also takes away the beauty of Ocean Boulevard. And why would anyone pay to
78 park in a parking lot if they can do it for free on Ocean Boulevard? We have our lot on 16th, 16th North or
79 17th North, there are forty spaces or something; I forget how many. Maybe three or four are used in the
80 summer time. You have parking lot on 13th South. I think one or two spots are used. There are people,
81 tons of people, parking on Ocean Boulevard. So, don't necessarily believe anything I read in the paper,
82 but if you're thinking about buying more lots to put more parking spots for people not to use, it's a waste
83 of money. You first have to solve the problem of people parking on Ocean Boulevard. People come, the
84 renters come. They're not the ones who are parking on Ocean Boulevard. People that live here are not
85 the ones parking on Ocean Boulevard. It's the people who live in their gated communities that me and
86 you cannot go into and use their pool or other facilities. So if you're going to let people park, let them
87 park on the west side, and they should have permit parking only, if they're not going to put meters there.
88 That way residents can park there, renters can park there, and if you want to let others park there, they're
89 going to have to pay for a permit. And to get this really done correctly you all have something, you have
90 other jobs; you have to get the community involved. Set up a community, a community committee to look
91 at it; people who are interested in doing it. Thank you."

92
93 "My name is Lloyd Ridgeway. I live on 710 Lakeside Drive. I want to talk about the fishing pier
94 situation. Back early in the year they were selling annual pier passes. I bought one for me and my wife,
95 and at the time they said they were going to be opened 24-hours a day Sunday through Thursday, and
96 from six to 12 on Friday and Saturday. But it's a couple of weeks later and they've quit the 24-hours a
97 day and went back to six to 12, and then recently in the last few weeks they've gone (**) I believe it's five
98 to nine." Unknown Speaker: (**) Mr. Ridgeway, "So, it's nine to five. Anyway when we bought those
99 passes the understanding was we would be able to fish a lot; 24-hours a day if wanted to those days.
100 And, now, they, every, without any notice or anything they've changed everything. We feel like we got
101 scammed. A lot of the folks here tonight, behind me here, feel the same thing. What we're looking for, I
102 guess the problem is we're dependent upon Pier Outfitters to get on the pier. If there's a way that we can
103 get on the pier and use our passes, maybe they can put a card swipe or something there where we can
104 go on the pier and fish. I think that would help the situation. And it's just a few here tonight. There's a lot
105 of people concerned about this, because we did buy the annual pass with the understanding that we were
106 going to be able to do some fishing, and all of a sudden, and I don't know who's in charge of changing
107 hours, or setting hours, or anything or if it's dependent upon how many people fishing or what, but we
108 need to address the issue, because a lot of people bought those passes with the understanding that they
109 can fish, and now the closing on Sunday, a lot of folks is [sic] upset about that too. So, I'd like for you to
110 address it."

112 "Gene Maruca, 7th Ave. South, 116. I've been speaking to the council regarding parking for
113 years, not once. I'm glad to see that we're discussing it tonight. I'd like to thank Mayor Pro Tem for
114 spearheading what we're doing. I would hope this council gives us the same attention that was given to
115 the parking and all the design on Surfside Drive when it comes to Ocean Boulevard and its parking.
116 Twenty-eight years ago when I came here, we built along the boulevard. At that time there was ample
117 parking provided by the developers. That's not so today. Today a family comes with three, four, five, six
118 cars. All of you have seen it, if you drove down the boulevard. These houses in the summer are
119 inundated with cars. We do need help parking, whether we buy lots and force people into them, or we
120 take another route. I spent a lot of time in Washington, DC. One of my relatives has a sign in front of his
121 house that says parking by permit only, which means when I go to visit, he and she have to back out of
122 their driveway and park in the street because they're residents. They have permits to park in the street.
123 I'm a guest. I have to park in his driveway. I can't park in the street. I thought on Ocean Boulevard since
124 we already have resident permits, permit parking only would do us all a service. Now whether it's the
125 east side, ocean side, or west side that should be up to the council, our administrator and the head of
126 public works. I would like the council to entertain the thought of having people who actually live in the
127 area; who have been there for years, who know the problems to assist on the committee. You know, it's
128 nice to bring in people, engineers, do traffic studies..." TIME Mayor Deaton, "Sir, I appreciate your input,
129 if you'd like to continue you'll have five minutes per speaker, if you'd like to continue your conversation
130 later in the meeting, but at this point in time we have a restriction." Mr. Maruca, "Okay." Mayor Deaton,
131 "Thank you, sir."
132

133 "Adam Curry, 507 Lakeshore Drive. I want to talk about the pier issue. I'd like to try to get the
134 hours changed a little bit. It doesn't have to be 24-hours, as much as I'd like it to be. But, you know
135 there's guys been fishing there 30-years that don't want to come fish there next year because of this, and
136 that's their livelihood. That's what they do. I won't be buying a season pass next year, if this is going to
137 happen. Figure out something. If you can't use Pier Outfitters to collect the money for the pier, set
138 someone at the gate and have them collect the money. You could always use the Nibil's building that's
139 not in any use right now. Thank you."
140

