



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
November 10, 2009 ♦ 6:30 P.M.

TOWN COUNCIL  
REGULAR MEETING MINUTES

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10 **1. CALL TO ORDER**

11 Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tem  
12 Truett and Councilmembers Blair, Johnson, Martin, Samples and Childs were present.  
13 A quorum was present. Staff present: Administrator Booth; Clerk Pinnell, Public Safety  
14 Director Christenson, Building Director Donevant, Grounds Supervisor Newell and  
15 Special Events Coordinator Ellis. Attorney Mr. Smith was also present.

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

18 Mayor Pro Tem Truett gave the invocation. Mayor Deaton led the pledge of allegiance.

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20 **3. AGENDA APPROVAL**

21 Mr. Truett made a motion to amend the agenda to add item 7C, SCDOT GSATS  
22 Transportation Plan Resolution. Mr. Samples seconded the motion. **All voted in favor**  
23 **to approve the amended agenda. MOTION CARRIED.**

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25 **4. MINUTES APPROVAL**

26 Mr. Truett made a motion to approve the amended minutes from the meeting held  
27 October 27, 2009. Mr. Childs seconded the motion. **All voted in favor. MOTION**  
28 **CARRIED.**

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30 **5. PUBLIC COMMENTS – Agenda Items only – 3 minutes per speaker**

31 *Anna Dodge, 1415 N. Poplar Drive:* “I’m speaking regarding Surfside Drive. I saw  
32 that it is on the agenda. The Beautification Committee, when we were a viable entity  
33 spent many sessions discussing Surfside Drive. We voted to recommend removal of the  
34 trees in the business district and replace them with palms or other trees. I understand  
35 some people don’t like palms but we thought those were the best. As those trees that are  
36 there now have grown; they pose a hazard because the roots raise the sidewalk and  
37 walking is hazardous on both sides of the street. Also the canopies have overgrown and  
38 even with trimming they hide business signs and push against the building as well. I  
39 appreciate you’re addressing this problem; with a little effort Surfside Drive can be made  
40 an attractive and pivotal entryway into our town. Thank you very much.”

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42 *Shelby Smith, 911 Cedar Drive N.:* “I would like you know how very much you are  
43 appreciated and how your collective effort continue to help our town achieve great  
44 progress. Vision from your leadership and a continuing focus I believe makes the  
45 biggest difference in our community. You provide the direction and the oversight and  
46 the right things get accomplished and look at all the good things that have been  
47 accomplished this past year by Mr. Booth and staff.

48  
49 We have a lot of excellent projects in various stages of progress. I am here tonight to  
50 ask for your guidance. At a recent council meeting greater attention to project  
51 management and appropriate reporting status of our many projects was briefly discussed.

52 One major project that seems to be continually deferred, discussed, re-discussed is the  
53 Surfside Drive business district. I think it requires a much stronger emphasis and focus  
54 on the steps necessary for its ultimate completion of the beautification and  
55 redevelopment. The 17 trees need to be removed as discussed many times previously,  
56 these trees block the businesses, create danger for pedestrians walking, look terrible all  
57 crowded together and present a poor image for our town. I realize there are other  
58 considerations pertinent to the ultimate grand plan whenever it is forthcoming but  
59 removal of the trees now would enable us to get started. Gary Forrester of Clemson  
60 Cooperative Extension Service and Ben Powell, Natural Resources Agent for that office  
61 indicated there is virtually no chance of replanting these 7 to 8 inch diameter, 20 to 25  
62 foot high trees. The roots extend out to the canopy under the sidewalks, buildings,  
63 curbing. It would be exorbitant and only a 10 to 20 percent survival rate. Their  
64 suggestion is to remove the trees at their ground base, have the stumps ground and then  
65 treat the remaining few roots with the chemical that I've indicated here. So let's make  
66 the sacrifice; it's unfortunate but we need to face the reality that the wrong trees were  
67 planted in the wrong location. Let's move on so we can prepare the ground area for the  
68 next phase of the beautification. This Surfside Beach business district project has been  
69 bandied about for at least 3 years that I'm aware of. Since I've been on the  
70 Beautification Committee in Surfside 1 ½ years it has been discussed many times as a  
71 real needed beneficial project but nothing ever happens. Other previous studies and  
72 professional presentations have been mentioned and done but no focus attention results.  
73 The trees are always the impasse to further progress. This is especially unfortunate since  
74 this project was given high priority at the business owners meeting March 2<sup>nd</sup> 8 months  
75 ago.

