



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
Web: www.surfsidebeach.org
☎ (843) 913-6111 ☎ (843) 238-5432

**TOWN COUNCIL
PIER COMMITTEE OF THE WHOLE
WORKSHOP
COUNCIL CHAMBERS
TUESDAY, JULY 17, 2012 ♦ 6:00 P.M.**

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **WORKSHOP**
 - A. Pier Property Update
 - B. Pier plans
 - i. Possible Pier Expansion
 - ii. Past Design and Future Vision
 - C. Current Pier Permits
 - D. Engineering Work & Pier Maintenance Requirements
3. **ADJOURNMENT**

Pier Property

Update

Current Status

- We have an 1,811 square foot space that has been vacant since January 1, 2011
- We have a contract with Chicora to promote and show the property until July 12
- They continue to do this and the property is not without new prospect interest

Issues

- Decide what, if anything, should be permitted to go into the space currently vacant
- Determine what the structural limitations are that would constrain us
- Decide whether or not to move forward with the design process
 - Phased Approach
 - Non-Phased Approach
 - Fiscal Considerations

Non-Conforming Structure (Article VIII)

- On all lots lying contiguous to the Atlantic Ocean, the shore protection line shall be determined to be the line twenty (20) linear feet landward of the property line nearest the Atlantic Ocean (rear property line) or the line twenty (20) linear feet landward of the crest of the primary ocean front sand dune, as determined by SCDHEC-OCRM, whichever such line is further from the Atlantic Ocean. The area bounded by the shore protection line, as determined in this subsection, and the Atlantic Ocean shall be known as the shore protection area.
- Because the “structure” is nonconforming, a change in the structure or footprint would require Town review
- Some changes may require OCRM review

DHEC and OCRM

- We will be meeting shortly with DHEC and OCRM to discuss the implications of the new legislation
- The meeting will be held at Town Hall and Blair Williams of OCRM and his supervisor at DHEC will attend
- The Administrator, myself and the Director of P,B & Z will attend on the Town's behalf

C3 Construction Limitations (Sec. 17-202)

- The maximum building height in the C-3 amusement commercial district is fifty-five (55) feet
- This would allow for the erection of a two-story amenity structure

The Grandfathering Issue

- If the structure remains exactly the same, any use that is currently permitted in that zone (C3) would be permissible
- Any structural change, however, would mean the loss of all grandfathering, including
 - Need to come into ADA compliance
 - Need for code compliance (electric, etc.)
 - Need for asbestos inspection report

Permitted Uses in C3 (Sec.17-197)

- Hotels
- Motels
- Tourist homes
- Theaters
- Billiard or pool halls
- Bowling alleys
- Skating rinks
- Shooting galleries
- Piers
- Amusement arcades
- Restaurants, lounges to be included in restaurants
- Retail sales and real estate offices
- Similar activities not specifically mentioned
- Single-family, two-family, and multifamily dwelling units providing they meet the density requirements of the R-3 high density residential and accommodations district
- Accessory uses customary to business uses (e.g., bait shop for fishing on pier)
- Transient short-term rental uses (e.g., sublease less than 30 days (Chapter 17, Article 1, Definitions))

Engineer

- After understanding the zoning ramifications we moved forward by discussing the project with one of the Town engineers, DDC

Qualifications and Recommendations

- DDC has designed several piers and Mike Wooten is LEED certified
- For structural stability review DDC recommends CHAO and Associates from Columbia
 - On-call structural engineer for USC for almost 20 years
 - This is firm that engineered the stabilization of the existing USC Stadium
- For architectural design if project has a vertical component (i.e., if we go up or multilevel, etc.) they would recommend Jim Hubbard of Pegram and Associates
 - This is firm that designed the restaurant, gift shop and other features which support the new Skywheel.
 - They were consulted as the Skywheel is supported on a pier-type structure

Structural Engineering Proposal

- We asked DDC to proceed by obtaining a proposal for Structural Services from CHAO
 - Scope of Service for Phase 1 includes
 - Providing a cursory, visual site observation of the existing structures and condition.
 - Conducting 5% limited non-destructive hammer testing and wood coring to examine the structural integrity of the piles.
 - Providing a written report outlining the structural deficiencies noted and repair recommendations.
 - Estimated fee is \$7,500
 - Scope of Service for Phase 2 includes
 - Based on field observation and evaluation, they will suggest further non-destructive testing methods to obtain the pile load bearing capacity.
 - The fee for this Phase II services will be provided after the Phase I is completed.
 - Reporting to owner will be as requested
 - Geotechnical report, site topographic survey, Architectural, M.E.P engineering are not included in their scope of services.

Steps

- Immediate

- Direction from Council regarding
 - What they want to see immediately done with space currently vacant
 - If they want staff to move forward and ask the Town engineer to engage CHAO and Associates to determine structural integrity of pier

- Longer Term

- Direction from Council whether or not to move forward with the design process
 - Phased Approach
 - Non-phased Approach
 - Economic considerations

2012

Town of Surfside Beach
Micki Fellner



[POSSIBLE PIER EXPANSION]

Documentation between Town and OCRM

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Mayor
Douglas F. Samples
Interim Administrator
Micki Fellner
City Clerk
Christina Johnson



TOWN COUNCIL
Ann Dodge
Mark Johnson
Mary Beth Mabry
Red Smith
Randle Stevens

TOWN OF SURFSIDE BEACH

Monday, May 21, 2012

Mr. Chris Stout
Wetland Section Project Manager
SC DHEC OCRM
927 Shine Avenue
Myrtle Beach, SC 29577

Reference: Plans to bring the Surfside Beach Pier into ADA compliance and add additional amenities

Dear Chris:

Thanks for meeting with me the other day. I was very encouraged to hear you speak so positively about the changes we discussed. To that end, I have enclosed a rough sketch of the proposed changes we are considering. The basic changes are ...

- Installing a lift or ADA compliant access ramp on the west side of the pier
- Installing ADA compliant bathrooms (1 for men and 1 for women) on the east side of the pier
- Moving the entrance gate eastward
- Widening the step down to the small walkway on the east side of the restaurant and possibly changing it into an ADA ramp
- Extending the deck on the east side of the pier for viewing areas with tables and chairs

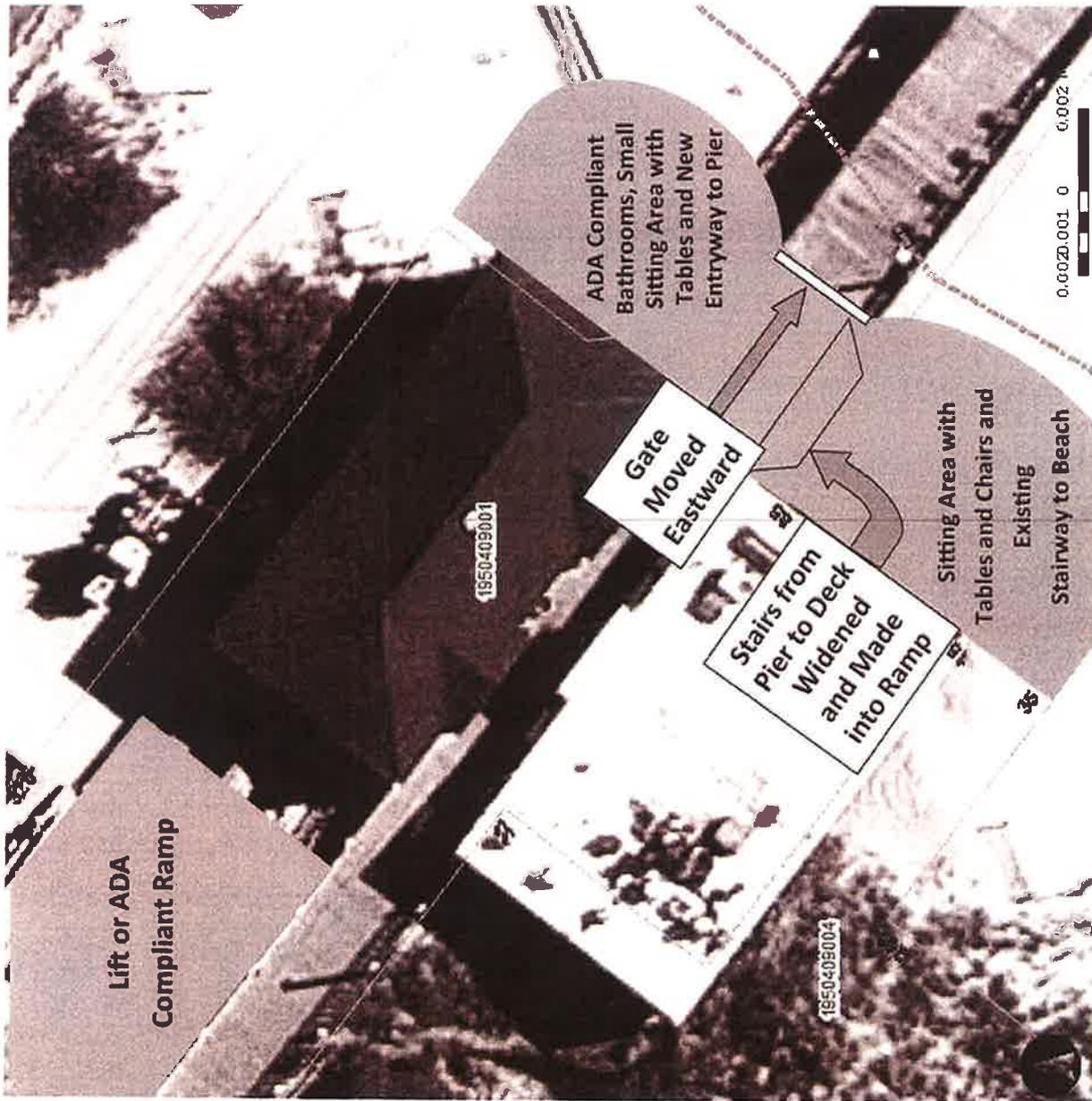
In view of past history, I wanted to be certain that this scope of work would be something that OCRM would agree to permit, prior to engaging an engineer to begin work on the plans. Consequently, I would greatly appreciate it if you could make sure that everyone involved in the decision making process at SC DHEC OCRM was onboard with this.

Our ideal timetable would be to have the engineering and bid completed over the summer and for the contractor to begin work in September. Please let me know if you require anything further and thank you again for meeting with me last week.

Sincerely,

Micki Fellner
Interim Administrator

Dedicated people providing quality and responsive service to our community.
115 US Highway 17 North, Surfside Beach, SC 29575-6034 · www.surfsidebeach.org
Telephone: (843) 913-6111 · Facsimile: (843) 238-5432 · Email: Town@surfsidebeach.org



Micki Fellner

From: Stout, Christopher M. <stoutcm@dhec.sc.gov>
Sent: Monday, June 04, 2012 3:43 PM
To: Micki Fellner
Cc: Blair N. Williams
Subject: Re: Surfside Beach Pier

Ms. Fellner,

I have reviewed the submitted information and discussed it with Blair. As all of the proposed activity, aside from the relocation of the entrance gate, would be an expansion of the footprint of the existing pier; this will require a permit from our office. Below are some of questions based on the information provided:

Does the label for a new entryway to the pier denote the relocation of the gate or is this for a new entryway to the pier from the beach?

Is the proposed construction an expansion of the pier or are these additions of decks to the tackle shop and restaurant space?

Regards,
Chris

Christopher M. Stout
Wetland Section Project Manager
SC DHEC - Ocean and Coastal Resource Management
927 Shine Avenue
Myrtle Beach, SC 29577

P: 843-238-4528/ F: 843-238-4526
stoutcm@dhec.sc.gov

Please take our customer satisfaction survey:
<http://www.scdhec.gov/environment/ocrm/survey.htm>

On Mon, May 21, 2012 at 11:31 AM, Micki Fellner <mfellner@surfsidebeach.org> wrote:

Chris – I snail-mailed you a signed copy of the attached today but thought I would also email you a copy so you could forward it to whomever. Anything you can do to expedite this process would be greatly appreciated.
Many thanks - Micki

MICKI FELLNER | Interlm

Administrator | mfellner@surfsidebeach.org | <http://www.surfsidebeach.org> | 843.913.6111

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Micki Fellner

From: Micki Fellner <mfellner@surfsidebeach.org>
Sent: Tuesday, June 05, 2012 3:00 PM
To: 'Stout, Christopher M.'
Subject: RE: Surfside Beach Pier

Importance: High

Chris – Thanks for your reply. See answers to your questions below. I am hopeful that we can work together to get this project permitted in a timely fashion and that you can help us fashion something that will be acceptable to both OCRM and the Town.

Does the label for a new entryway to the pier denote the relocation of the gate or is this for a new entryway to the pier from the beach? **It would depend on the engineering and location of the bathrooms. If they were on the tackle shop side it would be desirable to have a set of stairs leading up to them from the beach so patrons wouldn't have to go through the sitting area on the opposite side. Is there a problem with stairs on the northeast side?**

Is the proposed construction an expansion of the pier or are these additions of decks to the tackle shop and restaurant space? **It would be an expansion of the pier for the purpose of meeting ADA compliance regulations and enhancing the amenity structures to increase water dependent, public access. At some time in the future council might seek to offer a partial encroachment on either side (once again depending on the engineering) to either business for the purpose of an outdoor ocean-view, dining area. Is there an issue with water-dependency or ADA compliance?**

MICKI FELLNER
Interim Administrator
mfellner@surfsidebeach.org
843.913.6111
<http://www.surfsidebeach.org>

From: Stout, Christopher M. [<mailto:stoutcm@dhec.sc.gov>]
Sent: Monday, June 04, 2012 3:43 PM
To: Micki Fellner
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Subject: Re: Surfside Beach Pier

Ms. Fellner,

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Micki Fellner

From: Stout, Christopher M. <stoutcm@dhec.sc.gov>
Sent: Thursday, July 05, 2012 1:55 PM
To: Micki Fellner; dougsamples@surfsidebeach.org; randlestevenssstc@gmail.com
Cc: Blair N. Williams
Subject: Meeting Follow-up
Attachments: OCRM-09-538-S Permit.pdf

As discussed in our meeting this morning, below is a list of the active permits held by the Town of Surfside Beach and the activities authorized.

OCRM-09-538-S - authorized an expansion of the terminal end of the existing pier with a 5' x 87' addition to both the northern and southern sides, and the conversion of the existing roof at the terminal end into an observation deck with stairs and handrails. (scanned copy is attached) *This permit would be eligible for an amendment as discussed in today's meeting.