141 "Good evening. My name's Doug Henderson. I live on Thompson Road in Mint Hill, North
142 Carolina." Mayor Deaton, "Well welcome, sir!" Mr. Henderson, "May I address..." Mayor Deaton,
143 "Welcome to paradise." Mr. Henderson, "You probably don't know where Mint Hill is; outside Charlotte."
144 Mayor Deaton, "I do, north, North Carolina." Mr. Henderson, "I've been a user of your pier for many
145 years; a lot of my friends have, too. I hope y'all can suggest and come up with some way you can meet
146 the needs of, meet the needs of the fisherman. I know if you're not a fisherman, there's not much, you
147 don't understand all this discussion, but like this week, we have a family from my area, 14 people that are
148 fishing on that pier this week. We're renting houses across the road, and we've seen a lot of people that
149 would normally come down and do that not do that. So you've got a good tourist attraction that I think
150 maybe there's a chance some hours might market it a little bit differently, and bring some out-of-towners
151 like us in. I do own property in south Myrtle Beach here, and bring us in and let us spend our money.
152 Thank you."
153

154 6. **WORKSHOP.** Mayor Deaton declared the workshop open at 6:53 p.m. and explained the
155 workshop was to discuss parking recommendations. He said the town has a parking management plan
156 that was prepared by engineers. Parking will always be a problem; he had dealt with them for more than
157 25-years. The goal is to develop the best management practices to alleviate the problems that last about
158 60-days a year. Mr. Duckett gave a slide presentation, a copy of which is on file, and made a part hereof
159 by reference. The 2010 parking plan is being used for current recommendations. Key points are:
160

161 Phase I – Designed to be completed in 2010-2011

- 162 • Failure to pay was addressed by installing "PAY HERE" and "PAY TO PARK" signage
- 163 • Stripe painting was completed in front of the Holiday Inn
- 164 • Stripe painting was completed at the 13th Avenue South
- 165 • Parking controlled by installing trees and shrubbery on Ocean Boulevard (14th Avenue North, 3rd
166 Avenue North, and between 9th & 10th Avenues South) – this practice will continue
- 167 • Curb and gutter and striping on both sides of Surfside Drive

- 168 • Parking completed in Poplar Park and both sides of Surfside Drive
- 169 • Park stop bars placed on Poplar Drive between Surfside Drive and 3rd Avenue South
- 170 • Library and surrounding amenity areas have combined total of 68 formal parking spaces including
- 171 four handicapped spaces – there is still considerable off-road, unmetered parking available

172
173 There are two elements in Phase I that have not been implemented thus far

- 174 • Development of clear signage guiding vehicles to pay parking areas – limited directional signage
- 175 is in place that does not contribute to visual clutter
- 176 • An aggressive plan to use a car boot and towing to encourage parking in pay areas – towing is
- 177 used when necessary from a public safety or quality of life perspective

178
179 Phase II – Element Two calls for a sidewalk implementation to make roadways safer and encourage use

- 180 of transportation forms other than vehicles
- 181 • Sidewalks are currently installed on many major thru-roads
- 182 • Continually maintain existing sidewalks and construct new ones as funds are available

183
184 Phase I through 4 Elements – Council to present ideas at the 2012 budget retreat to identify funding for

- 185 • hard and soft landscaping on major thru-roads
- 186 • co-op lots on Ocean Boulevard
- 187 • shuttle bus service

188
189 Ms. Dodge said the busses dropping off passengers at the pier are dangerous to people in the

190 parking lot. She suggested that a letter be sent telling them they must discharge passengers at the

191 Yaupon parking lot. She has seen children almost hit by those busses.

192

193 Mr. Johnson asked if the presentation comments were directed to the Plantation Resort busses or

194 busses to take passengers from parking lots like Celebrations to Ocean Boulevard. Mr. Duckett said he

195 was addressing shuttle busses as identified in the parking plan that would provide shuttle service during

196 festivals from a centralized lot to the event. If that occurs, a contract would need to be negotiated with the

197 property owner, and busses and drivers hired. Should council desire that service, cost estimates would

198 have to be determined. The Plantation Resort busses are related to parking, but are a safety issue; not

199 one specifically included in the plan. Mayor Deaton said the July 4th celebration that is attended by

200 50,000 people and the Fall Festival were events during which a temporary shuttle service should be

201 provided. He did not believe there was need for shuttle services to be provided on a continuous basis.

202 Mr. Johnson said safety should take priority and he supported an event shuttle service.

203

204 Mr. Childs agreed with one of the public speakers that parking on Ocean Boulevard is a safety

205 issue, and the excess numbers of cars parked along the grass destroys the aesthetics of the homes. He

206 thought this was the only beach in South Carolina that allowed parking anywhere. Usually there is

207 resident parking or no parking, and although the right-of-way is town property, he preferred to see

208 shrubbery and grass planted instead of parking. Mr. Childs said when he lived in Washington, DC near a

209 Metro station parking was restricted to residents only for about four-blocks in all directions. All others

210 were towed away. He believed resident parking would have to be protected as council works to eliminate

211 Ocean Boulevard parking, and cautioned against pushing visitors to park in the neighborhoods. Once

212 parking was moved off Ocean Boulevard, the parking lots would be filled. He did not believe additional

213 lots were necessary. The town cannot accommodate the entire State; once these lots are filled he

214 believed the town amenities would be at maximum capacity, and excesses would impact town services.

215 Mr. Childs said it was nice to open up the town to tourist that rent homes here, but there is a limit to how

216 much can be provided safely.