76  
77 When you do reach a consensus for project priorities please revisit the Highway 17  
78 medians beautification, especially directly north and south of Surfside Drive. These  
79 medians are each only 60 yards long; beautification can be done here with a great impact  
80 approaching the intersection of Highway 17, Glenn's Bay Road and Surfside Drive.  
81 Please remember the Highway 17 Business medians were the number one priority at the  
82 business owners meeting March 2<sup>nd</sup>. Progress is being made along Highway 17  
83 Business all around us. Look to the south at Garden City plantings, Highway 17  
84 medians also Murrells Inlet, also Pawley's Island and to the north Myrtle Beach, North  
85 Myrtle Beach, all are doing it with DOT and regulatory authorities guidelines and  
86 blessings, apparently. We can do it too. Thank you very much."

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88 **Kerry Ann Dame, 412 7<sup>th</sup> Avenue South:** "I also have a few comments about the  
89 Surfside Drive project. It's been a year and a half since I joined the Beautification  
90 Committee and at our first few meetings were kind of told that our purpose would be to  
91 work on that area first, that there was some possible funding, that everybody recognized  
92 that something needed to be done and a year and a half later I don't feel like we're that  
93 much closer and yet the people on the committee have spent hours and hours and hours.  
94 We've selected pavers, we've selected (SIC) for the sidewalks, we've discussed whether  
95 or not the sidewalks could be widened, traffic patterns, we've traveled on our own time  
96 and checked out other towns that have similar little downtowns, taken pictures. There are  
97 old architectural renderings that somebody did years ago of what it could look like that  
98 have been brought out. We have a huge file and notebook of photographs of possible  
99 things that we could do, materials that it's been narrowed down to. We've created a  
100 look; part of it got done at the head of Surfside Drive with the rose bushes and the

101 crosswalk and it looks beautiful and there's no reason not to continue that look down and  
102 my understanding recently was the holdup, was that a traffic study needed to be done  
103 because there was talk of putting parking in the middle and creating more of a village  
104 atmosphere, which is a nice idea, but I don't think that you can widen Glenn's Bay  
105 Road, which is in the plan, and have cars storming down Glenn's Bay Road at, Lord  
106 knows what, 50 miles an hour and then they're going to have to come to a grinding halt  
107 and all of a sudden make a little wide pattern and go around central road parking so I  
108 think even if you measure the distance and there was enough room, it doesn't seem like  
109 that's going to work, so my feeling would be that a traffic study would be a waste of the  
110 town's money. I'd actually rather see that go right into the project. I would really, really  
111 love to dearly see something else besides a palm tree there but in our meetings what we  
112 discussed and learned from, for instance, Brian and various professionals we've talked  
113 to, is the reason to use the palm trees is that they don't tear up the sidewalk. They're  
114 also reasonably priced; you can get a great big one for not a lot of money and they won't  
115 tear up the sidewalks; they'll fit in a very small hole, they almost need no water and even  
116 when they're full and lush the top is so small that it's not going to block the businesses,  
117 so, as much as we'd love to see live oak trees and all of that kind of thing I think what  
118 we're experiencing here is a little bit of being held up by perfectionism where because  
119 we're never going to have the beautiful historic downtown with the historic oak trees  
120 and we can't create that; we're not Disney World and we can't sort of helicopter them in,  
121 we end up doing nothing and yet we've actually made a lot of progress in the planning  
122 stages and if we would just start to implement some of the little things. Just rip the trees  
123 out and put the palm trees in. Do that this year then next year come back and resurface  
124 the sidewalks so that it's not, if you create too big of a project as we saw with the pier,  
125 with the boardwalk in Myrtle Beach, it was turning into this 40 million dollar project so  
126 it wasn't going to get done and as soon as they just said 'let's just build the wooden  
127 pier, the wooden boardwalk, see what we can do with that, hey it's only 5 million  
128 dollars', now they're doing it and the result will be a lot of economic development.