OCRM-09-539-S - authorized the reconstruction of the existing emergency vehicle access and a pedestrian walkway at 4th Ave S

OCRM-09-560-S - authorized the construction of a new emergency vehicle access with a pedestrian walkway north of the pier

OCRM-12-062-S - authorized the reconstruction of 5 existing wooden walkway for beach access with 144 sq ft decks

Here are the links to where a full copy of the Statute, Regulations, and Policies on the OCRM webpage.
<http://www.dhec.sc.gov/environment/ocrm/czmp.htm>

Below is the regulation pertaining to parking lots between the OCRM Setback and Baseline:

R.30-13(I) The Construction and/or Repair of Drives and Parking Lots. Within the setback area, the construction and/or repair of drives and parking lots is allowed provided all of the following requirements are met:

- (1) On front row lots, new driveways and/or parking lots shall not extend seaward of habitable structures;
- (2) Existing drives and/or parking lots may only be expanded on the landward side;
- (3) No sand from the beach may be used during construction and/or repair;
- (4) No alteration of the primary oceanfront sand dune or its dune vegetation is allowed;
- (5) At the Department's discretion, a Stormwater Management Plan may be required;
- (6) The work shall comply with applicable local ordinances;
- (7) Best Management Practices (BMP's) such as hay bales, silt fences, mulches, or other appropriate measures shall be used as necessary during the construction phase to prevent sedimentation reaching adjacent waters and wetlands. Upon project completion the disturbed areas shall be stabilized as soon as possible with grass or other appropriate vegetative cover;
- (8) No new driveway or parking lot may be constructed seaward of the baseline unless a special permit as provided in Section 48-39-290(D) is obtained.

Any parking seaward of the OCRM Baseline must be consistent with the following regulation:

R.30-15(F) Special Permits: The Department shall consider applications for special permits. Special permits are to be issued only in situations where without such a permit, the property owner would have no reasonable use of his property, or when an overriding public benefit can be demonstrated. When issuing special permits, the Department shall consider the legislative findings and policies as set forth in Sections 48-39-30, 48-39-250 and 48-39-260. Specifically, the following criteria shall serve as guidelines when issuing special permits:

- (1) A structure cannot be constructed or reconstructed on a primary oceanfront dune or on the active beach, and in the event that the beach erodes so that in the future the permitted habitable structure is located on the active beach, the property owner agrees to remove the structure at his own expense.
- (2) There shall be no adverse impact on the stated policies of the Beachfront Management Act, including the policies protecting the sand dunes and preservation of the dry sand beach.
- (3) The granting of a special permit shall not create a situation contrary to the public health, safety or welfare.
- (4) In determining whether or not a permit is contrary to the public health, safety or welfare, the Department shall consider a) the erosion rate at the site, b) how soon the structure will be located on the active beach, c) whether or not the proposed structure meets

American National Standards Institute building standards, and/or d) the potential cumulative effect that similar structures will have upon the beach/dune system.

(5) Necessary components of habitable structures, such as sewer lines, septic tanks and utilities, do not require separate special permits. However, decking, patios, driveways, etc., are not considered as necessary components of habitable structures and therefore these items must be shown on the permit application.

(6) Generally, the Department considers special permits only under extraordinary circumstances. Three specific areas, however, where the Department deems that special permits are more appropriate include:

(c) Parking Lots and Drainage Devices: The Department may grant special permits for commercial properties for reconstruction of parking lots and drainage devices seaward of the baseline which are absolutely necessary for the economic viability of the project where such permit meets the conditions of R.30-15(F)(1)-(6) and;

(i) Special permits for parking lots can only be issued for reconstruction of parking lots no larger than existed prior to destruction;

(ii) The Department can dictate the configuration of the parking lot and drainage devices and the materials used for their construction;

(iii) Construction of parking lots and drainage devices cannot take place on active beach and must be removed once they become located on the active beach;

(iv) The Department can place such conditions upon construction of the parking lots and drainage devices so as to meet the purposes of the Act.

Please feel free to contact me if you have any questions.

Regards,
Chris

Christopher M. Stout
Wetland Section Project Manager
SC DHEC - Ocean and Coastal Resource Management
927 Shine Avenue
Myrtle Beach, SC 29577

P: 843-238-4528/ F: 843-238-4526

stoutcm@dhec.sc.gov

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<http://www.scdhec.gov/environment/ocrm/survey.htm>



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment

February 19, 2010

Town of Surfside Beach
115 Hwy 17 North
Surfside Beach, SC 29575

Re: OCRM-09-538-S
Town of Surfside Beach

Dear Mr. Booth:

The SCDHEC Office of Ocean and Coastal Resource Management has reviewed your application to make additions to the existing fishing pier at Surfside Dr & Ocean Blvd, Surfside Beach, Horry County, South Carolina and has issued a permit for this work. You should carefully read the description of the authorized project and any special conditions that have been placed on the permit, as these conditions may modify the permitted activity. In addition, there are a series of general conditions that should be reviewed. The original and one photocopy of the permit, as issued, are enclosed. After carefully reading the permit, if you wish to accept the permit as issued, sign and date in the signature block entitled "PERMITTEE" on the original version of the permit and return it to this Department. Keep the photocopy for your records.

PLEASE READ CAREFULLY: You are required to sign and return the original version of your permit to this Department. If this permit is not signed and returned within thirty (30) days of issuance, OR appealed within 15 days as described on the enclosed "Notice of Appeal Procedure", the Department reserves the right to cancel this permit. Please carefully review the enclosed "Notice of Appeal Procedure" for information and deadlines for appealing this permit.

We have also enclosed a "request for a construction placard" card. You must send in this card before the time you wish to start construction. At that time a construction placard will be sent to you to post at the construction site.

PLEASE NOTE: You are not authorized to commence work under the permit until we have received the original version of the entire permit signed and accepted by you, and a construction placard has been issued and posted at the construction site. The receipt of this permit does not relieve you of the responsibility of acquiring any other federal or local permits that may be required.

Sincerely,


Christopher Stout
Wetland Section Project Manager

RECEIVED

FEB 24 2010

DHEC-OCRM
MYRTLE BEACH OFFICE

Enclosure

cc: Mr. Blair Williams, Section Manager
Mr. Reid Hilliard, The Earthworks Group

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management
Myrtle Beach Office • 927 Shine Avenue • Myrtle Beach, SC 29577
Phone: 843-238-4528 • Fax: 843-238-4526 • www.scdhec.gov

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

CRITICAL AREA PERMIT & COASTAL ZONE CONSISTENCY CERTIFICATION

Permittee(s): Surfside Beach Town Of
Permit Number(s): OCRM-09-538-S
Date of Issuance: February 19, 2010
Expiration Date: February 19, 2015
Location: On and adjacent to Atlantic Ocean at Surfside Dr & Ocean Blvd,
 Surfside Beach, Horry County, South Carolina

This permit is issued under the provisions of S. C. Code Ann. Section 48-39-10, *et seq.*, and 23A S.C. Code Ann. Regs. 30-1 through 30-18 (Supp. 2005). Please carefully read the project description and any special conditions that may appear on this permit/certification as they will affect the work that is allowed. If there are no special conditions, then the work is authorized as described in the project description and as modified by the general conditions. The general conditions are also a part of this permit/certification and should be read in their entirety. The S. C. Contractor's Licensing Act of 1999, enacted as S.C. Code Ann. Section 40-11-5 through 430, requires that all construction with a total cost of \$5,000 or more be performed by a licensed contractor with a valid contractor's license for marine class construction, except for construction performed by a private landowner for strictly private purposes. Your signature on and acceptance of this permit denotes your understanding of the stated law regarding use of licensed contractors. **All listed special and general conditions will remain in effect for the life of the project if work commences during the life of the permit. This applies to permittee, future property owners, or permit assignees.**

DESCRIPTION OF THE PROJECT, AS AUTHORIZED

The work as authorized and shown on the attached plans consists of expanding the existing terminal end of the pier. Specifically the applicant seeks to expand the terminal end of the pier by adding a 5' x 87' addition to both the northern and southern sides. The applicant also request to add stairs and handrails to convert an existing covered area into an observation deck. The purpose of the authorized activities are to increase public access and to provide storage for public use.

SPECIAL CONDITIONS

1. **Provided that the enclosure is removed as it is a non-water dependent feature and would be located over the active beach, which is prohibited under current OCRM Critical Area Permitting Regulations.**
2. Provided that an as-built survey of the dock must be submitted to the Department within 90 days of the expiration date of the final construction placard. The survey must be performed by a registered land surveyor, must show all components of the dock, and must list the starting and ending coordinates of the dock walkway in the

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FEB 24 2010

DHEC-OCRM
MYRTLE BEACH OFFICE

SEE SPEC

SC State Plane Coordinate System, which can be obtained by survey-grade Global Positioning System equipment.

- 3. Provided that in the event that archaeological or paleontological remains are found during the course of work, the applicant should notify the South Carolina Institute of Archaeology and Anthropology (Mr. James Spirek at 803-777-8170) pursuant to South Carolina Underwater Antiquities Act of 1991, (Article 5 Chapter 7, Title 54, Code of Laws of South Carolina, 1976). Archaeological remains consist of any materials made or altered by man, which remain from past historic or prehistoric times (ie, older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or non-recent vessel remains. Paleontological remains consist of old animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

PERMITTEE'S ATTENTION IS DIRECTED TO GENERAL CONDITIONS NUMBERS FOUR (4) AND FIVE (5). BY ACCEPTANCE OF THIS PERMIT, PERMITTEE IS PLACED ON NOTICE THAT THE STATE OF SOUTH CAROLINA, BY ISSUING THIS PERMIT, DOES NOT WAIVE ITS RIGHTS TO REQUIRE PAYMENT OF A REASONABLE FEE FOR USE OF STATE LANDS AT A FUTURE DATE IF SO DIRECTED BY STATUTE.

THE PERMITTEE, BY ACCEPTANCE OF THIS PERMIT AGREES TO ABIDE BY THE TERMS AND CONDITIONS CONTAINED HEREIN AND TO PERFORM THE WORK IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ATTACHED HERETO AND MADE A PART HEREOF. ANY DEVIATION FROM THESE CONDITIONS, TERMS, PLANS AND SPECIFICATIONS SHALL BE GROUNDS FOR REVOCATION, SUSPENSION OR MODIFICATION OF THIS PERMIT AND THE INSTITUTION OF SUCH LEGAL PROCEEDINGS AS THE DEPARTMENT MAY CONSIDER APPROPRIATE.

Permit Number: OCRM-09-538-S

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

RECEIVED

FEB 24 2010

DHEC-OCRM
MYRTLE BEACH OFFICE

(PERMITTEE(S))
Town Of Surfside Beach

(DATE)

This permit becomes effective when the State official, designated to act for the Office of Ocean and Coastal Resource Management, has signed below.

(WETLAND SECTION PROJECT MANAGER)
Christopher Stout
Or his Designee
Other Authorized State Official

(DATE)

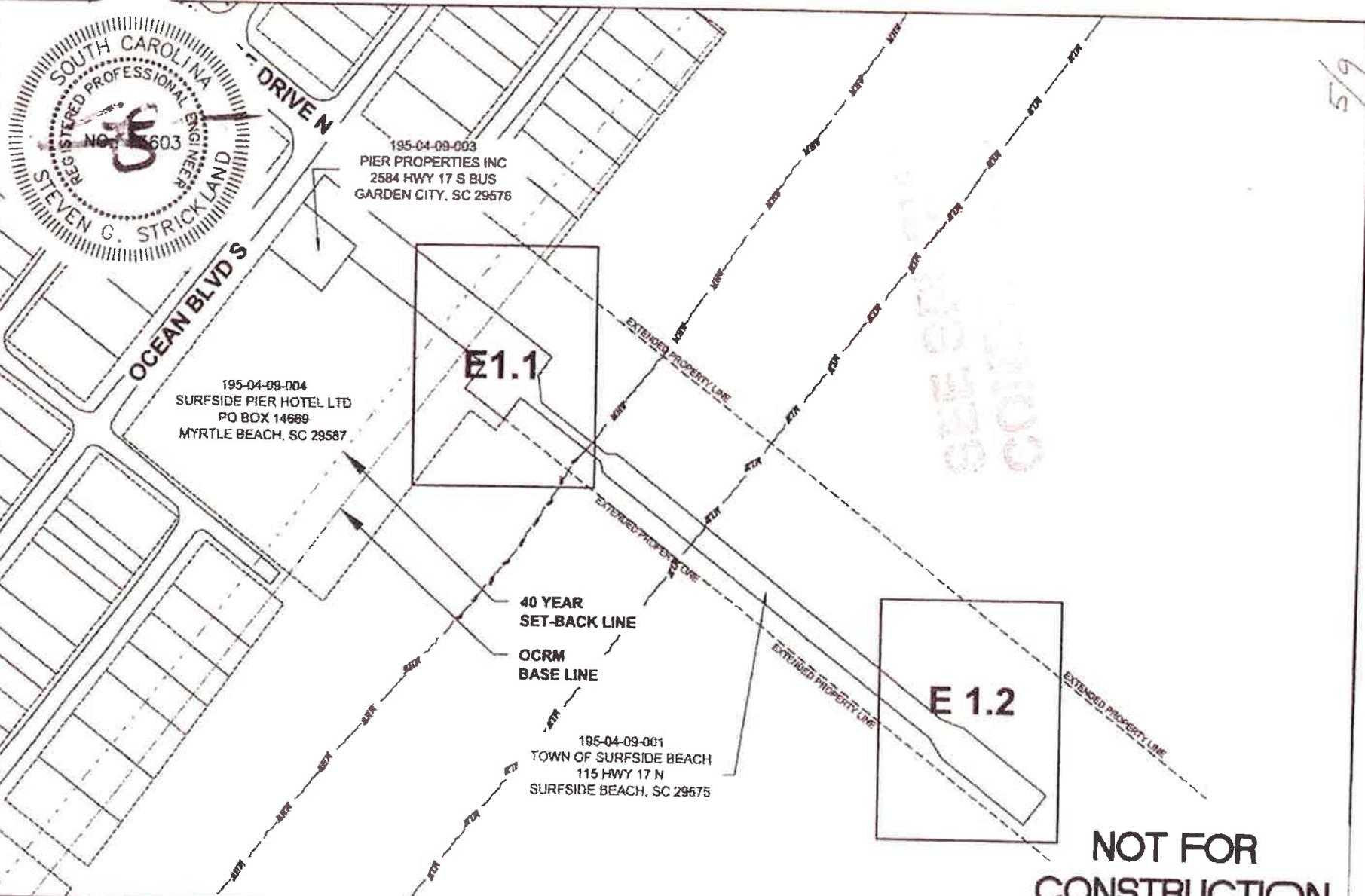
2/9

GENERAL CONDITIONS:

This construction and use permit is expressly contingent upon the following conditions which are binding on the permittee:

1. That the permittee, in accepting this permit, covenants and agrees to comply with and abide by the provisions and conditions herein and assumes all responsibility and liability and agrees to save OCRM and the State of South Carolina, its employees or representatives, harmless from all claims of damage arising out of operations conducted pursuant to this permit.
2. That if the activity authorized herein is not constructed or completed within five years of the date of issuance, this permit shall automatically expire. A request, in writing, for an extension of time shall be made not less than thirty days prior to the expiration date.
3. That all authorized work shall be conducted in a manner that minimizes any adverse impact on fish, wildlife and water quality.
4. That this permit does not relieve the permittee from the requirements of obtaining a permit from the U. S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable local laws, ordinances, and zoning regulations. This permit is granted subject to the rights of the State of South Carolina in the navigable waters and shall be subject, further, to all rights held by the State of South Carolina under the public trust doctrine as well as any other right the State may have in the waters and submerged lands of the coast.
5. That this permit does not convey, expressly or impliedly, any property rights in real estate or material nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.
6. That the permittee shall permit OCRM or its authorized agents or representatives to make periodic inspections at any time deemed necessary in order to ensure that the activity being performed is in accordance with the terms and conditions of this permit.
7. That any abandonment of the permitted activity will require restoration of the area to a satisfactory condition as determined by OCRM.
8. That this permit may not be transferred to a third party without prior written notice to OCRM, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit and thereby agreeing to comply.
9. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and special signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
10. That the permit construction placard or a copy of the placard shall be posted in a conspicuous place at the project site during the entire period of work.
11. That the structure or work authorized herein shall be in accordance with the plans and drawing attached hereto, and shall be maintained in good condition. Failure to build in accordance with the plans and drawings attached hereto, or failure to maintain the structure in good condition, shall result in the revocation of this permit.
12. That the authorization for activities or structures herein constitutes a revocable license. OCRM may require the permittee to modify activities or remove structures authorized herein if it is determined by OCRM that such activity or structures violates the public's health, safety, or welfare, or if any activity is inconsistent with the public trust doctrine. Modification or removal under this condition shall be ordered only after reasonable notice stating the reasons therefor and provision to the permittee of the opportunity to respond in writing. When the Permittee is notified that OCRM intends to revoke the permit, Permittee agrees to immediately stop work pending resolution of the revocation.
13. That OCRM shall have the right to revoke, suspend, or modify this permit in the event it is determined the permitted structure (1) significantly impacts the public health, safety and welfare, and/or is violation of Section 48-39-150, (2) adversely impacts public rights, (3) that the information and data which the permittee or any other agencies have provided in connection with the permit application is either false, incomplete or inaccurate, or (4) that the activity is not in compliance with the drawings submitted by the applicant. That the permittee, upon receipt of OCRM's written intent to revoke, suspend, or modify the permit has the right to a hearing. Prior to revocation, suspension, or modification of this permit, OCRM shall provide written notification of intent to revoke to the permittee, and permittee can respond with a written explanation to OCRM. (South Carolina Code Section 1-023-370 shall govern the procedure for revocation, suspension or modification herein described).
14. That any modification, suspension or revocation of this permit shall not be the basis of any claim for damages against OCRM or the State of South Carolina or any employee, agent, or representative of OCRM or the State of South Carolina.
15. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with all applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to applicable federal, state and local laws.
16. That extreme care shall be exercised to prevent any adverse or undesirable effects from this work on the property of others. This permit authorizes no invasion of adjacent private property, and OCRM assumes no responsibility or liability from any claims of damage arising out of any operations conducted by the permittee pursuant to this permit.

This information is for informational purposes only and is not intended to be used for any other purpose. It is not a warranty, representation, or endorsement of any product or service. It is not a contract. It is not a license. It is not a guarantee. It is not a promise. It is not a statement of fact. It is not a statement of opinion. It is not a statement of intent. It is not a statement of belief. It is not a statement of value. It is not a statement of price. It is not a statement of cost. It is not a statement of profit. It is not a statement of loss. It is not a statement of gain. It is not a statement of risk. It is not a statement of liability. It is not a statement of responsibility. It is not a statement of authority. It is not a statement of jurisdiction. It is not a statement of law. It is not a statement of equity. It is not a statement of debt. It is not a statement of ownership. It is not a statement of control. It is not a statement of management. It is not a statement of direction. It is not a statement of strategy. It is not a statement of policy. It is not a statement of procedure. It is not a statement of process. It is not a statement of result. It is not a statement of outcome. It is not a statement of performance. It is not a statement of quality. It is not a statement of quantity. It is not a statement of frequency. It is not a statement of duration. It is not a statement of timing. It is not a statement of sequence. It is not a statement of order. It is not a statement of priority. It is not a statement of importance. It is not a statement of urgency. It is not a statement of necessity. It is not a statement of possibility. It is not a statement of probability. It is not a statement of likelihood. It is not a statement of chance. It is not a statement of risk. It is not a statement of liability. It is not a statement of responsibility. It is not a statement of authority. It is not a statement of jurisdiction. It is not a statement of law. It is not a statement of equity. It is not a statement of debt. It is not a statement of ownership. It is not a statement of control. It is not a statement of management. It is not a statement of direction. It is not a statement of strategy. It is not a statement of policy. It is not a statement of procedure. It is not a statement of process. It is not a statement of result. It is not a statement of outcome. It is not a statement of performance. It is not a statement of quality. It is not a statement of quantity. It is not a statement of frequency. It is not a statement of duration. It is not a statement of timing. It is not a statement of sequence. It is not a statement of order. It is not a statement of priority. It is not a statement of importance. It is not a statement of urgency. It is not a statement of necessity. It is not a statement of possibility. It is not a statement of probability. It is not a statement of likelihood. It is not a statement of chance.



6/5/9

NOT FOR CONSTRUCTION

TITLE PROJECT SITE

NO	DATE	DESCRIPTION	BY

EARTHWORKS
 planning and design consultants
 11655 HIGHWAY 707 • MURRELLS INLET, SC 29576
 843.551.7900 (p) • 843.651.7903 (f) • www.earthworksgroup.com

Legend

40 YEAR SET-BACK LINE
 OCRM BASE LINE
 EXTENDED PROPERTY LINE

SCALE: 1" = 150'
 0 75 150

APPLICANT: TOWN OF SURFSIDE BEACH
PROJECT NAME: SURFSIDE PIER ADDITION
PROJECT LOCATION: S OCEAN BLVD, SURFSIDE BEACH, HOKRY CO, SOUTH CAROLINA

AREA SUMMARY:

DATE: 10/6/09
CREATED BY: AW001
FW P/N: 58001
T.S. MEN QUADRANGLE: SURFSIDE BEACH
APPROX. PROPERTY CENTER: 31°36'17.92"N BY 78°58'17.86"W
TAX MAP #: 195-04-09-001
PN# OCRM-09-5388-5

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of South Carolina, do hereby certify that the above described plan and specifications were prepared by me or under my direct supervision and that I am a duly qualified and licensed Professional Engineer in the State of South Carolina. I am not aware of any fraud or other illegal activity in connection with the preparation of this plan and specifications. I am not aware of any fraud or other illegal activity in connection with the preparation of this plan and specifications. I am not aware of any fraud or other illegal activity in connection with the preparation of this plan and specifications.



E1.1

E 1.2

6/9

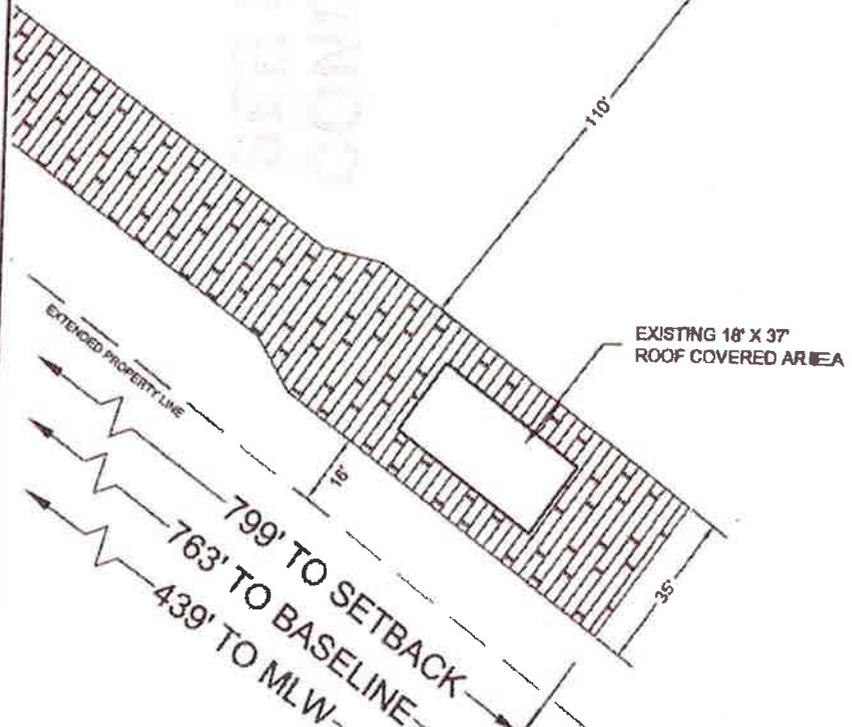
195-04-09-001
TOWN OF SURFSIDE BEACH
115 HWY 17N
SURFSIDE BEACH, SC 29575

40 YEAR
SET-BACK LINE

OCRM
BASE LINE

195-04-09-004
SURFSIDE PIER HOTEL LTD
PO BOX 14669
MYRTLE BEACH, SC 29587

EXISTING
PILING (TYP.)
TO REMAIN



**NOT FOR
CONSTRUCTION**

TITLE: PROJECT SITE
EXISTING

REVISION SCHEDULE:		
NO.	DATE	DESCRIPTION



11655 HIGHWAY 707 - MURRELLS INLET, SC 29576
843.651.7900 (o) • 843.651.7903 (f) • www.earthworksoscar.com

Legend



SCALE:
1" = 40'

APPLICANT: TOWN OF SURFSIDE BEACH

PROJECT NAME: SURFSIDE PIER ADDITION

PROJECT LOCATION:
S OCEAN BLVD., SURFSIDE BEACH, Horry CO., SOUTH CAROLINA

AREA SUMMARY:



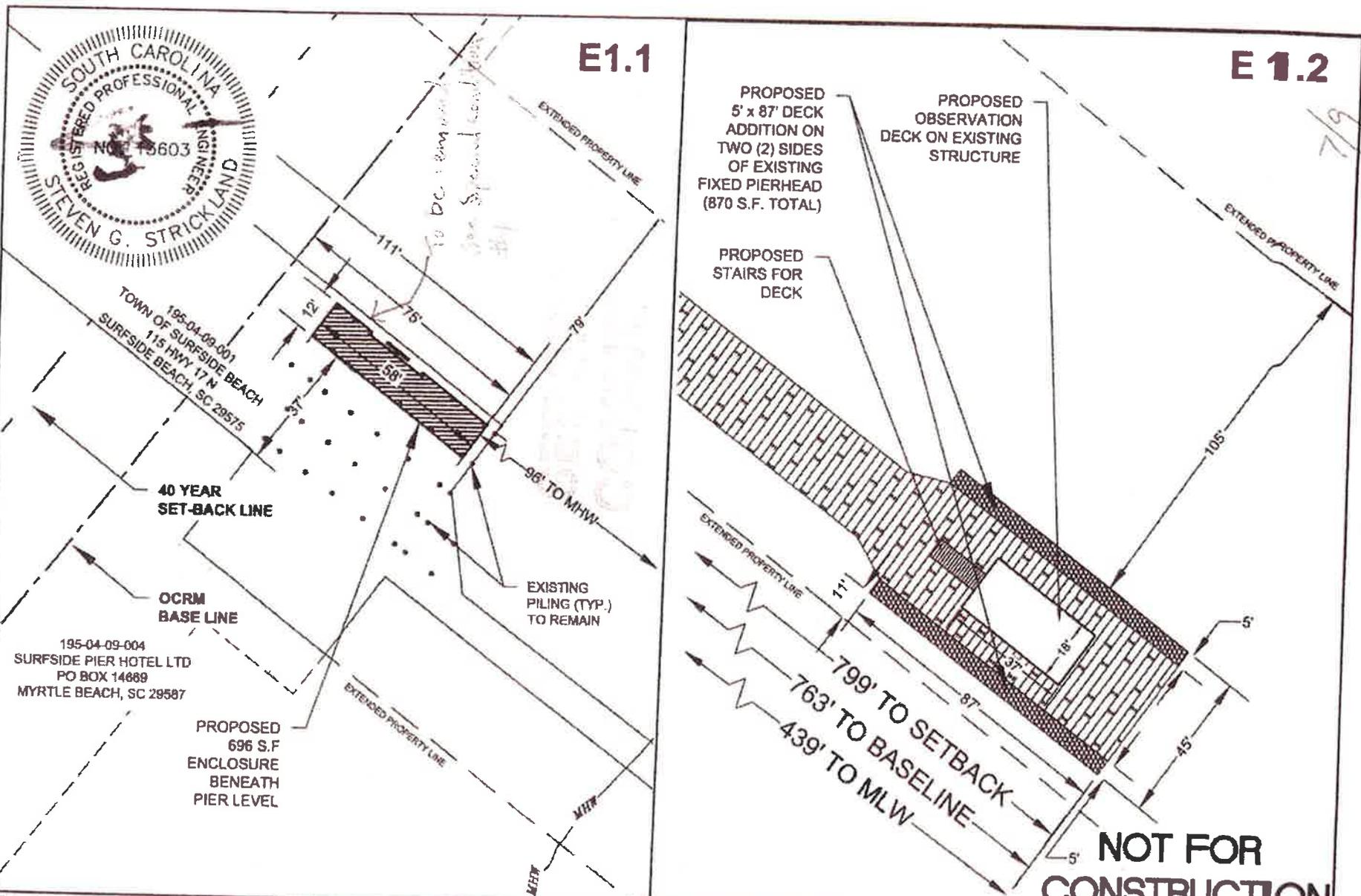
DATE: 7/30/09
CREATED BY: AW000
EW P/N: 58001
7.5 MIN QUADRANGLE: SURFSIDE BEACH
APPROX. PROPERTY CENTER: 33°36'17.92"N 67°28'58.12"W
TAX MAP #: 155-04-09-001

PRJ #
OCRM-D9-538-5



E1.1

E1.2



NOT FOR CONSTRUCTION

TITLE: PROJECT SITE PROPOSED

REVISION SCHEDULE:		
NO	DATE	DESCRIPTION

EARTHWORKS
 planning and design consultants
 11655 HIGHWAY 707 - MURRELLS INLET, SC 29576
 843.651.7900 (n) - 843.651.7903 (f) - www.earthworksgroup.com