217

218 Mr. Samples said the Plantation Resort busses were a safety issue in the pier parking lot, which

219 has very limited space. The stopped busses back up traffic and exacerbate the problem. He believed it

220 would be reasonable for the town to enter into communications with Plantation Resort about its bus

221 service and the possibility of dropping off passengers at the Yaupon parking lot. Mr. Samples said Ocean

222 Boulevard is not an island; there will be implications to the R-3 and Single Family Districts should council

223 take action to eliminate or greatly reduce parking along Ocean Boulevard. He recommended
224 appointment of a committee composed of citizens and councilmembers to make recommendations on this
225 issue, particularly how to redirect traffic so that it is not pushed back to Dogwood, Myrtle, or other
226 neighborhood streets during the 60-day, or at best, 90-day season. The town has neighbors that are not
227 fortunate enough to live within the town limits that want access to the public beach. In his experience,
228 parking has always been a problem near beach communities.
229

230 Mr. Smith thought that parking should be reduced along Ocean Boulevard, but not eliminated
231 entirely. He thought areas with a wide expanse of right-of-way could have parking meters installed. In
232 areas where driveways are closer together, shrubbery could be planted to eliminate parking. He said
233 reducing the parking along Ocean Boulevard is very desirable.
234

235 Ms. Blair said these were all good points. She thought it would be a challenge to address
236 everyone's concerns. She believed as the town worked to manage and reduce parking on Ocean
237 Boulevard, if there are not enough lots and alternative parking, parking would overflow further west into
238 other streets and impact full-time residents. That is no more desirable than it is for the homes along
239 Ocean Boulevard, many of which are only occupied for the three-month season. Ms. Blair said council
240 should be very careful as it tried to reduce congestion along Ocean Boulevard to identify solutions that
241 prevent moving it to other neighborhoods. She agreed with Mr. Samples that it would benefit the town's
242 economy if this was a year-round problem. Ms. Blair understood the concerns; she has lived here for 26-
243 years. When her family visits they have to find places to park. She asked how or when the town would
244 have enough parking spaces. If there are more visitors than parking spaces those arriving the earliest
245 would get free parking spaces; others would have to use paid parking spaces. It would be a challenge
246 and perhaps having fresh perspective from a committee would be helpful.
247

248 Mr. Johnson said this discussion was like a dog chasing his tail; all the comments are very good,
249 but the same things are being restated year after year. Something needs to be done and he suggested
250 that council appoint a committee of councilmembers and interested residents to make suggestions to
251 Town Council on how to handle the parking problems on Ocean Boulevard. Ms. Dodge said that is an
252 excellent suggestion. Mr. Johnson moved to create a committee of a certain number councilmembers
253 and interested persons in the community to come up with a suggested plan for parking on Ocean
254 Boulevard. Mr. Childs said Ocean Boulevard parking issues needed to be connected to parking problems in
255 the neighborhoods; it would be easy to prohibit parking along Ocean Boulevard, but the cars have to park
256 somewhere. He suggested that the motion be more comprehensive. Ms. Blair asked if Mr. Johnson had
257 a suggested number of members. Mayor Deaton said no more than three councilmembers. Ms. Blair
258 understood the limitation on councilmember participation, and said there are many, many residents that
259 are concerned about this issue. Mr. Childs volunteered to serve on the committee if council approved it.
260 Mr. Samples seconded. Mayor Deaton did not understand which part of the \$48,000 parking
261 management plan would play into this. He hoped that the "wheel was not being reinvented." Mr.
262 Samples thought the motion was outstanding in the sense that there are town residents who have lived
263 with this issue much longer than he that have ideas that council has not considered that could be
264 contributed as recommendations to council. Obviously, any committee recommendation must be adopted
265 by council. He thought it was fair to task the committee to address Ocean Boulevard recognizing that any
266 action council takes along Ocean Boulevard would have implications on surrounding streets. In his
267 opinion, the committee should be prepared to address how to control those implications. Mr. Samples
268 said that Charleston, South Carolina, is just south of Surfside Beach. Anyone that enters its residential
269 areas will easily see numerous parking zones with applicable signage. If the town is serious about
270 regulating parking, there are many areas that could be used as models.
271

272 Mr. Duckett suggested that should council choose to appoint a committee that it should vote to
273 create the committee at this meeting, vote on the composition of the committee at the next meeting,
274 November 22nd. In his opinion, council should determine whether the members should be town residents;
275 he personally had no preference. He suggested that if three councilmembers are appointed to the
276 committee that the remaining four councilmembers be allowed to appoint two committee members of their
277 choice. Mayor Deaton said that was a good idea, but for council to form a committee tonight might not be
278 in the best interest of the town. He believed that this should be moved to the next meeting so

279 councilmembers can be properly informed. Mr. Johnson offered to withdraw his motion provided that the
280 committee formation is added to the next meeting agenda. Mr. Samples appreciated Mr. Johnson's
281 willingness to withdraw, but in his opinion, the motion still had merit. He agreed with Mayor Deaton in that
282 there is no sense in rushing to judgment on the composition. He believed council could move forward to
283 establish the committee. Mayor Deaton said direction could be given to the administrator to add the
284 composition and charge as a business item at the next meeting. Mr. Samples said he was not prepared
285 to withdraw his second. Mr. Johnson said he was prepared to let the motion stand as long as it was to
286 establish the committee only. Mr. Samples said he would second that. Mr. Smith asked for the motion to
287 be restated.
288