129  
130 What I'm seeing here, I opened my store here 9 years ago thinking that it was a good  
131 area to come in that was kind of being gentrified and we were having a little building  
132 boom and the residential neighborhoods looked really nice, the houses had been fixed  
133 up, fresh coats of paint and landscaping; looking really great but my customers will call  
134 me and they'll say 'I need directions to your store, I don't really have a mental image of  
135 where you are, I never come up that way because there's nothing there' and that's  
136 actually what they say and what they mean is there isn't like an interesting destination  
137 and their impression when they drive past Surfside Drive in the center of our town is that  
138 it's economically dead because it's so bland looking and if we just did the tree project  
139 and maybe the sidewalk project, make the decision of whether or not to widen the  
140 sidewalks and move on from there, maybe the result in economic development will end  
141 up with those buildings being fixed up on their own because people will want to rent  
142 them and somebody will paint them so I think we need to be careful of the discussion of,  
143 sort of the big picture, impeding too much on making just a little bit of progress and  
144 we've done a lot of work and it's been a year and a half and it's November and I would  
145 really hate to see another summer go by with nothing getting done. Thank you."

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**6. COMMUNICATIONS**

**a. *Employee Recognition: Jan Lewis, 20 Years***

Jan Lewis was recognized for 20 years of service. Mr. Booth stated that Ms. Lewis has put together and runs the Emergency Management for the town and thanked her for all of the other work she does with personnel, grants and procurements.

**b. *Building and Zoning Report***

Mr. Booth reported that the town is starting to get an upswing in building and presented a design for a new 22,000 square foot Home Accents II store that will be built south of Glenn's Bay. Mr. Booth stated that once the Walmart store goes in down the road the area will see more construction. Mr. Booth stated that the Planning & Zoning Commission has been hard at work reviewing the zoning ordinance. Mr. Booth stated that included in their review is signs and setbacks.

**c. *Public Safety Report***

Mr. Booth reported that the Police Department information is available on the internet under their site. Mr. Booth reported that there are a lot of scams going on and the public can be updated with this and all other police matters in town by checking their website.

Mr. Booth reported that the town has had two major fires in the last week. One fire affected a former councilmembers' home and the other fire was another unfortunate occurrence. The fire department responded quickly along with the police department to these unfortunate happenings. It was unfortunate that some animals did not survive one of the fires and in the other fire a woman was brought to the hospital. Mr. Booth thanked the councilmembers and Mayor who showed up at the fires.

Mr. Samples stated that some time ago he requested the use of decoy police cars. Mr. Booth and Director Christenson stated that the police department does this periodically on an ongoing basis. Mr. Samples asked for a call next time the police department places decoy cars around. Mr. Samples stated that he is interested in having them positioned on Melody Lane and 5<sup>th</sup> Avenue North. Mayor Deaton asked that Mr. Samples not direct staff. Mr. Samples stated that he is concerned with some of the major thoroughfares in town with speeding problems and would like them addressed and the last time he brought the use of decoy cars up he was not provided this information just given.

**d. *Administrators Report***

**i. *Project Updates***

Mr. Booth reported that the fire station is 75 percent complete and is expected to be completed by the end of January. Underground electric is currently being installed. Some lights in the parking area outside are currently out due to this conversion process. Mr. Booth reported that the town will take a small portion of Poplar Drive and cement a portion of that road since the weight of the trucks may cause damage to the roads.

Mr. Booth reported that Passive Park is 60 percent complete; the walkway is installed and looking as good as it ever has. The town plans on installing the

196 kiosk work out areas soon and a gazebo will also be added. The skateboard  
197 park is working; it is one of the most popular things currently in town. The  
198 police drive by and monitor it daily and Mr. Booth reported that he also drives  
199 by it on occasion. There have not been many complaints about it. Graffiti in  
200 town has decreased. The town is looking to begin construction on the dog park  
201 soon. There has been a 50/50 project performed and the town is in the process  
202 of beginning another and there are 2 additional projects that have been paid for.  
203 Mr. Booth stated that the town is currently looking for additional applicants for  
204 the 50/50 projects. The town could probably perform 12-14 of these projects a  
205 year. Mr. Booth reported that the pier deck is being held up with permitting  
206 from OCRM as is the 4<sup>th</sup> Street crossover. Floral Lake enhancement RFP's  
207 have gone out and the town is waiting for them to come back in 30 days and  
208 then the contracts will be brought forward to council. Mr. Booth reported that  
209 the first fountain is going in; it was well under \$5,000 and Mr. Newell will be  
210 installing it soon on Magnolia. Mr. Booth stated that the electric is already in  
211 place at the lake and it will be easy to install. Mr. Martin stated that he thought  
212 they were going to be installed at Floral Lake first and added that the aerators  
213 at Floral Lake do not seem to be working well. Mr. Booth stated that one is  
214 currently working and the other will need to be replaced. The installation of  
215 the fountain is a pilot project and if it works well the town will proceed and  
216 install additional fountains.