Legend



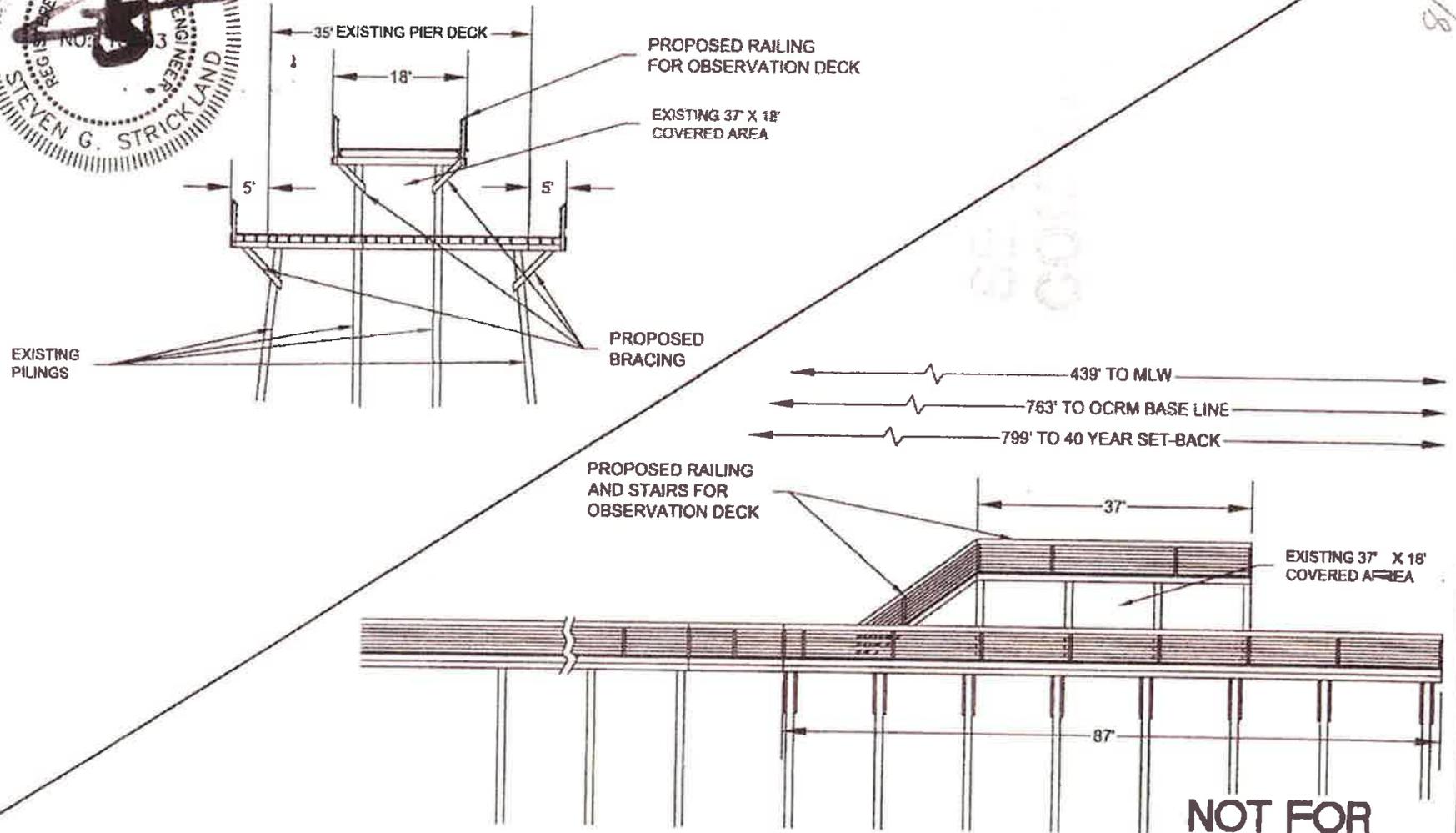
APPLICANT: TOWN OF SURFSIDE BEACH
 PROJECT NAME: SURFSIDE PIER ADDITION
 PROJECT LOCATION: S OCEAN BLVD, SURFSIDE BEACH, HORRY CO, SOUTH CAROLINA

AREA SUMMARY:

DATE: 7/26/08
CREATED BY: ARWOOD
EW P/N: 55001
7.5 MIN QUADRANGLE: SURFSIDE BEACH
APPROX. PROPERTY CENTER: 33°36'17.32"N BY 78°52'17.66"W
TAX MAP #: 195-04-09-001
PN # 001-09-538-5

This map is a preliminary site plan and is not intended to be used for construction. It is subject to change without notice. The information on this map is for informational purposes only and does not constitute a contract. The user of this map assumes all responsibility for its use. The user of this map assumes all responsibility for its use. The user of this map assumes all responsibility for its use.

8/9



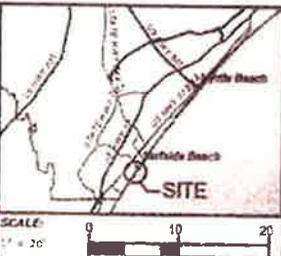
NOT FOR CONSTRUCTION

TITLE: PIERHEAD ADDITION PROFILE

REVISION SCHEDULE:		
NO.	DATE	DESCRIPTION

EARTHWORKS
Planning and design consultants
 11655 HIGHWAY 707 - MURRELLS INLET, SC 29576
 843.651.7025 fax: 843.651.3003

Legend

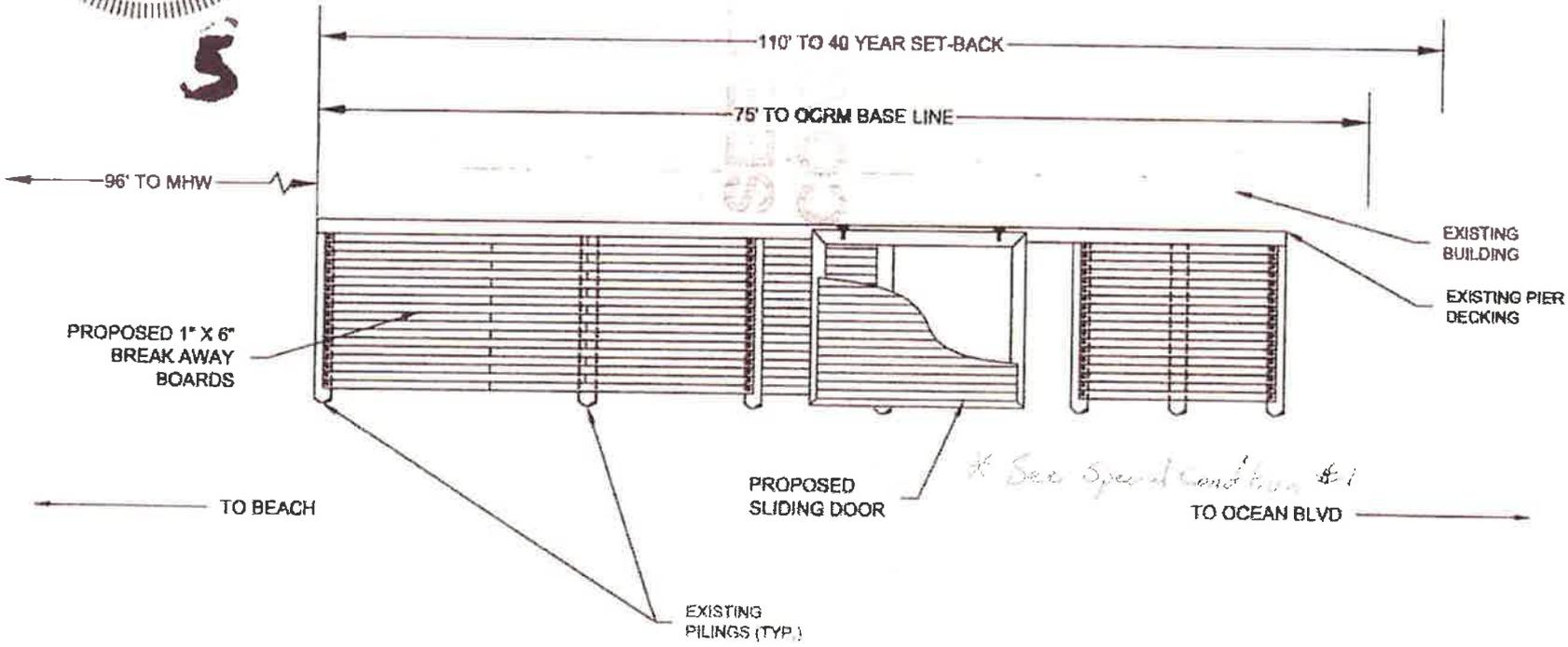
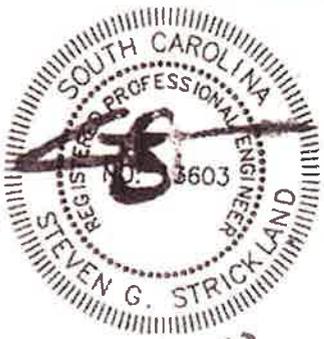


APPLICANT: TOWN OF SURFSIDE BEACH
 PROJECT NAME: SURFSIDE PIER ADDITION
 PROJECT LOCATION: S OCEAN BLVD, SURFSIDE BEACH, Horry CO, SOUTH CAROLINA
 AREA SUMMARY:

DATE: 7/16/09
 CREATED BY: AW000
 EW P/N: 50001
 7.5 MEN QUADRANGLE: SURFSIDE BEACH
 APPROX. PROPERTY CENTER: 33°36'17.92"N BY 78°58'17.86"W
 TAX MAP #: 195-04-09-001
 PIN #: OCRM-09-530-5

I, the undersigned, being a duly qualified and licensed Professional Engineer in the State of South Carolina, do hereby certify that I am the author of the design and drawings herein, and that I am a duly qualified and licensed Professional Engineer in the State of South Carolina. I am not providing any services to the client under this seal. I am not providing any services to the client under this seal. I am not providing any services to the client under this seal.

9/9



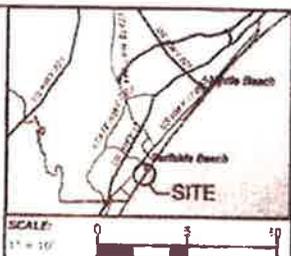
NOT FOR CONSTRUCTION

PROPOSED UNDER PIER ENCLOSURE PROFILE

REVISION SCHEDULE:		
NO.	DATE	DESCRIPTION

EARTHWORKS
planning and design consultants
 11655 HIGHWAY 707 - MURRELLS INLET, SC 29576
 843.651.7900 (tel) - 843.651.7903 (fax) - www.earthworksinc.com

Legend



APPLICANT: TOWN OF SURFSIDE BEACH

PROJECT NAME: SURFSIDE PIER ADDITION

PROJECT LOCATION: S OCEAN BLVD., SURFSIDE BEACH, HORRY CO., SOUTH CAROLINA

AREA SUMMARY:

DATE: 10/20/24
CREATED BY: AWOOD
EW P/N: 58001
7.5 PETH QUADRANGLE: SURFSIDE BEACH
APPROX. PROPERTY CENTER: 33°36'11.92" N 76°58'17.86" W
TAX MAP #: 195-04-09-201

PN #
OCRM-09-538-5

I, the undersigned, being a duly licensed and registered Professional Engineer in the State of South Carolina, do hereby certify that I am the author of the foregoing design and that I am a duly licensed and registered Professional Engineer in the State of South Carolina. My registration number is 3603. I am not providing this design for any other project or for any other purpose. I am not providing this design for any other project or for any other purpose. I am not providing this design for any other project or for any other purpose.



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

Notice of Appeal Procedure

The following procedures are in effect beginning July 1, 2006, pursuant to 2006 Act No. 387:

1. This decision of the S.C. Department of Health and Environmental Control (Department) becomes the final agency decision 15 days after notice of the decision has been mailed to the applicant or respondent, unless a written request for final review is filed with the Department by the applicant, permittee, licensee, or affected person.
2. An applicant, permittee, licensee, or affected person who wishes to appeal this decision must file a written request for final review with the Clerk of the Board at the following address or by facsimile at 803-898-3393.

Clerk of the Board
SC DHEC
2600 Bull Street
Columbia, SC 29201
3. The request for final review should include the following:
 - a. the grounds on which the Department's decision is challenged and the specific changes sought in the decision
 - b. a statement of any significant issues or factors the Board should consider in deciding how to handle the matter
 - c. a copy of the Department's decision or action under review
4. In order to be timely, a request for final review must be received by the Clerk of the Board within 15 days after notice of the decision has been mailed to the applicant or respondent. If the 15th day occurs on a weekend or State holiday, the request is due to be received by the Clerk of the Board on the next working day. The request for final review must be received by the Clerk of the Board by 5:00 p.m. on the date it is due.
5. If a timely request for final review is filed with the Clerk of the Board, the Clerk will provide additional information regarding procedures.
6. The Board of Health and Environmental Control has 60 days from the date of receipt of a request for final review to conduct a final review conference. The conference may be conducted by the Board, its designee, or a committee of three members of the Board appointed by the chair.
7. If a final review conference is not conducted within 60 days, the Department decision becomes the final agency decision, and a party may request a contested case hearing before the Administrative Law Court within 30 days after the deadline for the final review conference.

The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management

Charleston Office • 1362 McMillan Avenue, Suite 400 • Charleston, SC 29405

Phone: 843-953-0200 • Fax: 843-953-0201 • www.scdhec.gov

The Pier – Past Design and Future Vision

A Presentation to Pier Committee of the Whole

We Purchased a Pier





Some Statistics

- The pier was appraised for \$2,750,000 in August of 2007
- It is 660 feet long
- It's total area is 17,382 square feet
- Currently, a bait, tackle, ice cream and amenities shop comprise 1,610 square feet of the leased space
- Until recently a full-service restaurant comprised 1,811 square feet
- Both buildings are now approximately 45 years old



New Legislation was Passed

- Amending Section 48-39-290, Code of SC Laws
 - Amenity structures (excluding restrooms, handicapped access features and observation decks) may occupy no more than 35% of the total surface area of the fishing pier
 - Pier is 17,382 square feet
 - Amenity square footage increase permitted would be 6,083
 - This excludes restrooms, handicapped access features and observation decks
 - Amenity structures may not be constructed at a location further seaward than one-half of the length of the fishing pier as measured from the baseline
 - Pier is 660 square feet long
 - Construction is not permitted on the seaward 330 square feet