289 Mr. Johnson restated his motion saying that he moved to create a temporary parking advisory
290 committee consisting of councilmembers and town residents to research and develop a parking plan for
291 Ocean Boulevard and affected areas with recommendations from staff at the next meeting. Mr. Samples
292 seconded. All voted in favor. **MOTION CARRIED.** Ms. Herrmann asked whether advertising should be
293 published to comply with the 30-day requirement in Town Code. **COUNCIL CONCURRED.** Mr. Duckett
294 said a decision could be made at the next meeting of the number of committee members, and then at the
295 next meeting appointments could be made. **COUNCIL CONCURRED.**
296

297 Mayor Deaton declared the workshop closed at 7:26 p.m.
298

299 6. COMMUNICATIONS. 300

301 A. Lyle Werner, Episcopal Church of the Resurrection – Golf Cart Rally Trophy Presentation.
302 Ms. Werner presented a slide show and gave a trophy to the town for the First Annual Road Rally &
303 Scavenger Hunt held October 22nd, which was won by town residents, Rhonda and Mark Morsey. Ms.
304 Werner thanked Town Council and staff for being good neighbors and allowing them to promote and hold
305 the rally in town. Participants were required to bring back three pieces of trash using one piece as the
306 container, so the town was left in better shape than it was found. The Church of the Resurrection has a
307 New Beginning ministry that assists families in the community that primarily need food, but also provides
308 haircuts, education, and other needs. The church spends about \$650 a month to give away about \$8,000
309 worth of food monthly. Funds to support the ministry are raised through charity events like the golf cart
310 rally and through donations. About 50 people participated in the event; \$650 was raised, which covers
311 one month of food. Even though the goal of \$1,100 was not met, the event was a good, fun family event.
312 Ms. Werner explained that the trophy would be updated annually and thanked the town again for being a
313 good neighbor. Mayor Deaton said the Church of the Resurrection actually started in the town between
314 Pine, Cedar, and Cherry Drives. Ms. Werner said Father Grieser's wife, who was in the audience, is the
315 daughter of the very first pastor. Mayor Deaton thanked Ms. Werner for the trophy and the Church's
316 benevolence.
317

318 B. Department Reports 319

320 i. Building & Zoning. Mr. Duckett presented the building and zoning report, a copy of which is on
321 file in the clerk's office, and is made a part hereof by reference.
322

323 ii. Police. Mr. Duckett presented the police report, a copy of which is on file in the clerk's office,
324 and is made a part hereof by reference.
325

326 iii. Fire. Mr. Duckett presented the fire report, a copy of which is on file in the clerk's office, and
327 is made a part hereof by reference. Mr. Childs commended Chief Packard's reporting method, which he
328 had discussed with him. The changes in last month's report and this month are good. Mr. Childs said he
329 liked the changes.
330

331 C. Administrator's Report – Update on Current Events. Mr. Duckett presented his report, which
332 is on file in the clerk's office and is made a part hereof by reference. He said that Mr. Smith had
333 suggested that his report include more light-hearted information. Mr. Smith said he liked the report. Mr.
334 Samples asked how many non-resident passes were sold. Mr. Duckett did not know and said the

335 information would be provided. Mayor Deaton commended Horry County for its participation in the town's
336 stormwater improvements that resulted in 70-percent savings to the town on its projects.
337

338 Mr. Smith asked if there were any staff vacancies. Mr. Duckett said two full-time positions in the
339 police department, and one in public works. Mr. Smith asked if anyone had looked at the pier restaurant
340 to lease. Mr. Duckett said no one had contacted him about the pier. Mayor Deaton said the pier property
341 was no longer listed with the Multiple Listing Service (MLS.) Mr. Samples asked whether the current
342 vacancies were advertised. Mr. Duckett said Town Council required staff to ask permission to hire; he
343 hoped that council would allow him to hire at the appropriate times. The police positions will not be filled
344 until around March when it is time for the season to begin. The vacancy in the public works will be filled
345 about the same time as the street sweeper service begins. A lower-paid position will be back-filled,
346 allowing an existing employee to be used in that position. Mr. Samples said he regularly checks the town
347 website, where he presumed staff vacancies were advertised, and asked whether the positions were
348 advertised. Ms. Fellner said no one had instructed her to advertise them. Mr. Duckett said they were not
349 advertised, because they were not ready to fill the positions. Applications are constantly received for the
350 police department, whether positions were advertised or not. Mayor Deaton said since the town is a
351 seasonal community, it was prudent to wait.
352

353 Mr. Samples asked if council could expect a presentation from the auditor at the next council
354 meeting. Mr. Duckett understood that it was their intent to present at the November 22nd meeting, and as
355 soon as the Certified Annual Financial Report (CAFR) is received it would be distributed to council. Mr.
356 Samples appreciated that because the CAFR is approximately 60-pages and that would allow sufficient
357 review time to formulate questions for the auditor.
358