217  
218 Mr. Samples inquired about the maintenance on the pilings at the pier. Mr.  
219 Booth confirmed that the maintenance would take place in the month of  
220 December. Mr. Samples asked when the information for the library will be  
221 completed. Mr. Booth stated that the town is close to being able to submit the  
222 information to the State. It is currently being reviewed by Earthworks and  
223 from Earthworks it will be submitted to the State and Mr. Booth added that he  
224 will personally take it.

225  
226 **ii. *Contract with COG***

227 Mr. Booth reported that a copy of the COG contract was given to council. This  
228 contract includes the comprehensive plan and this is much less expensive than  
229 going through a consultant. This is well within the budgeted amount.

230  
231 ***Project Updates Continued***

232 Mr. Johnson asked if the town is closing 1<sup>st</sup> Avenue by the library. Mr. Booth  
233 stated that the town is in the process of closing this road. Mr. Johnson asked if  
234 the town has to hold a public hearing. Attorney Mr. Smith explained that  
235 typically a public hearing is held on an item where everyone in town would  
236 have standing to address the issue; when a street is closed only the people  
237 affected by the closing have standing so a public hearing is held with the  
238 Master in Equity who has the same level as the circuit judge. The Master in  
239 Equity handles anything that has to do with real estate such as a street closings.  
240 Mr. Smith reported that this is where the hearing will be held. Notification has  
241 been published in a local paper and the people who live on the streets have  
242 been notified with certified letters. All of these documents have been returned  
243 and from this point a date of a hearing will be given. McGougan law firm will  
244 make statements on behalf of the town and the Master in Equity will decide

245 whether the street will be closed or not and at that time would also determine if  
246 there was any government taking in regards to any property owner in the area  
247 and would hear all of their issues.

248  
249 Mr. Booth reported that he had taken the town transportation plan to Florence  
250 and it was discussed and they are in favor of it. Mr. Booth stated that he would  
251 hold a public hearing as requested by council and then he will ask for council  
252 to adopt the plan. After the adoption the town can implement the items  
253 addressed along Business17. Some of the crossovers discussed will be taken  
254 out and the median will be extended. Some of the materials will be provided  
255 by the State and the town will provide the labor. The public hearing will be  
256 held the first meeting in December to give sufficient time to advertise. Mayor  
257 Deaton stated that the resolution introduced tonight will be concerning only the  
258 intersection at Glenn's Bay Road.

259  
260 Mr. Booth reported that the town is still waiting for the 2011 appropriations for  
261 the outfall projects in town. Mr. Booth stated that he is still looking closely at  
262 the 5<sup>th</sup> Avenue North swash. The town does not own the right of way, if it  
263 needs work it will need to be brought to the council, generally the town does  
264 not work on private property and the swash is on private property. Mr. Booth  
265 reported that Seaside Drive underground wiring project has received  
266 permission from property owners. The council had approved to do  
267 underground wiring on Ocean Blvd. from 3<sup>rd</sup> to 3<sup>rd</sup>. Santee Cooper reported  
268 that they do not have the engineering ability to do Ocean Blvd and they want  
269 the town to get the engineer for the work; Santee Cooper will pay for it but they  
270 want the town to get it engineered. Mr. Booth stated that the town will use one  
271 of the town engineering firms to design this and then have Santee Cooper pay  
272 for it. Mr. Samples asked for clarification on Santee Cooper paying for the  
273 engineer; would this be in addition to the matching 2 percent franchise fee?  
274 Mr. Booth answered that this will be paid out of the project funds. Mr.  
275 Samples asked if the town was going to compete this adding that these funds  
276 are really the towns' money with everyone in town paying 2 percent toward  
277 this fund. Mr. Samples stated that he wonders if it will cost more than past  
278 projects done with them; the town should have some idea what those costs  
279 were since 14<sup>th</sup> South has been completed and Seaside is almost complete. Mr.  
280 Booth stated that he would get council this information. Mr. Booth stated that  
281 he would have Santee Cooper come in and do a briefing on how much it costs  
282 them to engineer those projects. Mr. Martin seconded Mr. Samples concern  
283 and added that he is disappointed that Santee Cooper has not addressed this  
284 issue long before this point in time; the engineering should have began a long  
285 time ago. Mr. Booth reported that the town was just recently informed of this  
286 during a preconstruction and agreed that they need better lines of  
287 communication with Santee Cooper.