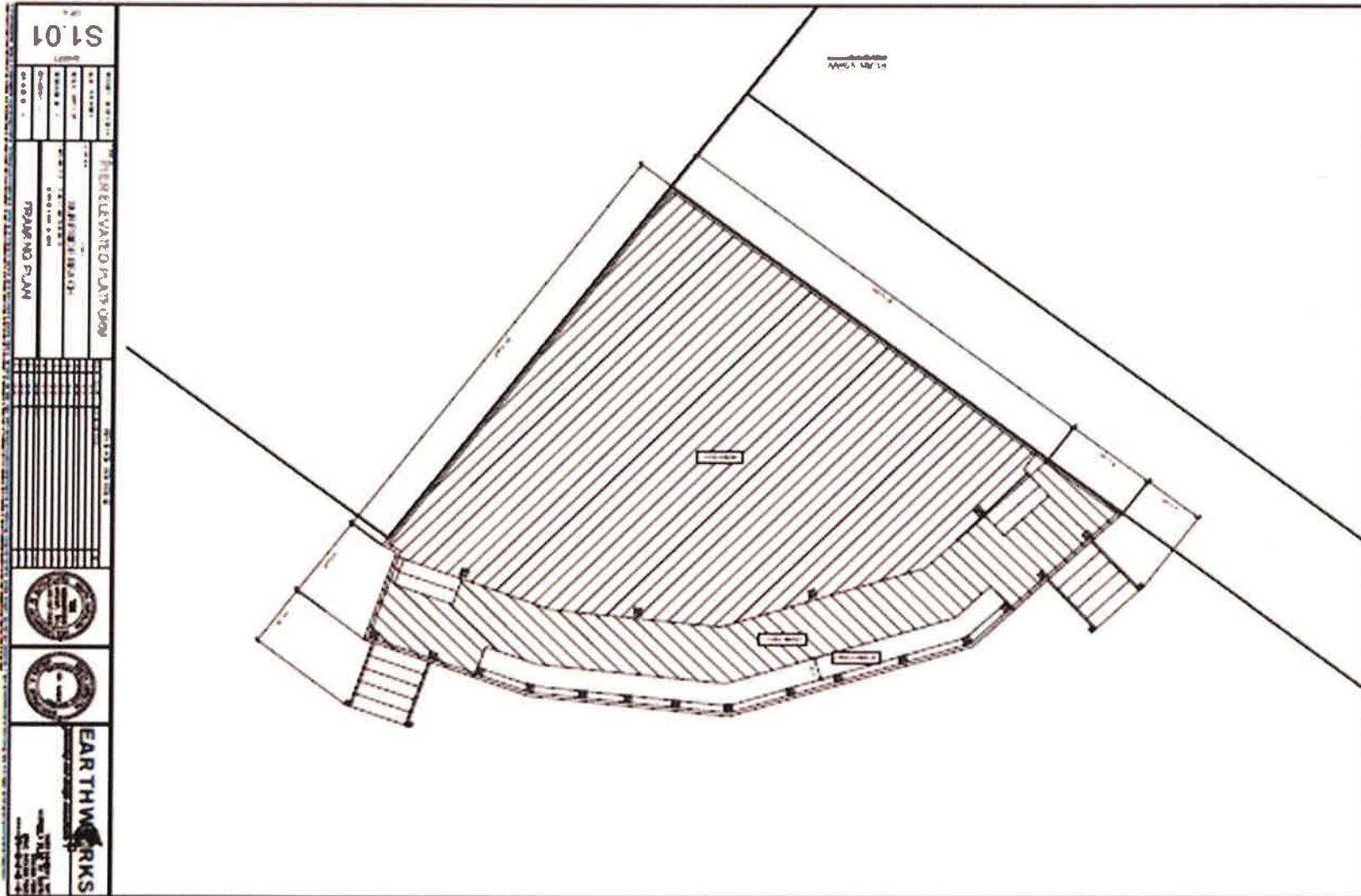
We Are Now Free to Develop This Community Asset as a Focal Point



Plans that Exist to Date

Developed and Preliminary

Deck Details



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Mandated Plans and Future Possibilities



What Must Be on the Pier By 2012

- ADA Compliant Access
 - Main access via lift
 - Store access with compliant aisle width
- ADA Compliant Restrooms



We Have a Preliminary Vision

Have's

- Pier and tackle shop
 - High-end beachware
 - Beach-related necessities
 - Limited collectibles and jewelry
 - Beverages, candy and snacks
 - Seasonal snow-cones
- Ice cream and hot dog shop

Could Have's

- Two-story facility
- Full service restaurant
- Games and arcade
- All accompanying amenities
 - Place from which to view ocean
 - Place to enjoy takeout food and beverages
 - Modernized, ADA compliant restrooms
 - Easy access to the beach
 - Place for ocean-related educational opportunities
 - A community gathering point



Not Everything Has to Cost a Fortune

- Message Boards
 - Large flat screen TV's that loop from a DVR
 - Produced by local high school or college broadcast classes
 - What's under the pier
 - Indigenous aquatic life
 - The life cycle of sea turtles
 - The stormwater cycle
- Discovery Cove Crafts
 - Two mornings per week summer camp with beach-themed crafts for kids
 - Produced by local high school or college art clubs
- Fairytale Theater
 - One night per week a special performance for children and their families
 - Produced by local high school or college drama clubs



We Are Limited Only by Our Imagination

*Imagination is more important
than knowledge, for knowledge
is limited while imagination
embraces the entire world. –
Albert Einstein*

- This could be a showplace of the Grand Strand
- A “must see” for every visitor
- Which in a practical sense translates into repeat business
 - Tourists who visit us for a few hours and like what they see
 - Are more likely to return or even stay in Town on their next visit
- In turn, this helps us generate additional dollars for ongoing pier plans and maintenance
- Allows the Enterprise Fund to pay back the General Fund so tax dollars are NOT used to fund projects



The Big Picture

- We need to think big
- We need to get it right the first time
- We need to implement our vision ...
even if we have to do it in phases



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS

May 24, 2011 ♦ 5:30 P.M.

PIER COMMITTEE OF THE WHOLE
MEETING

1
2
3
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9
10 **1. CALL TO ORDER**

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

16
17 Mayor Deaton stated that the Committee of the Whole is basically a workshop format
18 and it will be more open than the business meetings normally conducted.
19

20 **2. AGENDA APPROVAL**

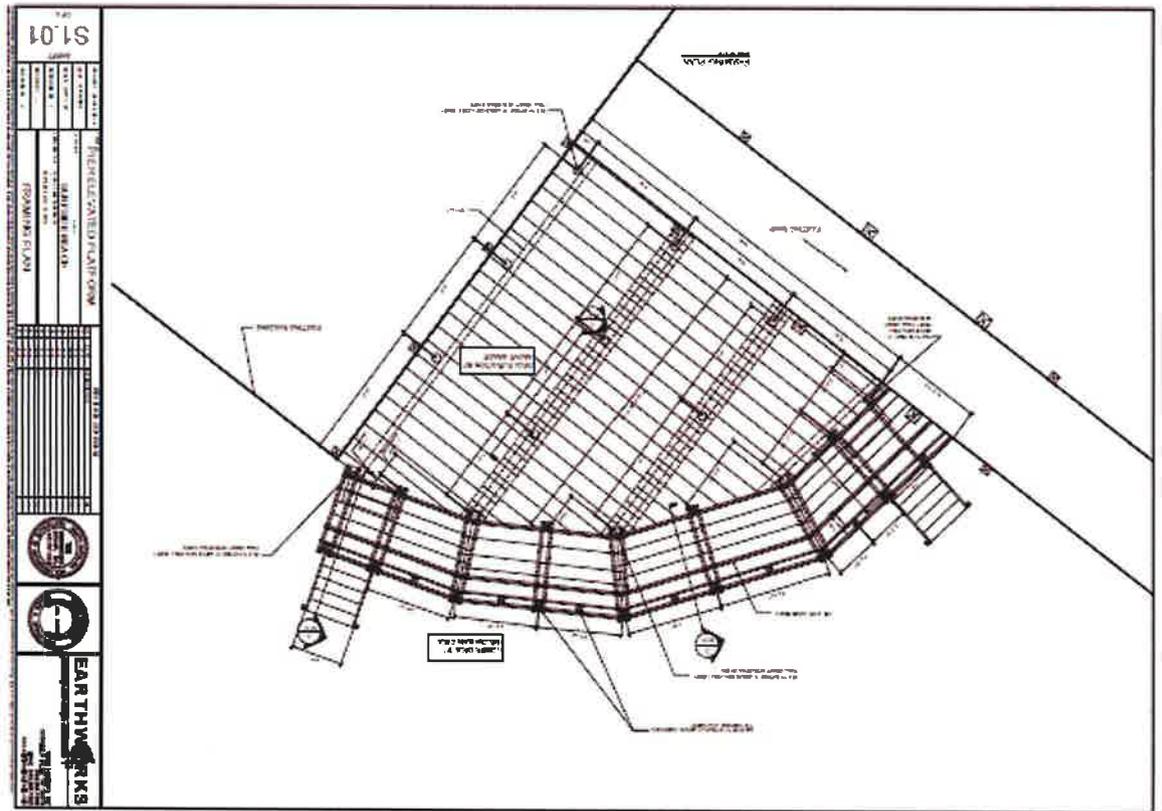
21 Ms. Blair made a motion to approve the agenda. Mr. Childs seconded the motion.
22 **All voted in favor. MOTION CARRIED.**
23

24 **3. DEPUTY ADMINISTRATOR TO INTRODUCE EXHIBITS**

25 **a) *Preliminary design work already done and future vision***

26 Ms. Fellner gave a Powerpoint presentation which is on file. The Town
27 purchased the pier in 2008; it was appraised for \$2,750,000 in August of 2007 and
28 it is 660 feet long. The total area is 17,382 square feet. It currently has a bait,
29 tackle, ice cream and amenities shop which comprises 1,610 square feet of the
30 lease space. Until recently, a full service restaurant comprised of 1,811 square
31 feet resided on the pier as well. Both buildings are currently 45 years old.
32 Recently new legislation passed; an amendment was made to Section 48-39-290
33 of the South Carolina law. There were two major things that affect the Town
34 directly, one is that amenity structures excluding restrooms, handicap access
35 features and observation decks may occupy no more than 35 percent of the total
36 surface area of the fishing pier. The Town pier is 17,382 square feet so any
37 amenity square footage increase that would be permitted would be 6,083 square
38 feet which excludes the restrooms, handicap access features and observation
39 decks. Mr. Samples asked if this was the footprint or the maximum square
40 footage. Ms. Fellner stated that this is not the actual maximum square footage;
41 added to this would be the ADA compliant restrooms, handicap features and
42 observation deck. Mr. Samples asked about two stories. Ms. Fellner stated that
43 the Town would be allowed to go up two stories; two stories will do nothing to
44 the footprint. Ms. Fellner added that the space could be sizably larger. The
45 second item is that the amenity structures may not be constructed at a location
46 further seaward than one half of the length of the fishing pier as measured from
47 the baseline. The Town pier is 660 square feet long and the construction is not
48 permitted on the seaward 330 square feet. This is not to say no construction
49 would be permitted there might be some permitted but it would need to go
50 through OCRM approval. The Town is now free to develop this community asset

51 as a focal point because of this legislation. Preliminary plans that exist to date
52 were presented as draft sketches.
53
54

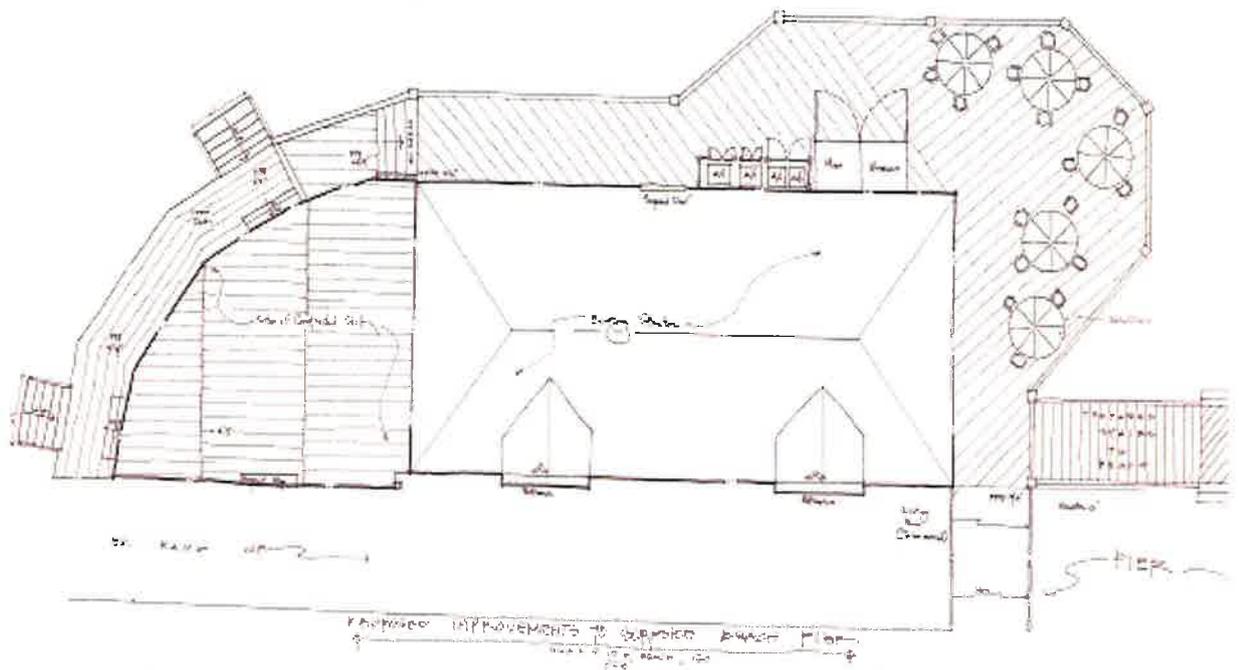


55 Mayor Deaton explained that previously the Town had to follow guidelines that
56 allowed 144 square feet as opposed to 1,000 square feet. There has now been a
57 law created that allows the Towns to do what they need to do with its public asset.
58 Ms. Fellner confirmed that the deck was approximately 1,160 square feet. Ms.
59 Fellner showed the kiwi shade plan. There was also a plan to add tables and a
60 message board to the area. Ms. Fellner confirmed that a large portion of the
61 decking materials are still in house and the shades are being held at the kiwi shade
62 business location. Mayor Deaton stated that the decking was originally presented
63 to Council as being a project costing under \$5,000. Mr. Samples stated that
64 Council never voted to approve the deck and he personally never understood that
65 it was going to be constructed because concurrent with this project was
66 replacement of the deck on the main pier adding that it became quite confusing as
67 to what was being done. Mayor Deaton stated that the deck was to be an in-house
68 job. Ms. Fellner stated there was a bid involved in the deck. Mr. Samples stated
69 that Council had the understanding that it was not bid since the cost was less than
70 \$5,000. Ms. Fellner stated that the bid came at the end; it was stated that the
71 Town had all the permits and all the lumber and that it could be done in-house.
72 The Town was in the middle of the project when it found that the information
73 given was not true. The Town then stepped back and went out for bid. Mr.
74 Samples stated that this is the purpose for having open meetings to discuss these
75
76
77

78 types of issues and to avoid future misunderstandings and miscommunication
79 adding that Council relies heavily on staff. Staff has to do their job and they must
80 inform Council. Projects cannot be underway that are unknown to elected
81 officials.

82
83 Ms. Fellner presented the DDC phase II plan and vision. This is a preliminary
84 plan; it is not an engineered plan but a simple rendering. Ms. Fellner stated that
85 DDC did not charge for this plan. It was confirmed that any new decking would
86 be made ADA compliant. The plan being presented was not fully developed at
87 this point in time.

88



89
90

91 Ms. Fellner stated that the new regulations just came out a few months ago; the
92 Town will look at this very closely and the engineers are aware of all of the
93 changes that are in place. The Town will comply with all the new regulations.
94 The Town will need to be compliant as of March 2012. Since the ramp has not
95 space and, therefore, cannot be built to become compliant the Town will need to
96 construct a lift. The stores, buildings, restrooms and aisles in the shops will all
97 need to be ADA compliant.