359 Ms. Dodge asked if the code violations had been identified at the pier restaurant; what corrections
360 were necessary, and whether actions were being taken to do so. Mr. Duckett said the code violations
361 were identified. A Request for Proposals (RFP) will be presented by the engineer at the next meeting.
362 As council directed, the RFP will be separated into three parts on which bidders may bid on individual
363 parts or all three parts. Mr. Samples said for the record that DDC gave its presentation at the September
364 23rd meeting. Mr. Samples said that during that meeting, Mr. Smith expressed a desire for cost
365 estimates. He asked if cost estimates were available, or whether Mr. Smith would like to clarify his
366 question as to upgrades to current code. Mr. Duckett said staff estimates a cost of \$140,000; but pricing
367 may vary significantly based on current economic conditions when the RFP are submitted. The RFP will
368 be advertised for a minimum of 30-days; council will determine which projects would be completed.
369 Mayor Deaton said this would be discussed at the next meeting.
370

371 **7. BUSINESS.**

372
373 Resolution 11-110, Participation in Long Bay Hypoxia Monitoring Consortium. Mr. Johnson
374 moved to adopt the resolution. Ms. Blair seconded. Ms. Dodge asked how much it cost to perform the
375 monitoring. Mayor Deaton said approximately \$40,000 per year. The resolution does not obligate the
376 town to any funding; it only offers the pier as a location for the equipment. Dr. Libes is working on funding
377 sources for the monitoring and equipment. Mr. Samples moved to amend the resolution by deleting the
378 third paragraph, specifically, "Whereas, Town Council deferred any funding for said project and directed
379 the town administrator to determine whether funds are available that could be expropriated for this
380 purpose." Ms. Blair seconded. Mr. Johnson believed that the town administrator was to determine
381 whether funds available from other sources. Mayor Deaton said that was correct; the directive was not to
382 specifically seek Surfside Beach funding. The intention was to explore other avenues through the county,
383 which is being done by Dr. Libes. Ms. Blair understood the intent, but believed it was not the town
384 administrator's responsibility to seek other funding sources outside of the town. She supported Dr. Libes
385 using the pier, if funding was available to support the project. Mayor Deaton read the original motion from
386 the October 25th meeting saying it clearly stated no funding would be provided. He said the town is part
387 of a larger community that includes the ocean, which needs to be monitored. The town should contribute
388 any way possible and work to protect the environment. He said if we are not good stewards of our
389 environment, then the quality of life in Surfside Beach would diminish. He found it alarming that an
390 opinion precluded staff participating, because so much of what is done in town is through regional

391 projects. Ms. Blair said that was not what she said, and clarified that her career for the past 21-years was
392 an environmentalist; she certainly respected the ocean and the entire environment. Most of her questions
393 during her council tenure have been about lakes, mosquitoes, animals, and environmental issues. Ms.
394 Blair did not like the implication that she did not care; she was simply stating for the salary paid to the
395 administrator, she did not think it was his responsibility to look for other funding sources to back the
396 project. Ms. Blair reiterated that she fully supports allowing the pier to be used; fully supports Dr. Libes
397 having access to monitor, and she believed that council kept in perspective that the ocean and beachfront
398 are huge resources for the town, but said that the town is a 'tiny speck' along the whole Grand Strand.
399 There is already monitoring performed in town that many people do not even know about. Mayor Deaton,
400 Mayor Pro Tem Childs, and Councilmembers Blair, Dodge, Johnson, and Samples voted in favor.
401 Councilmember Smith voted against. **MOTION TO AMEND CARRIED.**

402
403 Mayor Deaton called for a vote on the original motion as amended. Mayor Deaton,
404 Councilmembers Blair, Childs, and Johnson voted in favor. Councilmembers Dodge, Samples and Smith
405 voted against. **MOTION CARRIED.** Mr. Samples explained that while he appreciated Ms. Blair's
406 eloquent comments, he said for the record that he voted against the motion because, "The fact is we're
407 going to collect information and it's going to go on a shelf. That's the reality, so it's not going to serve any
408 purpose."

409
410 **8. DISCUSSION – *Added two items by approved motion.***

411
412 A. Pier Operating Hours. Mr. Samples said comments were made by the public earlier in this
413 meeting about the pier hours. He heard today that the pier is open from eight until five for fishing; those
414 are normal business hours for what is typically a recreational activity. There were 57 annual passes sold,
415 fees that were paid to use the fishing pier, now their use is restricted. It hasn't been too long since the
416 pier was opened 24-hours a day for fishing. A gentleman that lived on Melody Lane monitored all-night
417 fishing. Fishing is a nice family activity. Mr. Samples said a contract is in place, but he thought anything
418 that could be done to accommodate the fisherman would be worthwhile. He went to speak with Mr. Kirk
419 today, but he is out of town. Mr. Samples had spoken with a number of people familiar with the pier and
420 its operations. Even though it is the 'off-season' there are still tourists in town taking advantage of town
421 amenities, one of which is the fishing pier. He would like to hear solutions that might get the pier opened
422 till perhaps 11:00 o'clock at night, three nights a week, especially on the weekends.

423
424 Mr. Childs agreed with Mr. Samples and believed the town should try to help the fishermen as
425 much as possible. He tried to go to the pier daily, or at least three or four times a week. Mr. Duckett had
426 assured him that he would work with all the parties involved to arrive at a solution. Mr. Childs said he had
427 a great deal of confidence that the administrator would do that, and he should be given time to work out a
428 solution.