288  
289 Mr. Booth confirmed that there will be three meetings for the budget. There  
290 will be a pre-budget meeting; the public is invited, a budget meeting and then a  
291 follow up meeting with the public as well. Mr. Martin asked to add pier pilings  
292 and library to the project list.

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*iii. Surfside Drive*

Mr. Booth reported that he would like to place Surfside Drive in for engineering this year; there is money in beautification. One side can be engineered which could include expansion of the sidewalks.

Mr. Booth stated that if it is economical for the town to keep the trees then the trees would be kept if not then they would be removed. Mr. Booth stated that he would like to see a design for Surfside Drive adding that it is the entrance to the town adding that it is time to move forward. He would like to perform the engineering this year and then budget the project to be done the following budget year. Mr. Booth reported that enhancement to the medians will have participation from the State adding that this should keep the cost of this project down. Mr. Booth reported that the Glenn's Bay Road project is getting ready to begin; there is a resolution being presented to council this evening to authorize a portion of this project.

Mr. Newell reported that he met with Lois Edwards who is an arborist with the South Carolina Commission of Forestry. The Beautification Committee has been addressing the trees on Surfside Drive for awhile. Mr. Newell reported that the trees can be saved; it would be a combined effort with the property and business owners to save and preserve the trees. Over the past years the trees had not been pruned correctly; they had been performing a top prune. This creates the lollipop or balloon effect. This way of pruning is not good for the tree; it creates disease. Mr. Newell and his staff had gone in the end of August and pruned them correctly; they were pruned upward. Mr. Newell explained that to save the trees aero-spading the roots of the trees would need to be done. A filler to sustain root growth along with nutrients would need to be added. The benefit of the trees is that the trees make it cooler and shadier and will also contribute to stormwater. The project will be costly and it would take time to do this project. The trees could also be removed and replaced with smaller trees adding that this would be a quicker solution. Mr. Newell stated the main problem with the trees is maintenance; they had never been maintained properly. Mr. Childs stated that he spoke with a merchant today and the main concern is the raised sidewalk and liability issue caused from the trees. Mr. Childs asked when the town would be able to address the sidewalk problem adding that large roots will not go back down into the ground. Mayor Deaton stated that he understands Mr. Childs concerns and explained that the project would be engineered adding that Mr. Newell is not an engineer for sidewalk construction and he does not feel this is a fair question to ask him adding that he may want to address the administrator on this. Mr. Booth confirmed that this project would be contracted out and it would be engineered properly by professionals. Mayor Deaton stated that these professionals would be the ones to better answer Mr. Childs' question. Mayor Deaton asked Mr. Booth if he could get a qualified individual to answer Mr. Childs' question. Mr. Booth stated that the town would engineer the south side first and the town may look at using pavers as opposed to concrete. Mr. Booth stated that the town needs to get the property and business owners on board.