98

99

100 Ms. Fellner reported that the Town currently has a preliminary vision. There is
101 currently a pier and tackle shop with high end beachwear and beach related
102 necessities, limited collectables, jewelry, beverages, candy and snacks, seasonal
103 snow cones and an ice cream and hot dog shop. The Town has a lot of "could
104 haves". The Town could have a two story facility, a full service restaurant, games
105 and arcade, all accompanying amenities such as a place to view the ocean, a place
106 to enjoy take-out food and beverages, tables, chairs, umbrellas, modernized ADA
107 compliant restrooms, easy access to the beach (steps to and from the beach), a
place for ocean related educational opportunities and a community gathering

108 point. Not everything has to have a high cost attached. Ms. Fellner stated that the
109 Town would like to see message boards which are large flat screen televisions
110 that work from a DVR and they play a continuous loop. These boards would be
111 in a shaded area and they could be produced by local high school or college
112 broadcast classes. Ms. Fellner spoke with both Soccastee and St. James high
113 schools and they both indicated that they would love to do something like this. It
114 could show what is under the pier, indigenous aquatic life in the area, the life
115 cycle of sea turtles and the stormwater cycle and more. This area could be a focal
116 point and be an interesting place for people to sit and recline. Discovery cove
117 crafts could be provided for the children each summer at the pier; two mornings
118 per week the Town could hold a summer camp with beach related crafts and it
119 could be produced by local high school or college art clubs. Ms. Fellner stated
120 that she is sure the local schools would be very receptive to this idea. Ms. Fellner
121 stated that the Town could provide a Fairy Tale Theater at the pier to entertain the
122 children. Local high school and college drama clubs could be used to provide this
123 entertainment. These should be relatively low in cost to the Town. Ms. Fellner
124 stated that the Town needs to look at the big picture by thinking big, getting it
125 right the first time and implementing a vision even if it must be done in phases.
126 Mayor Deaton added that doing a project like this is very important to do in
127 phases.
128

129 ***b) Pier financial operation plan 2011-2012- Funded and unfunded maintenance***
130 ***needs***

131 Mr. Adair stated that in the year he has been working with the Town, working
132 around the pier has been one of the most gratifying experiences and he knows that
133 the residents and visitors feel the same way. A lot of work has been done to the
134 pier in the last year. The Public Works staff has worked on re-decking the pier,
135 placing handrails on the ramps and replacing bolts. Mr. Adair stated that he is
136 very proud of his staff and how much they have accomplished. To date in the
137 current fiscal year budget the Town has incurred expenses of approximately
138 \$15,000 on salaries, spent approximately \$26,000 on repairs, maintenance and
139 supplies for items such as wood, screws, roofing, tools, structural steels and
140 electrical work and the Town spent approximately \$15,000 on capital
141 improvement projects, construction projects such as renting the crane and hydro
142 lift that was used on the pier. Galvanized hardware was also purchased; some of
143 the stainless steel supplies were purchased in the previous budget cycle so it is not
144 reflected in the current years' budget.
145

146 A handout was distributed by Mr. Adair to council and members of the public. It
147 was confirmed that this information along with the Powerpoint presentation
148 would be made available on the Town website. Mr. Adair stated that the Town
149 has spent approximately \$56,000 this fiscal year on repairs and maintenance to
150 date. This includes new decking and railings, the entire outward band of pilings
151 have been re-bolted with either one inch stainless steel or three quarter inch
152 galvanized hardware. The shade structure at the end of the pier has been reroofed,
153 new benches were fabricated and installed and the north side of the pier has
154 received some emergency electrical repairs; about 1,000 feet of number 10 wire
155 was replaced, weatherproofing of all the conduits has been performed. These
156 costs are not annual costs but maintenance on the pier is an ongoing activity. A

157 lot of these items will not be recurring in the next several years. An additional
158 \$9,400 has been spent on professional services for the pier such as legal,
159 engineering, etc. Utility costs from the pier enterprise fund would be given by
160 Ms. Hursey at the regular meeting. For the upcoming year included in the budget
161 is approximately \$3,000 for salaries for the street department; this includes about
162 200 man hours. Also budgeted is \$7,500 in materials; there should not be a lot of
163 material needs this upcoming year. Staff will come back in the fall and perform
164 more re-bolting on the center piles. Under capital \$25,000 has been budgeted for
165 pile replacement; this number will be amended following a pile inspection process
166 the Town will have to undergo. The pier was inspected several years ago and it
167 was determined that 5 piles needed to be replaced due to wood boring insects.
168 This will cost the Town between \$50,000 and \$75,000. Mr. Adair received an
169 estimate from a company who he believes may have built the pier, Cape Romain
170 Contractors out of Charleston, they estimate 5 piles with a polymer wrap to keep
171 insects out to cost approximately \$10,000 to \$12,000 per pile. This same
172 contractor won a bid recently to place 5 piles at the Myrtle Beach State Park pier
173 and they were the low bidder at \$39,000. The piles on the pier would need to be
174 re-inspected and a number will not be given until an estimated cost is received; at
175 that point the budget will need to be amended. Mr. Adair stated that in the interim
176 he would like to ask for approval of Council to put a small stairway in on the
177 beach side leading up to the terrace by the restaurant space; this will help people
178 access the pier. Many people had requested it last year. With the new legislation
179 the Town can now do it. There was no objection from councilmembers. Mr.
180 Duckett stated that the Town holds a legal opinion from the attorneys that the
181 stairway is allowed. Mr. Duckett stated that the Town has the materials and that it
182 would meet the building code and be inspected. Mayor Deaton suggested that it
183 may be a good idea to notify OCRM to get their input just as a good faith
184 approach.

185
186 Mr. Samples asked Mr. Adair if there were immediate issues the Town would
187 need to address before someone might use the restaurant space temporarily. Ms.
188 Donevant confirmed that no one has looked at the space regarding necessary
189 repairs. Mr. Samples asked if this could be addressed. Ms. Donevant agreed to
190 get this done. Mr. Childs stated that he had the opportunity to look at the
191 restaurant space the previous week and added that he would hope that the Town
192 would get an architectural engineering firm to look at it. Last year there were
193 problems with the air conditioning, the roof currently leaks, the plumbing is
194 outdated and the electrical will not meet standards. Mr. Childs added that he is
195 not sure that the building would withstand wind load adding that he is certain that
196 the Town would not be able to build on top of the current building. The least
197 expensive way to go would be for the Town to take the building down and build
198 another that would be capable of going to a second story. Mayor Deaton stated
199 that the building is 45 years old. Ms. Donevant stated that this would be her
200 recommendation to have someone look at the entire pier including the buildings.
201 Mr. Samples stated that this would need to be addressed for a long term use. Mr.
202 Samples asked what could be done for a short season; obviously the Town will
203 not be fixing it in terms of major expenditures for a short term use. Mr. Samples
204 stated that the long term replacement and expansion of the space should be
205 addressed. Ms. Donevant stated that everything would need to be upgraded in

206 regards to a restaurant space even for a short term lease. Mr. Samples concern
207 was would the space currently be safe to use for a short term period. Mr. Childs
208 urged councilmembers to look at the space.
209

210 **4. COMMITTEE OF THE WHOLE DISCUSSION**

211 Ms. Dodge stated that she was thinking of putting in a souvenir t-shirt shop for short
212 term use. Mr. Childs stated that the Town already has a shop like that across the
213 aisle; the tackle shop already sells these types of items adding that he is not sure that
214 the Town would want to compete. Mr. Duckett stated that the Town currently has a
215 60 page contract with Pier Outfitters and suggested that before council proceeds that
216 it receives legal guidance as to what would be allowed and what would not allowed.
217 Mr. Samples suggested that staff come back and inform Council what uses are not
218 allowed adding that it is staffs job to advise Council as to when it is headed in the
219 wrong direction adding that it is not up to Council to read a 60 page lease this late in
220 the game.
221

222 Mayor Deaton gave a brief history explaining that there was approximately \$800,000
223 plus in the Atax account that was going to go back to the State. Mayor Deaton stated
224 that he went to the TRAC committee in Columbia to convince utilizing this funding
225 to purchase the pier. This money was originally held to re-nourish the beach; the
226 beach re-nourishment ended up being funded by the federal government; the Town
227 would have had to return the funds unless it found another tourist related use. The
228 committee had asked if a visitors center would be placed at the pier adding that this is
229 something the Town could add. The best use for the space would be a restaurant but
230 since that is not going to happen at this point in time perhaps a visitor's center could
231 be placed there temporarily. This would be feasible and easy to accomplish. Mayor
232 Deaton stated that he is opposed to using general tax money for the pier; the Town
233 borrowed 1.8 million from the general fund to purchase the pier. The Town is paying
234 itself back at 2 percent interest. Mayor Deaton stated that he would not want to use
235 general funds to renovate the pier; the pier is an enterprise fund; this should be self
236 funding. Mayor Deaton stated that this pier project would have to be done in phases,
237 and he would prefer to see revenue streams such as Atax and hospitality contribute to
238 the pier; these funds are generated by the tourists and not the taxpayers. Ms. Blair
239 thanked Ms. Fellner and Mr. Adair for their presentations adding that she is very
240 encouraged by the vision Ms. Fellner presented. Some great ideas came in from the
241 residents and thanked them for their contribution. Ms. Blair stated that she was
242 originally discouraged feeling that this Council may not come together to work
243 toward the future of the pier but now she is feeling much more positive. The pier can
244 be made into a focal point for Surfside Beach. The time it has taken and the mistakes
245 made have discouraged some but others have maintained a positive outlook. If the
246 Town is patient and it works together on its phases, one day the Town will be proud
247 of what has been created. It will take planning and patience. Ms. Blair stated that she
248 agreed with the suggestion of the Mayor to put in a welcome center. Ms. Blair
249 thanked Council for putting their feelings and egos aside to work together for the
250 Town.
251

252 Mr. Johnson stated that this is a good first step but feels that the Town needs to work
253 quickly adding that he would like staff to come back as soon as possible with the uses
254 that are not allowed in the lease.
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Proposed meeting schedule for Committee of the Whole

Mayor Deaton suggested having staff set the schedule for future meetings. Mr. Samples stated that he feels that Council needs to move on this. If Council does not set schedules or deadlines then things don't get done. Mr. Samples stated that he spoke with the Administrator regarding a schedule. The Administrator suggested once a month prior to regular Council meetings as was done today. Mr. Samples stated that he would prefer to meet prior to every Council meeting as opposed to once a month but he recognizes the Council has a budget they need to adopt before the end of June. Mr. Samples stated that he wants to ensure that the Town is moving forward and agrees with councilman Johnson that Council needs to know what they can't do at the restaurant space even on a temporary basis; what uses are not allowable. Once Council knows what uses are allowed there will be plenty of people in town to make suggestions. Council can consider these suggestions. Mayor Deaton stated that the pier is much larger than the 1800 restaurant space and it is important for Council to look at the big picture; a vision for the entire lot. Mr. Childs stated that he agrees with Mr. Samples in meeting once a month to make sure something gets done. Ms. Dodge stated that she feels that Council should involve the people of the Town. Ms. Dodge stated that she has received many suggestions for the area and many of them can be done inexpensively. Ms. Dodge stated that some of the suggestions she received were to place palm trees on Ocean Blvd and throughout town and put in an information booth. Ms. Blair stated that Council was provided with a list of some suggestions.

Ms. Fellner stated that her concern is that the Town has lost its grandfathering as of June; if a business goes in that space for any other use than as a restaurant the Town loses its ADA compliant grandfathering. Ms. Fellner added that she needs to get the legal facts. It was confirmed that Council would meet once per month to discuss the pier.

Mr. John Ard stated that he has a major problem with kids not having anything to do in Town. He would like to see something done at the pier for the kids and he would like to see the area have an arcade.

Mr. Shelby Smith stated that he feels the intersection by the pier needs a light adding that it is dangerous and that this is a huge safety issue. Mr. Duckett stated that the Town could have GSATS review it.

Mayor Deaton thanked everyone for their input.

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5. ADJOURNMENT

The meeting was adjourned at 6:30 PM.

Approved: May 24, 2011

Approved

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.



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS

June 28 2011 ♦ 6:30 P.M.

TOWN COUNCIL
COUNCIL MEETING
PIER COMMITTEE OF THE WHOLE
WORKSHOP

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11 **1. CALL TO ORDER**

12 Mayor Deaton called the meeting to order at 6:30 PM. Mayor Deaton, Mayor Pro
13 Tem Childs and councilmembers Blair, Smith, Dodge, Johnson and Samples were in
14 attendance. There was a quorum. Staff present: Administrator Duckett; Deputy
15 Administrator, Fellner; Clerk, Pinnell; and Police Chief, Frederick. Attorney Mr.
16 Moss was also present.

17
18 Mr. Johnson made a motion to amend the agenda to move the Surfside Rotary
19 presentation from Item 3 to Item 2 on the agenda and Item 2 to Item 3. Mr. Samples
20 seconded the motion. **MOTION CARRIED.**

21
22 **2. ROTARY**

23 a. *Presentation of Check*

24 Will Thompson, Rotary President, thanked Council and the Town of Surfside, the
25 police, EMS, Debbie Ellis in the Recreation department and the Public Works
26 Department for all their help in assisting them with their road race this past year
27 along with years past. It has been a great effort. 100 percent of the proceeds from
28 that race go to charitable causes within the community. Mr. Thompson presented
29 the Mayor with a check in the amount of \$2,000 for the Recreation Department.

30 b. *Request for Date Change of Annual Rotary Race*

31 Mr. Thompson stated that the Rotary does not have a new date agreed upon at this
32 point in time. The Rotary wanted to seek the approval of Council to have further
33 discussion with the Recreation Department to push the date to sometime in
34 March. The past two years there has been bad weather in January and February.
35 The Rotary feels it would be a mutual win for the club and the Town if they were
36 to push the race to a more conducive time where weather is great and they can get
37 more people to the Surfside Beach area. The Rotary is considering having the race
38 around St. Patrick's Day but they do not want to have it the same time that the
39 North end has their parade; it would be no later than March 17th.

40
41 **3. POWERPOINT UPDATE ON THE PIER**

42 Ms. Fellner gave a PowerPoint presentation. The current status of the pier is that the
43 Town has a 1,811 square foot space that has been vacant since January 1st of 2011.
44 The Town currently has a contract with Chicora to promote and show the property
45 until July 12th. The property is not without new prospect interest; the Town has had a
46 few prospects within the last couple of weeks. The issues involved are to decide
47 what, if anything, should be permitted to go into this currently vacant space.
48 Secondly, determine what the structural limitations are which would constrain the
49 Town and, thirdly, to decide whether or not to move forward with a design process, a
50 phased approach, non-phased approach and also consider fiscal considerations.
51

52 The pier is a non-conforming structure; it is non-conforming because of a law
53 regarding linear feet from the ocean. It is non-conforming to us, DHEC, OCRM and
54 our own shore protection line. Because the structure is non-conforming a change in
55 the structure or footprint would require Town review; since the legislation passed it
56 would not require OCRM review; some changes, depending on what the Town does,
57 may require OCRM review. If the Town chose to build on the eastern half of the pier
58 it would need OCRM review and approval.