429
430 Mayor Deaton agreed with Mr. Childs. The town bought a fishing pier; people need to be able to
431 fish. Fish don't have hours like business men. He is an avid fisherman and knows that traditionally the
432 most fishing activity is when the water temperature is between 68- and 72-degrees. Typically spring and
433 fall is when the water temperature is in that range, fish are near shore and there is the highest fishing
434 activity, which occurs all hours of the day and night. As the water cools the demand for fishing will
435 diminish. He believes that it would be a win-win for everybody if accommodations could be made during
436 the spring and fall. The reason the Accommodations Tax Oversight Committee agreed to allow the town
437 to spend accommodations tax money on the pier was for public access to the ocean. He felt this was
438 something that needed to be addressed. Mayor Deaton said the pier would soon close for the season.
439 Mr. Duckett said the end of November.

440
441 Ms. Dodge agreed that people made a commitment and the town made a commitment to them
442 because it took their money. Anything that could be done to help them should be done.

443
444 Mr. Johnson said he believed the town administrator could handle this issue. Mayor Deaton
445 agreed.

446

447 Ms. Blair said Mr. Duckett assured her that he fully intends to look at the situation and make
448 adaptations and changes to accommodate as many as he can. She was sure that he would do so.
449

450 Mr. Samples asked who controlled the gate key. Mr. Duckett said the simplest answer is the
451 town does. He said the town has a very detailed contract and asked council to trust him to make
452 appropriate accommodations that would work for everybody. Mr. Samples said he would, and said that
453 the contract was never approved by this body. Mayor Deaton said it was pre-existing.
454

455 **B. Docks on Lakes.**

456
457 Mr. Samples said a constituent called him recently asking about docks on the lakes, because
458 they recently saw a dock built and wondered about the process. He explained that Town Council adopted
459 a policy seven years ago that Planning & Zoning Commission recommended to prohibit new docks from
460 being built in the lakes. He didn't recall the discussion or rationale, but council took action and approved
461 the prohibition. It occurred to him that like most policies government adopts, it might need to be
462 reviewed. In his opinion, the appropriate body to review the policy is Town Council as it established the
463 prohibition. He understood that Planning & Zoning recently discussed docks on the lakes. Ms. Donevant
464 said the Planning Commission discussed docks as part of its scoping workshop for next year. Mayor
465 Deaton asked if a recommendation would eventually come before council. Ms. Donevant said yes.
466 Mayor Deaton said at that point in time is when council should delve into the issue. Ms. Donevant said if
467 it desired, council could send a recommendation to the Planning Commission to evaluate the issue. Mr.
468 Samples asked if the commission had simply discussed the docks or whether a formal recommendation
469 should be made. Ms. Donevant said direction would help the commission; the discussion was held
470 because a member asked whether docks would be discussed during the commission's scoping. Docks
471 are not a zoning issue. Mayor Deaton asked whether this would be a stormwater issue. The town's lakes
472 are not navigable waters and do not fall under federal guidelines. Ms. Donevant believed it was a public
473 works issue as docks would be an encroachment on town property. Mr. Samples said this is a many-
474 faceted issue. There are issues such as encroachment onto public property, which is managed by public
475 works in our town. In his opinion, one issue is the lack of an inspection process when docks are
476 constructed to determine whether standards were met. Ms. Donevant said the building code does not
477 control any standards or construction over water. Mr. Samples presumed there are associations and
478 organizations that do so. He asked when a dock is simply a dock and when does it become a pier.
479 Mayor Deaton asked who has responsibility to decide that and said council should give the administrator
480 direction to research the issue and bring a recommendation. Mr. Childs asked if the Corp of Engineers
481 determined that. Ms. Donevant said the Corp has authority in navigable waters. She suggested that
482 council have a workshop with the planning commission on this topic, noting that some property lines
483 extend into the water, which creates yet another problem. Mayor Deaton said Mr. Calhoun (*Clerk's Note:*
484 *Mr. Calhoun was one of the town's original developers*) reserved a 2-foot margin around the lakes and there
485 were all kinds of other issues that relate to stormwater.
486

487 Mr. Samples said there is a standing policy that Town Council adopted that prohibits the erection
488 of docks, and it has not been repealed. He believes that staff should know how to implement the policy.
489 Mayor Deaton said that was fair. Mr. Samples asked for consensus that the town administrator be
490 directed to identify issues which may include building and zoning, encroachment, safety standards, legal
491 liabilities, stormwater, etc. as relating to permitting docks in the town's lakes and stormwater ponds. Ms.
492 Dodge believed that was a good idea. She knew of one, and the lake is not very big. Mr. Johnson asked
493 whether public works should be included. Mayor Deaton said whatever resources necessary. Mr.
494 Samples clarified his recommendation by saying whatever the administrator identifies as necessary to
495 effectively regulate docks. He said that if council chooses to adopt a permitting process, an appropriate
496 fee schedule be determined. Mayor Deaton asked the administrator if he understood the directive. Mr.
497 Duckett said yes. **COUNCIL CONCURRED.**
498

499 **9. PUBLIC COMMENTS.**

500
501 "Glen Curtis, 257 Palladium. Ms. Dodge, and Ms. Blair, I want to thank you once again for the
502 safety of your thoughts [sic] with the busses from Deerfield coming down. They always come down in the