343 Mr. Childs made a motion that a subcommittee comprised of three  
344 councilmembers be appointed to study and to call upon any experts in the field  
345 they deem necessary in order to develop a plan to beautify and to enhance the  
346 commercial district of Surfside Drive between Poplar Drive and Highway 17  
347 Business and to have the subcommittee report back to the full council for  
348 approval of their recommendations. Mr. Samples seconded the motion. Mr.  
349 Childs stated that he feels that there is a need to form a subcommittee at this  
350 point in time; Surfside Drive has been addressed many times and nothing has  
351 been done about it yet and he feels that by forming this subcommittee of  
352 council it will move the process along. Mr. Johnson stated that he was  
353 previously on the Planning & Zoning Commission and Surfside Drive had  
354 come up numerous times and nothing ever got done and he agrees with the  
355 formation of this committee. Mr. Truett stated that the town had received a  
356 presentation in 2006; an overlay by Duckworth & Associates was presented.  
357 The presentation showed what Surfside Drive would look like and added that  
358 he believes the engineering has already been done and asked what additional  
359 engineering would need to be done. Mr. Booth stated that construction  
360 engineering would need to be done on the sidewalks; the presentation from  
361 Duckworth was just renderings. Mr. Truett stated that this has been going on  
362 for a long time and added that the sidewalks are not safe. Mr. Truett stated that  
363 he does not want to see the trees cut down either but there is a chance they may  
364 not be able to be saved; there are water lines and sewer lines to consider with  
365 roots from the trees. Mr. Truett stated that this problem is not going to go  
366 away; it will get worse and added that he feels that the town can come up with  
367 some great aesthetic ideas. Coastal Carolina and Clemson Research Center are  
368 available for assistance and the cost to the town would be minimal in using  
369 these resources. Ms. Blair stated that she had also served on the Planning &  
370 Zoning Commission and Surfside Drive is a subject that came up many times  
371 and added that she is on record saying how excited she is at doing something  
372 on Surfside Drive and still nothing has been started. Ms. Blair agreed that a  
373 committee would be a good start and added that she would love to serve on this  
374 committee. Ms. Blair commented on the town of Greenville and was amazed  
375 at how beautiful the storefronts and trees looked. Ms. Blair stated that  
376 everything in that town is focused around the Reedy River and the Town of  
377 Surfside has the pier and the ocean that lies beyond as its focal point adding that  
378 there is no reason that Surfside Drive cannot be the town's entryway and portal  
379 to that focal point. Ms. Blair stated that she would like to see the town get  
380 started on this project. Mayor Deaton stated that he had served as chairman of  
381 the City of Myrtle Beach downtown redevelopment for 5 years and agrees that  
382 the town needs a plan for Surfside Drive but added that things are not done  
383 overnight; Greenville has been a 25 year process and was a model for the rest  
384 of the state. Mayor Deaton stated that he likes the idea of a committee but does  
385 not like that there has not been time to deliberate over the details of this  
386 committee adding that this is the first time he is hearing of establishing this  
387 committee and would like to add it to the next agenda as a business item so that  
388 council can properly discuss the establishment of this committee. **Ms. Blair,**  
389 **Mr. Johnson, Mr. Truett, Mr. Samples and Mr. Childs voted for and**  
390 **Mayor Deaton and Mr. Martin voted against. MOTION CARRIED.** Mr.  
391 Samples made a motion to appoint 3 volunteer committee members this



392 evening. Mr. Truett seconded the motion. Ms. Blair, Mr. Johnson, Mr.  
393 Martin, Mr. Truett, Mr. Samples and Mr. Childs voted for. Mayor  
394 Deaton voted against. MOTION CARRIED. Mr. Truett, Ms. Blair and Mr.  
395 Childs volunteered. Mr. Booth stated that he would set up the first meeting to  
396 be held the following week.

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398 **7. BUSINESS**

399 A. *Resolution #09-088: Participation in the Horry County Complete Count*  
400 *Committee*

401 Mr. Truett made a motion to adopt the resolution as presented (attached). Mr.  
402 Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

403 B. *Decision Paper: Media Advertising - use of MB Chamber Funds*

404 Mr. Booth reported that the town is looking for ways to advertise its events. The  
405 Myrtle Beach Chamber holds a percentage of funds for the town to use. Some staff  
406 members reviewed the various media and advertising available and are now  
407 proposing to council that the town use the funds of approximately \$15,240 towards  
408 advertising upcoming town sponsored events. Mr. Samples stated that he has some  
409 questions regarding the issue paper and asked if the money would be spread through  
410 5 different agencies and would advertise 6 different events. Mr. Booth confirmed  
411 this was true. Mr. Samples stated that this would be \$500 per event and asked what  
412 the town would get in Television advertising for this amount. Mr. Booth stated that  
413 the advertising includes radio and television and staff was able to negotiate fees and  
414 get a sufficient amount of advertising for a small amount. Normally \$500 would not  
415 get a lot but through negotiations staff was able to get more. Mr. Samples stated that  
416 he is in support of using money that the Myrtle Beach Chamber has set aside for  
417 marketing Surfside Beach but added he needed further clarification of what it  
418 includes. Mr. Samples made a motion to bring back more specific information on  
419 the advertising to be funded. Mr. Martin seconded the motion. Mr. Samples asked  
420 when the Atax approval of the Art in the Park/Taste of the Town would be brought  
421 to council. Mr. Booth confirmed that it would be brought to council. Mr. Truett  
422 stated that the town needs to be careful when advertising; at the last town event a  
423 radio station advertised after the event was over. Mr. Booth reported that the town  
424 will be charging more for vendors in the future; this will help to pay for future  
425 advertising. **All voted in favor. MOTION CARRIED.**