59
60 Ms. Fellner stated that the Town staff will meet with DHEC and OCRM shortly to
61 discuss the implications of the new legislation. The meeting will be held at Town hall
62 and Mr. Blair Williams of OCRM and a supervisor at DHEC will attend the meeting.
63 The Administrator, Director of Building and Ms. Fellner will attend the meeting on
64 the Towns' behalf.

65
66 Ms. Fellner stated that the Town is limited on uses. Council had requested staff to
67 investigate the limitations for that area. The maximum building height in the C-3
68 amusement commercial district is 55 feet; this would allow for the erection of a two
69 story amenity structure. Council was also interested in the grandfathering issue; if a
70 structure remains exactly the same any use that is currently permitted in the C-3 zone
71 is permissible. Any structural change, however, would mean the loss of all
72 grandfathering including need to come into ADA compliance, need for code
73 compliance including electric, etc., and need for an asbestos inspection report. Even
74 if the property was just renovated the asbestos inspection report would be required.
75 Permitted uses in the C-3 are: hotels, motels, tourist homes, theaters, billiard or pool
76 halls, bowling alleys, skating rinks, shooting galleries, piers, amusement arcades,
77 restaurants, lounges, retail sales, real estate offices and similar activities not
78 specifically mentioned; anything not specifically excluded could be included.
79 Transient short-term rental uses would be subleases less than 30 days; these are
80 generally people who have property that are renting it out for a week to tourists
81 coming into Town.

82
83 Ms. Fellner stated that after understanding the zoning ramification the Town moves
84 forward by discussing the project with one of the Towns' engineers, namely DDC.
85 DDC has designed several piers and Mike Wooten is LEED (Leadership in Energy
86 and Environmental Design) certified. DDC recommends CHAO and Associates
87 from Columbia for structural stability review. CHAO has been an on-call structural
88 engineer for USC for almost 20 years; this is the firm that engineered the stabilization
89 of the existing USC stadium. For architectural design, if the project has a vertical
90 component, meaning if the structure goes up multi levels, DDC would recommend
91 Jim Hubbard of Pegram and Associates; this is the firm that designed the restaurant,
92 gift shop and other features which support the new sky wheel in Myrtle Beach. They
93 were consulted on the sky wheel because it is supported on a pier type structure. In
94 regards to the structural engineering proposal, staff has asked DDC to proceed to
95 obtain a proposal from CHAO. The scope of service for Phase I includes providing a
96 cursory visual site observation of the existing structures and condition, conducting 5
97 percent limited non-destructive hammer testing and wood coring to examine the
98 structural integrity of the piles and providing a written report outlining the structural
99 deficiencies noted and repair recommendations. The estimated fee for this is \$7,500.
100 Ms. Fellner stated that this report will just inform the Town what it has and how

101 sound the structure of the pier is. The scope of service for Phase II includes, based on
102 field observation and evaluation (what they find in the prior testing), they will suggest
103 further non-destructive testing methods to obtain the pile load during capacity. The
104 fee for the Phase II would be provided after the Phase I is completed since they do not
105 know what they would find in Phase I. They would report to the owner (the Town) as
106 requested and the geotechnical report, site topographical survey, architectural
107 engineering report are not included in their scope of services. The immediate steps
108 would be to get direction from Council regarding what they want to see immediately
109 done with the space currently vacant and if Council wants staff to move forward to
110 ask the Town engineer to engage CHAO and Associates to determine the structural
111 integrity of the pier. The longer term request would be to get direction from Council
112 whether or not to move forward with the design process, a phased approach, a non-
113 phased approach and also the economic considerations that go along with that which
114 would require some research; the Town would first have to know what it has prior to
115 moving forward. Phase I would need to be completed initially to see what the Town
116 could do and what they would cost.

117
118 Mr. Childs stated that he would like to make a recommendation to direct the
119 Administrator to contact an architectural engineering firm to present Council with
120 preliminary renderings with cost estimates of a one story, two stories, and a one story
121 with the possibility of a second floor for future construction of a pier restaurant. The
122 reason he added the one story with future construction was that he has been involved
123 in projects like this; they make the first story structurally sound which is relatively
124 inexpensive when they are building the first story and then a second story could be
125 added on without much interference to the first floor at a later point in time. Mr.
126 Childs stated that he believes everyone is in agreement that they want a restaurant in
127 that location. Mr. Johnson stated that before Council proceeds with approving the
128 recommendation he would like to go back to the last workshop where they asked staff
129 to come back with recommendations or information on what could or could not be put
130 in the space regarding the Pier Outfitters lease. Ms. Fellner stated that the Town has
131 received an opinion from the attorney and the opinion is that the Town should not
132 compete with its own business; it would be inappropriate. The Town could place any
133 of the items listed previously in the presentation but the Town would not want to put
134 something that would compete with the existing business on the pier; the Town would
135 not want an ice cream shop, bait shop or t-shirt shop. It is the attorneys' opinion that
136 this is implied in the lease. Mr. Johnson stated that since Council did not see the
137 lease and was not involved with the lease so he was not sure what could be done in
138 that space. Mr. Johnson stated that he agreed that the Town would not want to
139 compete with itself. Ms. Fellner stated that anything allowed in the C-3 would be
140 permissible. Mr. Samples stated that the Town could serve food. Ms. Fellner stated
141 that it would not have to be a previous use. Mr. Samples stated that Pier Outfitters
142 sells snacks. Ms. Fellner stated that as long as the Town is not competing to injure or
143 hurt the other tenant it would be allowed. There are a lot of other short-term
144 temporary use options available. Mr. Duckett stated that he wanted to add that while
145 there are options, the power, plumbing, HVAC all have to be dealt with prior to
146 putting anything in that space; the space is not currently turnkey ready. Mr. Samples
147 asked if anyone has gone into the space as requested at the last pier meeting to see if
148 the HVAC or water works or if the electric works. Mr. Samples stated that he
149 believes that Ms. Donevant was going to inspect this. Ms. Fellner stated that Ms.

150 Donevant has not completed the inspection; she is not present this evening due to her
151 husband having surgery today. Ms. Fellner stated that it is her understanding that the
152 electric and items of this nature are not up to code but they currently work. There is a
153 plumbing issue that has to be resolved. If the Town was to renovate in any way it
154 would need to perform an asbestos inspection. Mr. Samples stated that in that event,
155 had any renovations been intended by the Town or other parties, an asbestos
156 inspection would have had to have been done. The Town has no idea of the outcome
157 he presumes. Ms. Fellner stated this was correct. Mr. Samples stated that he would
158 like to make a point. The point is that this is the first time that any of Council has
159 heard that if the Town makes renovations in the pier building an asbestos
160 investigation would need to be performed and Mr. Samples added that he assumes the
161 Town would have to mitigate, if asbestos is found, and this is not cheap to mitigate.
162 Mayor Deaton added that this is just the beginning process; this information was not
163 available previously. Mr. Samples stated that he is suggesting that this would have
164 set the Town up for a claim in the event it signed a contract. Ms. Fellner stated that
165 in order to renovate this would be part of the code process; this is something that must
166 always be done. Ms. Fellner stated that the buildings at the pier are 45 years old
167 which means the likelihood of asbestos is very high. Mayor Deaton stated that the
168 Town has just recently assumed this responsibility, therefore, the possibilities would
169 have been, possibly, in a private investors hand but now the Town has assumed this
170 responsibility and the Town is currently in a fact finding mission to find out the
171 details and to find out what the Town will be facing because these are taxpayer
172 dollars the Council will be spending so they need to know exactly what the costs will
173 be. Mr. Samples stated that before any direction is given the Town needs to
174 determine if asbestos is going to be an issue, whether the space is renovated or torn
175 down. Mr. Samples stated that if no structural changes are made then the Town does
176 not have to do the asbestos testing. Ms. Fellner stated that this would apply if no
177 structural changes or renovations were performed. Mr. Samples stated that he would
178 suggest Council determine the scope to see if it is an issue in terms of the integrity.
179 Mr. Sample asked if Phase I included the entire pier or just the restaurant. Ms.
180 Fellner stated that it is for the structural area of the pier. Mr. Samples asked if this
181 includes an asbestos testing. Ms. Fellner stated that it does not include asbestos.
182 CHAO does not do asbestos testing this would be a different company and this would
183 be a whole different process. Mr. Samples asked if Council could get a time table
184 adding that he feels this is necessary to delineate some of these events. Ms. Fellner
185 stated that CHAO had been asking if the Town was going to move forward with this
186 and Ms. Fellner explained to them that this would be a decision for Council to make;
187 they are currently waiting for the approval to move forward. Ms. Fellner stated that
188 she can provide a time table on anything that Council approves.

189
190 Mr. Samples referred to Mr. Childs' recommendation asking what the preliminary
191 rendering would do for the Town besides give the Town a picture. Ms. Fellner stated
192 that a preliminary rendering is a picture; it's to give a vision of what the engineer or
193 architect sees. Ms. Dodge stated that the Town is accepting the recommendation to
194 go with CHAO and asked if the Town has considered other firms for this project. Ms.
195 Fellner stated that DDC, who has proven in difficult projects to be the engineer
196 choice for the Town at this moment, since they are the Town Engineer the Town,
197 usually yields to their recommendations on which they use in these matters.
198 Traditionally, and it does not always have to be this way, but this work is usually

199 billed through DDC and they oversee that work to make sure this contractor has done
200 what they say they would do. The Town does not have an engineer on staff to
201 oversee such an involved project. The Town can review the contracts and follow up
202 but for projects this involved the Town must rely on a Town engineer. CHAO is the
203 company that DDC works with traditionally on jobs of this scope adding that this is
204 not a small job putting structures on a pier; the liability issues are huge. The Town
205 needs to rely on people who understand engineering that goes with pile loads. Ms.
206 Dodge stated that she understands what Ms. Fellner is saying but she was just
207 wondering if there was another firm that does the same type of work with a lower
208 price in order to save money for the Town. Ms. Fellner stated that the issue with this
209 is that there are a few companies in the area that do pier construction but this is not a
210 one person project; this type of project is a team approach. An architect is needed
211 along with a regular engineer to spear head the vision and draw out the schematics
212 along with a structural engineer like CHAO adding that he is the best in this area at
213 what he does. Mr. Childs stated that the reason he put the renderings in was that he
214 did not want to get the Town right away into expensive drawings; renderings usually
215 come along with cost estimates; they would just be a way to give Council some
216 direction. This would be the most inexpensive way to go with professional advice.
217 Ms. Blair stated that at some point Council will want to see some renderings and
218 pictures and feels that all three of these suggested items are things everyone would
219 like to see but she was just wondering if the Town is putting the cart before horse; if
220 the Town does not know the structural stability why would Council need to see
221 renderings. These should not be provided until it is known what the pier will hold.
222 Ms. Blair stated that she believes the asbestos would fall under an environmental
223 remediation firm. Mayor Deaton stated that the Council should probably look at
224 Phase I first. Mr. Johnson stated that he agrees that Council needs to decide whether
225 the Town should use the existing structure or remove it and start from scratch. Mayor
226 Deaton stated that the Town cannot do that until an evaluation of the structure
227 stability is done. Ms. Fellner brought up Phase I on the screen again for Council to
228 view.

229
230 Mr. Harbin from the audience asked if a mandatory investigation of asbestos is
231 necessary if only the flooring is changed. Mayor Deaton stated that asbestos could be
232 in the HVAC, in the piping or insulation; there are several places it could be found.
233 Mayor Deaton stated that the Town is probably looking at a major investment here in
234 the future. Mr. Curtiss from the audience stated that he believes asbestos is
235 mandatory on buildings over 25 years old.

236
237 Phase I was reviewed once again. Mayor Deaton asked if there was any opposition to
238 proceeding with Phase I. Mr. Johnson stated that he looks at this and thinks 'parking
239 study' adding that he is concerned with the price. This is not his field and he has no
240 idea of what something like this costs; this may be a good price. Mr. Samples stated
241 that previously the Town contracted with DDC and then they farmed it out to Land
242 Art for much of the study. Mayor corrected Mr. Samples saying "parts of it". Mr.
243 Samples disagreed. Mr. Samples asked staff if they knew who did Second Avenue
244 Pier which was done a year ago. Ms. Fellner stated that she could get this
245 information for Council adding that she did send e-mails out and is currently waiting
246 for information. Mr. Samples stated that they had to perform the same type of
247 structural work. Mayor Deaton added that it also was a 2.2 million dollar project.

248 Mr. Samples stated that the building is very impressive from the outside but he saw a
249 lot of wasted usable square footage inside. Ms. Fellner stated that she feels under the
250 sky wheel would be a better representation of their work. Mr. Samples stated that the
251 Town needs to move forward on the structural end. Mayor Deaton asked if there was
252 any opposition to moving forward with Phase I. Mr. Samples was concerned with the
253 timing of Phase I questioning how long it would take them adding that Council met a
254 month ago to discuss the pier previously and staff was asked to look at simple things
255 and this has not happened. Mr. Samples stated that it is almost July and if Council
256 takes another month to receive a report on Phase I he feels this will take a long time
257 to complete. Ms. Fellner asked which items have not been addressed. Mr. Samples
258 stated that he specifically asked if anyone had gone into the building and checked to
259 see if it was usable on a temporary basis. Mr. Duckett stated that he had concerns
260 over the HVAC, electric and plumbing. Mr. Samples stated that his point is that he
261 expected to attend this meeting, a month later, and that those questions would be
262 answered. Mr. Samples stated that these are the standards that he works by. Mr.
263 Duckett stated that he can tell Council, without any doubt, that there are major
264 plumbing, electrical and HVAC issues. The electrical boxes were looked at by the
265 Town inspector; it is just a matter of how much money the Town wants to spend and
266 which Phase to begin with. Does Council want to look at structure first? Mr. Duckett
267 stated that unless he misunderstood Council he did not think that Council would want
268 to spend a lot of money to put a temporary business in the space for a month or two
269 this summer. Mr. Samples stated that he appreciates the comments but his point is
270 that Council doesn't even have that information to even consider. The Council has no
271 idea what A, B or C is going to cost because it has not been brought to Council. Mr.
272 Samples stated that he is asking that staff does what Council asks them to do at the
273 last meeting. Mayor Deaton stated that he believes this information is included in the
274 schedule of the service of Phase I. Ms. Blair asked if Council is looking at something
275 temporarily through the summer and then starting up on the big project for the future
276 renovation of the pier. Is Council ruling out, at this point, doing anything temporarily
277 and just concentrating on the proposals to look at the big project. Mayor Deaton
278 stated that he feels Council needs an evaluation even prior to placing a temporary use
279 there. Ms. Blair asked if an evaluation does need to be done. If something is placed
280 there temporarily without changing anything for two or three months could it not be
281 done? Ms. Blair asked "are we looking, are we discussing trying to do something to
282 bring in some money or put some activities out there through the summer at the same
283 time we could be working on the long term goal or are we now setting forth on the
284 long term goal? Are we working on both at the same time? What are we doing?"
285 Mayor Deaton stated that he feels it is paramount the Town performs an evaluation
286 for safety. Ms. Blair asked Mr. Samples "so what you're saying is we don't know
287 right now what we can do temporarily because we don't know the scope of repairs
288 that need to be done?" Mr. Samples stated that a month ago when Council met there
289 were some ideas related to temporary uses for the summer. There were concerns over
290 issues such as mold and he presumed that since it was in good working order last
291 November that the electric was passable, the water was drinkable and the air
292 conditioning may or may not be satisfactory. Mr. Samples stated that the need for
293 those services vary depending on a temporary use. At the last meeting concerns were
294 raised regarding the Pier Outfitters lease and tonight Council has learned that as long
295 as the space is not in direct competition there are allowable uses. Mayor Deaton
296 stated that Council is not qualified to speculate and he feels that until the space is

297 evaluated Council does not know how safe the building is. Mr. Samples stated that
298 he agrees with Mayor Deaton but he feels it would be nice if the Town could place a
299 short term positive use in that location. Mr. Samples stated that he is more concerned
300 about the long term solution and would hate to see Council get bogged down with
301 pipe dreams that may turn out to be unaffordable. The Town needs to determine
302 whether the pilings are structurally sound; if they can support or if there could be
303 additional support provided to allow a two story building to be feasible. Mr. Samples
304 state that he would like to see this enhanced for the long run. There are things that
305 may need to be done in phases. Mr. Samples stated that he likes the hip roof on the
306 Pier Outfitters building and if there were a two story building next to it with or
307 without a hip roof it would be very attractive. Mr. Samples stated that he feels the
308 Town would like to have a restaurant use but he would like to see if the Town could
309 have a meeting area that could be rented out to the public; Folly Beach has a large
310 area they rent on Fridays and Saturdays to the public. Mr. Samples asked about
311 approval of an observation deck. Ms. Fellner stated that the Town did not get
312 approval for an observation deck. Mr. Childs stated that it would take a structural
313 engineer a short time to come up with a report on the pier. The Town has their
314 inspectors that can look at the electrical and plumbing. Council should have a report
315 back within a couple of weeks. Mr. Johnson stated that if there is consensus he would
316 be glad to proceed. Mayor Deaton stated that he likes the idea of Phase I adding that
317 the Town needs an evaluation. There was consensus of Council to proceed with
318 Phase I. Mr. Samples commented that this should have already been done. Mayor
319 Deaton stated that time is of the essence.