503 parking lot and seeing them while I'm working there, they're letting the kids off and it is going crazy,
504 because they're not watching them. The thing is, if you put the [busses] across the street, we're giving
505 them the access, we're giving them the right to bring all their people down, they're making money off
506 them for the 60-days it's going to be held. Why don't they bring somebody down to watch the crossings
507 of the street there for safety for their own people and for the town of Surfside people, because there are
508 going to be so many crossing there, and people do not yield all the time; they text, they look for spots and
509 they don't look. The second thing is a while ago I discussed the fact that the sidewalks how bad they
510 were. It was a safety issue. I was wondering about people suing. I want to thank the administrator. He
511 sent some good teams there. They're respectful to all the people. They'll keep working, talk to people.
512 They're doing a great job, and the sidewalks are fantastic, and I want to thank you very much for doing
513 that."

514
515 "Bob Hanson, 15th Avenue South. I'd like to talk about golf cart parking in town. We have a, I'm
516 all in favor of golf carts, I go everywhere in mine. At the pier there are two spots for golf carts next to the
517 public restroom and then there's on Yaupon a whole row, which is kind of far away from the pier. The two
518 spots fill up rather quickly, and then people start parking in our paid parking area. The problem I have is
519 that the two spots we have, at least one or two of them are filled up with golf carts that don't have a town
520 sticker, and we have a good town sticker system, and then the rest of the golf carts park in the paid area,
521 and they don't have stickers. One time this summer there were five golf carts in the paid areas; only two
522 had stickers, and whether this is a sticker problem or an enforcement problem, I'm not sure. If it's
523 enforcement, I'm sure you can take care of it quickly. People who live out of town and have golf carts
524 can't buy a sticker in this town because they don't have an address. I talk to people who live in the
525 county and say don't you need a sticker? No, I live in the county. I can come in and park anywhere. I
526 talk to the parking attendant, and he said if you've got a golf cart you can park anywhere. So, I think we
527 need to address this. People from Oceanside Village come in and say where can I park. I say well, you
528 can park anywhere. You may get a ticket. People from Ocean Lakes come down. I say where are you
529 from? Ocean Lakes, I got an Ocean Lakes sticker. Well, I don't know if it's any good here. But, we need
530 to be consistent. I'll play by any rules you set, but we all need to play by the same rules. Thank you very
531 much."

532
533 "Hi, I'm Betty Lowery. I live at 619 4th Avenue North. A couple of things: I really like the raised
534 sidewalks, because they're nice. Talking about the pier parking area and the busses, perhaps we could
535 allot certain parking places in that paid area. I think it's Yaupon to be used simply by them, and as a
536 safety issue, I don't know what the expense would be, but perhaps providing those same raised
537 sidewalks across Ocean Boulevard right there at the intersection of Surfside Drive and the pier. That
538 would definitely slow down the traffic and it would be much safer. It scares me to death just to drive
539 through the pier parking area, because I'm afraid that somebody is going to come out between those
540 cars. He mentioned the golf carts. I drive a street legal golf cart. I didn't know that I could park in there
541 with the little stickers. I was afraid to park anywhere. I just didn't bother to go to the pier. The times that I
542 have been through there, I've seen cars parked in the golf cart parking area, and so, golf cart parking is
543 an issue. Curiosity, if we have a policy that prohibits docks or piers, or whatever those things are called
544 out in the ponds, you know, why are they there? What happened that prevented the policy from being
545 enforced; just curiosity [sic.] Thank you."

546
547 "John Ard, Cypress Drive. You all know I know a lot of business people in this town. I know a lot
548 of the citizens in this town, and I talk to some of them here as much as y'all do probably. Maybe more, I
549 don't know. But, it's a situation that has risen lately to where the government people, that's what I'm
550 considering all y'all right now, because I can't call on names or nothing now. I'm going to consider all of
551 you government people, okay. You work for the town of Surfside; you are a [sic] elected official, staff,
552 whatever the situation may be. Now, you're driving the people leaving out of Surfside. You've got
553 businesses wanting to close up on account of the way you come across and talk about them, and talk to
554 them, excuse me. Some of the names that you hang on them; which they've hung a few on me too, so it
555 don't worry me none, trouble makers or whatever the situation may be. I've even heard people in this
556 room cut down. I see hostility on this panel up here. I don't know whether (**) but do you know there's
557 such a thing as ethics, and I've [heard] people talk about laws being broken in this town, and I sit right
558 here tonight and watched the law broken." Mayor Deaton, "Let me caution you, sir. I'm going to caution

559 you. Don't accuse anybody of breaking the law." Mr. Ard, "What?" Mayor Deaton, "I said don't accuse
560 anybody of breaking the law. You should be talking to a law enforcement agency, either FBI, SLED, local
561 law enforcement. But, do not sit up here and accuse anyone of breaking the law." Mr. Ard, "I didn't
562 accuse nobody [sic] yet." Mayor Deaton, "Okay, thank you." Mr. Ard, "I did not accuse nobody directly,
563 Mayor. You misunderstood what I said, I think." Mayor Deaton, "Alright, thank you."