426 C. *Resolution #09-089: SCDOT Transportation Plan Agreement*

427 Mr. Truett made a motion to adopt the resolution as presented (attached). Ms. Blair  
428 seconded the motion. Mr. Martin explained that this resolution does not pertain to  
429 Glenn's Bay Road but 17 Business and the right turn coming south on 17 Business  
430 onto Glenn's Bay Road and the left turn going north on 17 Business to get onto  
431 Glenn's Bay Road; it will lengthen both turn lanes since Glenn's Bay Road will be  
432 wider. **All voted in favor. MOTION CARRIED.**

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## 8. **DISCUSSION**

### ***Procurement: Councilmember Samples***

Mr. Samples stated that previously a procurement ordinance was removed from the agenda because “it needed a little tweaking”. Mr. Samples stated that the procurement reads ‘amounts in excess of \$5,000 should be approved by the council unless previously budgeted’. Mr. Samples discussed Yaupon Parking lot stating that a small paving job was bid out on Highway 17 and Surfside Drive, the bids were received on January 8<sup>th</sup> 2009 for \$7,970 and two months later the contract was awarded, on March 10<sup>th</sup>, to American Paving and on that same day the contract was amended to include an additional \$150,000. The town never competed and council had no knowledge that this took place. Mr. Samples stated that Councilman Martin, Councilman Childs and himself met with staff to try to rectify this situation so that it would never happen again. Mr. Samples stated that he has two motions. Mr. Booth stated that the town received savings and nothing improper was done; the contract was done by ordinance. Mr. Samples stated that he will not take exception that it was done in accordance with the ordinance and disagreed that Mr. Booth would be able to demonstrate that the town saved money because it was never competed. The scope of work was 20 times as large as the original bid. Mr. Smith stated that he requested this item be placed on the agenda as a discussion item. Mr. Smith stated that he would need a consensus vote from council to approve amendments to section 2-208 and 2-210 amended. Mr. Samples stated that he has since modified the original submission to the attorney. Mr. Samples asked council to consider this as first reading; there would be a second reading prior to its adoption. Mr. Smith stated that council could consider this as first read. Mr. Samples made a motion that under section 2-208 Bidding and Quotation Requirements & Approval Authority he would like to add a sub paragraph (e) that says “Town Council shall be informed in writing of any and all purchases, contracts, other agreements and modifications to such that exceed \$5,000 within fifteen (15) days of such financial commitment” and under section 2-210 Bidding Exceptions the first paragraph currently reads “The administrator may waive procurement requirements under the following conditions (colon); I wish to add, strike colon and add and shall inform town council in writing of the particulars involving such waiving at the first subsequent Town Council Meeting (colon);. Mr. Samples stated that he is making sure that council is informed. There are not impediments to any action the administrator is going to take but the council, who is responsible and accountable to the people for the spending of their money, should be informed. Mr. Childs seconded the motion. Mr. Johnson stated that he wanted to point out that the changes given were not exactly what was originally presented and added that the council would have an additional period of time to digest changes. Mr. Smith stated he would make a few word choice changes. **All voted in favor. MOTION CARRIED.** Mr. Samples made a motion to define three terms that are subject to interpretation. The terms are “Non-budgeted Expenditures”, “Budgeted Expenditures” and “Open Ended Contracts”. Mr. Samples stated that these terms are the essence of the ordinance and directed staff to clarify and define those terms within 60 days for inclusion in the ordinance. Mr. Johnson seconded the motion. Mr. Smith stated that he could include these definitions in the next draft. **All voted in favor. MOTION CARRIED.**