320
321 Mr. Samples stated that the people on the north end are aware that DDC has been out
322 surveying 5th Avenue and Poplar and he has been asked what they are doing. Mr.
323 Samples stated that nobody really knows adding that there are priorities in the Town
324 and the pier is certainly a priority and that is where their effort should be. Ms. Fellner
325 shared a comment from the CHAO proposal. CHAO noted that they would complete
326 the project in a timely manner once they receive the authorization. Ms. Fellner stated
327 that they are ready to go; they were ready to go on June 7th. Mr. Samples stated that
328 Council had a meeting June 14th. Ms. Fellner stated that there was no workshop at
329 that meeting; the pier discussion was not on the agenda for the 14th. Mr. Samples
330 stated that if staff wants to add something to the agenda they should call him. Mayor
331 Deaton suggested having another workshop meeting once Phase I is completed. Mr.
332 Johnson added the meeting should be held "as soon as humanly possible after Phase I
333 has been completed". Mayor Deaton stated that he likes the workshop format and
334 would discuss splitting workshop and regular meetings in the future.

335
336 Mr. Ott from the audience stated that this is a great meeting but it should have been
337 held prior to the Town purchasing the pier. Mr. Ott stated that the Council took the
338 taxpayer money and bought the pier that now looks like a lemon and the Town still
339 does not know what is wrong with it. Mr. Ott stated that he doesn't usually have
340 criticism for Council but feels this is terrible adding that no one has even looked at it
341 as of today. Mr. Ott stated that he cannot believe what he is hearing. Mr. Ott stated
342 that when Council was getting ready to purchase the pier they held secret meetings.
343 If they had meetings in public previously the public would have known.

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Mayor Deaton stated that he normally does not debate but he wanted to go through the history a little. "When this new council came on, right after I was elected, I was sent to Columbia to negotiate with the transmittal committee for the ATAX committee. They were getting ready to take about one million dollars back from the Town of Surfside Beach that was not spent on beach re-nourishment because the federal government did that. We were allowed to apply that, almost a million dollars, to the purchase of the pier. We loaned ourselves, out of our savings account. They would have taken it back. They were getting ready to take a million dollars back."

Mr. Ott stated that there is a problem here and Council needs to admit it. Mr. Ott asked where the inspection report for the pier was prior to the purchase of the pier.

Mayor Deaton stated that he is not an inspector and does not know where the report would be.

Mr. Ott stated that Council spent the taxpayers' money and now it has a lemon.

Ms. Mabry from the audience stated that she visited a town website and they had a pier restaurant similar to that in Surfside Beach and the upstairs had an open air restaurant adding that she thought it looked absolutely beautiful. Ms. Mabry stated that she did not know what the cost was but it was not much different than what Surfside Beach currently has.

Mayor Deaton stated that the 2nd Ave pier has an open air upstairs as well.

Ms. Mabry suggested the Town looking into this.

Mr. Zoltak stated that he feels Phase I sounds like it would be a good structural review of the pier. Mr. Zoltak asked if it included the asbestos testing.

Mr. Duckett stated that it did not.

Mr. Zoltak stated that it would be a good idea to consider obstacles the Town may face once it gets the report. (Some of Mr. Zoltaks' comments were not audible from the back of the room.)

Mr. Dodge stated that staff has had since January to look the pier structure adding that staff hasn't done anything. Mr. Dodge stated that Council met a month ago, questions were asked of staff and they still do not have the answers adding that he feels that staff, which is overstaffed, should give answers to Council.

388 Mr. Don Craig stated that he has been to couple of meetings where the pier and the
389 restaurant were discussed. He stated that the Town had an opportunity; a couple
390 came forward that would have turned the space into a restaurant. There was a
391 question if the couple had enough money to back it, there was money to back it;
392 money would be spent to renovate it and the Council turned it down. The money was
393 there; the backing was there. Mr. Craig stated that all of these items being discussed
394 would not now be discussed as a Council or as a Town because someone else would
395 be spending the money. Mr. Craig stated that he is a taxpayer like everyone else in
396 the room and he feels that the Town should not be having this discussion; it should
397 have been closed. The money, people, and backing were all there adding that the
398 restaurant would be operating today and taxes would be paid and money would be
399 here for the Town and it was all passed up and yet there is a concern about spending
400 \$7,500; this is nothing compared to the thousands of dollars given away because the
401 Council turned down somebody that would have come in, spend money and open a
402 restaurant. Mr. Craig added that this money has been lost and will never be
403 recovered.

404
405 Mr. Glenn Curtiss thanked Mr. Duckett for removing the tripping hazard on the
406 beach. Mr. Curtiss stated that he has asbestos in his lungs and if he is correct, no
407 matter what the Town puts in the space, even if Cotton Candy is sold for a couple
408 months he feels that the Town still needs to get the asbestos looked at. Mr. Cahill has
409 been gone since November and nobody has cleaned there since so he feels there has
410 to be mold in the building. This is an issue; the hotel next to them had issues with
411 mold. Mr. Curtiss stated that before Council even thinks about putting anyone in
412 there inspections should be done.

413
414 A woman from the audience asked if DDC and CHAOS were the only ones who
415 could perform this evaluation. Mayor Deaton stated that DDC is the contracted Town
416 engineers. The woman asked if it would be bid out; the cost is \$7,500 and the Town
417 could receive a quote of \$5,500. Mayor Deaton stated that the Town has a contract
418 with DDC as the Town Engineer. The woman asked why CHAO would not be
419 bid out stating that she thought this was the due process. Mayor Deaton stated
420 that she would have to speak to the Town attorney about that.

421
422 **Mayor Deaton:** "You know government is good at a couple of things, and as far as
423 I'm concerned the less government the better. Government is good at recreation;
424 government is good at sanitation, government is good at infrastructure and
425 government is good at public safety; what we've been thrust into, ladies and
426 gentlemen, is private enterprise; government's not very good at this and I'm going to
427 be the first one to say, you know, we have been thrust into an enterprise system. The
428 pier was set up as an enterprise fund. We have two enterprise funds, our sanitation,
429 which people pay a fee to have their garbage picked up, the trash picked up and we
430 have these nice trucks and those are all paid for by the sanitation fees; they're self
431 sufficient. This pier system was set up as an enterprise fund; it was not set up as a
432 taxpayer drain or a donor, if you will, so what we've done, we've put ourselves in a
433 position now that the pier is no longer an enterprise fund. We've diminished the
434 revenue streams to a point that where taxpayer dollars are going to have to set in and
435 take the place of the revenue streams that should have been in place already, so, we're
436 in a debacle and, so, we're not very good at this. I guarantee you trash gets picked up

437 on time; I guarantee that if you call the police they show up on time; if you call our
438 fire department they're going to be there within two or three minutes. They were at
439 my mom's house a couple weeks ago and I guarantee if your kid's playing baseball
440 tonight that those fields are pristine but, you know what? We're not very good at this
441 and I think it's a shame, it's a shame that we're in a situation that where this
442 governing body has to try to meander our way through a private enterprise system
443 which is very difficult."

444
445 **Mr. Samples:** "We put ourselves in the position we're in, okay, and it's unfortunate,
446 but we did, and whether it was through accident, poor judgment, poor advice but what
447 have you, we are where we are, we've got to move forward. What I would say is as
448 somebody who has been involved in contracts and worked with very, very skilled
449 lawyers who work contract law, if asbestos was a problem for us it is a problem for us
450 now, it most assuredly would have been a problem for the private sector tenant who
451 signed up with the Town and that private sector tenant, I can assure you, would have
452 had passed that liability back to where it belongs and that is to the owner of pier and I
453 also know that, I've been through enough claims that once you open the door on a
454 contract claim, and I know Mr. Hanson would agree with this, many other things that
455 aren't, may not be closely related, somehow, are made to appear to be related and so,
456 in the long run this Council's going to do what needs to be done for this Town and it
457 ain't going to be easy but we accept the responsibility; we know we have an
458 obligation; we're going to work together so keep coming, keep smiling. We live in a
459 great Town. What I do want . . . it's just a question that I had and maybe somebody
460 could help, from staff, could answer it, I understand that we have put a u-turn, no u-
461 turn sign up on Surfside Drive at Poplar and I got to believe that it's killing some of
462 the businesses that are on the other side and I hope that somebody can provide an
463 answer as to how and why because we own that street, right, they're Town roads and
464 that was something that I'm not aware of and I'm telling you I'm talking to business
465 people that are leaving Town because, guess what, well you got to drive to the pier to
466 come back to . . . I'm exaggerating but . . . could we just get a consensus of Council
467 to take it down until . . ."

468
469 Ron Meadows of the Village Café stated that his business has dropped 25 percent
470 since the sign went up. He stated that he would be out of business by the next
471 meeting. There was some discussion regarding the sign. Mr. Childs asked if it could
472 be taken down until a decision could be made. Mr. Duckett stated that he had not
473 seen the sign but would have an answer for council by 9AM the following day.

474
475

Debra Herrmann

From: Micki Fellner [mfellner@surfsidebeach.org]
Sent: Wednesday, July 11, 2012 5:51 PM
To: 'Ann Dodge'; 'Doug Samples'; 'Mark Johnson'; Mark Johnson; Mary Beth Maybry; Randle Stevens; 'Rod Smith'
Cc: Debra Herrmann
Subject: Possible Pier Expansion - OCRM Documentation
Attachments: Binder1_7-11-2012.pdf

Dear Council - Attached is a binder with the documentation that should bring you up to date regarding the recent discussions with OCRM. Below are hyperlinks to the presentations the Mayor mentioned in his earlier email. If you have questions or need additional information, please do not hesitate to call. Thanks - Micki

1. http://www.surfsidebeach.org/linked/pier_vision_may_2011.pdf
2. http://www.surfsidebeach.org/pdf/pier_property_status.pdf

MICKI FELLNER
Interim Administrator
mfellner@surfsidebeach.org
843.913.6111
<http://www.surfsidebeach.org>

Debra Herrmann

From: Doug Samples [doug samples@yahoo.com]
Sent: Wednesday, July 11, 2012 12:09 PM
To: Mark Johnson; ann and tom dodge; Rod Smith; randle stevens; marybethmabry@gmail.com
Cc: Micki Fellner; Debra Herrmann
Subject: Special Meeting July 17 Pier

I encourage members to review Pier information which can be found on the Town's website. Specifically, I would suggest the minutes and especially the "Additional Documents" from Council Pier Committee of the Whole meetings of May 24, 2011 and June 28, 2011. Some of that info has been "overtaken by events" but still provides a solid basis with which to move forward. Thank you for your continuing efforts.

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Thursday, July 12, 2012 1:18 PM
To: The Hon. Ann Dodge ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Mary Beth Mabry; The Hon. Randle M. Stevens; The Hon. Rod Smith
Subject: Pier Committee of the Whole Meeting 07/17/2012 Agenda and Supporting Documents
Attachments: 07172012_wrshp_agenda_pier_committee_of_whole.pdf; 07172012_wkshp_agenda_2a_pier_property_update.pdf; 07172012_wkshp_agenda_2bi_expansion_report.pdf; 07172012_wkshp_agenda_2bii_past_design_future_vision.pdf

Agenda and supporting documents are attached. A package is being assembled for delivery today.

Debra

Debra Herrmann, CMC, Town Clerk
dherrmann@surfsidebeach.org - 843.913.6333
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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Thursday, July 12, 2012 3:04 PM
To: 'Debra Herrmann'; B. Dickerson; C. Perry; CFC News; Charles Perry; D. Bryant; Heather Gale; K. Knappek; Kelley, Amanda; M. Blair ; M. Miller; NMB Times; R. Blomquist; R. Green; S. Miles; Sun News Editors; Tom O'Dare; V. Spechko; WBTW; WMBF; WNMB; WPDE; WPDE News
Subject: RE: July 17, 2012 Pier Committee of the Whole Meeting Agenda and Documents



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Sorry, it helps if there are attachments!

Debra

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From: Debra Herrmann [<mailto:dherrmann@surfsidebeach.org>]
Sent: Thursday, July 12, 2012 1:41 PM
To: B. Dickerson; C. Perry; CFC News; Charles Perry; D. Bryant; Heather Gale; K. Knappek; Kelley, Amanda; M. Blair ; M. Miller; NMB Times; R. Blomquist; R. Green; S. Miles; Sun News Editors; Tom O'Dare; V. Spechko; WBTW; WMBF; WNMB; WPDE; WPDE News
Subject: July 17, 2012 Pier Committee of the Whole Meeting Agenda and Documents

The July 17th Pier Committee of the Whole meeting agenda and supporting documents are attached. The agenda and supporting documents are published at <http://www.surfsidebeach.org/agenda-2012.html>; a printed copy is available in the town clerk's office for public inspection prior to the meeting.

The public is invited to attend all meetings.

This transmission is pursuant to the Freedom of Information Act §30-4-80.

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