564
565 **10. COUNCIL COMMENTS.**
566

567 Mr. Childs, "Thank you, Mr. Mayor. I think there's, there's one thing about the golf cart parking
568 that a lot of people have overlooked. There is a, over in Yaupon parking lot there is a dedicated area
569 free, as I understand it, for golf cart parking. Maybe what we could do is somehow or another to get the
570 word out that there is golf cart parking at Yaupon parking lot. I've got to tell you the truth. I don't think
571 I've ever seen one golf cart parked in there since that lot was built. But, I think that's because people
572 don't know it's there for golf carts and it has a sign designated, I think it says golf cart parking only, and I
573 think if we could get people to use that it would be a step forward. Mr. Mayor, I just, it was a nice
574 ceremony today, the ribbon cutting for the library down on Surfside Drive. I attended along with the
575 mayor and other councilmembers here. The building turned out beautiful. It's aesthetically pleasing. It
576 certainly will be used by everybody and I think it's just an asset to the community, and that's it."

577
578 Mr. Samples, "Thank you. First, Mrs. Lowery, I want to clarify on the docks, the docks, the docks
579 that that you're supposed to be seeing out there were grandfathered in, okay, and were constructed
580 before the prohibition. I think there may be an exception here and there, which is one of the reasons that
581 we need to address it, okay. We need to revisit the issue. I think setting up a committee to wrestle with
582 the parking issue, and it's certainly not going to be easy, that come up with something that is, that makes
583 sense that people can understand; that we can explain to people and they can understand, and is
584 enforceable. It is a tough mission, but something that the committee, a bunch of people putting their
585 heads together, working together for the same goal, I think, would be the best way to approach the
586 problem. Mr. [Hanson] it is unfortunate to see golf carts parked in automobile spots, even if they've got
587 the Town of Surfside Beach sticker on them. And, maybe with the redesign or whatever it is we're going
588 to do on the pier, eventually we're going to do something on the pier. The parking lot is not configured
589 well. We all know that. I mean we knew that when we tried to control, to put the pay parking in and
590 configured it, and it's an issue that I'm sure council will deal with in the future. But, I appreciate
591 everybody coming out. I appreciate the Mayor being flexible enough to allow us to have discussion on a
592 couple of items. I do appreciate that, and I think that's helpful and useful, and frankly, adding a, you
593 know, agenda comes out Wednesday, I take a look at it, if there's a lot of items on it and I know we're
594 going to be here past bedtime, I don't add them. But, it's only eight-thirty, so we meet twice a month. If
595 we have to sit up here four hours a month, I don't think that's asking too much for the people who elect us
596 and ask us to represent them. Thank you."

597
598 Mr. Smith, "Next week we'll be discussing RFPs on refurbishing down there at the pier restaurant,
599 but the disappointing news was that nobody has shown any interest in leasing that space. So, it begs the
600 question, where are they? Thank you."

601
602 Ms. Dodge, "I don't have any comments. Thank you."
603

604 Mr. Johnson, "Thank you, Mr. Mayor. Thank you, ladies and gentlemen, for coming out this
605 evening. Thank you for your input. I would just like to remind you of the Veterans Day memorial
606 ceremony Friday at 2:00 p.m. I apologize, I'm going to be out of town, but I'm sure that we, the town (**)
607 will be very well represented. Thank you to our Veterans before-hand. God bless you. Good night, have
608 a safe trip."
609

610 Mr. Blair, "Thank you, Mayor. The ceremony today at the library was indeed wonderful. It was
611 great to see the official reopening. It is a beautiful building, and if you haven't had a chance to go by,
612 maybe you're a user, a visitor, a (***) maybe not, but take the time. It's a great asset for our area, and you
613 need to go by and take a look at it and be proud of it. Not to mention all the parking that's there; the new
614 parking for our dog park, as well as the passive park, and the library. I concur with Councilman Johnson;

615 please do try to attend the ceremony. If you are a veteran or have family who are serving now or have
616 served, I thank you for all that you've done to protect us. And finally, thank you to Councilman Dodge
617 [sic] for bringing up the issue of the docks. I do definitely, I received input from some residents on that
618 myself and have some; Mr. Johnson and I were serving on Planning & Zoning at the time that that
619 recommendation was made, so I know that we have very strong feelings about the direction that that has
620 taken in the last couple of months, and would like to see that addressed. I'm sure that Mr. Duckett will
621 bring back the information that we need. Thank you all so much. Have a great rest of your week, and I
622 hope to see you on Friday at the Veterans Park."

623
624 Mayor Deaton, "Thank everyone for coming out."
625

626 11. **ADJOURNMENT.** Mr. Smith moved to adjourn the meeting at 8:35 p.m. Mr. Johnson
627 seconded. All voted in favor. **MOTION CARRIED.**
628

629 Respectfully submitted,
630

631 _____
632 Debra E. Herrmann, CMC, Town Clerk
633

634 Approved: November 22, 2011
635

636 _____
637 K. Allen Deaton, Mayor
638

639 _____
640 Vicki W. Blair, Town Council
641

639 _____
640 Robert F. Childs, III, Mayor Pro Tempore
641

642 _____
643 Ann Dodge, Town Council
644

642 _____
643 Mark L Johnson, Town Council
644

645 _____
646 Douglas F. Samples, Town Council
647

645 _____
646 Roderick E. Smith, Town Council
647

648 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In
649 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
650 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on
651 the Town marquee. When (**) is used a section of the transcription is inaudible.