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## 9. PUBLIC COMMENTS

*Anna Dodge, 1415 N. Poplar:* “I’m going to read from a letter that I sent to the councilmembers on November 9<sup>th</sup>. Councilmembers I’m writing on behalf of the concerned citizens of Surfside Beach group. The mission of this group is to work with elected officials in making a difference in the Town of Surfside Beach. It’s our home and we’re proud of it, however, many have expressed frustration that our voices are not heard. Indeed, I, as chairman of the group have spoken on several topics during council meetings with little or no acknowledgement of the concerns I enumerated, therefore, we’re trying this format for asking questions and obtaining answers. It is our hope that you will take our questions seriously and will answer them at the council meeting on November 24<sup>th</sup> or you may send responses to me via e-mail and they will be passed onto our membership. First question: Are there any ordinances or procedures in place that assure that town department heads ie. Director of Building, Planning & Zoning; Director of Public Safety; Director of Public Works and or any other department head are not involved or have interest in a business or business venture within the town limits of Surfside Beach which could be a conflict of interest. Two, we the citizens of Surfside Beach would like to be able to ask a question in a public forum and receive the answer in the same public forum at the next council meeting. This response would provide the answer to the mayor, councilmembers and the public at large. Three, we request that all of our police officers, including the Public Safety Director, Captain, Lieutenant, be in proper uniform and display their rank and signia at all times during their tour of duty. We do not feel polo shirts or t-shirts with small logos are acceptable as a part of a uniform because they do not distinguish them as police officers either to visitors or residents. In addition, we request that management officers be required to patrol with their subordinates on a regular basis, thus spending less time in the office and more time in the field which would increase omnipresence and ensure proper supervision. Four, many of us have attended council meetings where townspeople have asked repeatedly to go back to the strong council, weak mayor form of government as written in our charter. We have never heard a response to those requests. Five, we the citizens of Surfside Beach highly recommend the re-establishment of the Recreation Committee and the Beautification Committee utilizing the experience and talent of those who have previously served on those committees. Don’t waste time retraining people. We ask that you please consider these questions because we will be bringing them up at the next council meeting on November 24<sup>th</sup>. We appreciate your efforts as our elected officials and it’s signed by all of the board members of the concerned citizens group. Thank you.”

*Mr. Ron Saunders, 313 6<sup>th</sup> Avenue South:* “My remarks are going to be made to the councilmembers, specifically maybe just 2 or 3 of you. I have attended these meetings now month after month and meeting after meeting I’ve heard people say things like Ann just said, where they’ve asked you to return to the town charter where we have a weak mayor, a weak mayor, and a strong council form of government. They’ve asked you over and over, they’ve almost begged you to do it. You look like you’re staring off into space or you don’t care what we’re asking about. Folks we want you to do this; you’re elected to do it, under those circumstances, please, return to our charter. The other thing is the same thing happens meeting after meeting, someone comes up here, I remember Mr. Smith come here not too long ago, and asked you to have our ordinances enforced. They go over and over the smoking ordinances the dogs, the golf carts, all these

531 ordinances and they tell you the problems they have with it and you seem to just be  
532 oblivious to what they're saying. Please make these people do their job. There's going  
533 to be an election next Spring and I promise you, the folks in this town are not going to sit  
534 there and stare into space, we're going to come and vote. Thank you very much."

535  
536 **Tom Dodge, 1415 N. Poplar Drive:** "I want to thank council, tonight was the best thing  
537 that you've done as far as conserving the citizens' money. Thank all of you for that.  
538 Several months ago we wasted, I mean, spent \$45,000 for a parking study. Haven't  
539 heard word one about it yet. This is not New York City, let's get an answer to all the  
540 money that you've spent on this parking study. In 1996 I was on the Planning and  
541 Zoning, was on it for 8 years. We talked about beautifying Surfside Drive many times  
542 during that time. We talked about it at town council meetings prior to that time so Mr.  
543 Mayor, you could not have been blindsided tonight with Mr. Childs motion. This has  
544 been going on for 14, 15, 16 years to beautify Surfside Drive. The council talks about a  
545 running park for senior citizens one night, the next day it was done. The long time spent  
546 on Surfside Drive has been a waste of time and it's time to get something accomplished.  
547 Trees hide the businesses, the trees are ugly, the trees are breaking up the sidewalks, it's  
548 dangerous down there. I think it's time to do something and not just think about doing  
549 something. Thank you."

550  
551 **Beth Kohlman, 7<sup>th</sup> Avenue South:** "I am happy tonight. I am really excited because I  
552 think tonight you've proven to me that government is not like eating an elephant. Things  
553 do get done and I'm pleased to see that the swift action tonight was great to watch and  
554 sometimes that's what it takes to make a decision. The real reason I'm here tonight is  
555 because you saw people from committees get up and those committees are no longer in  
556 existence and I think it's a really important part of this town, and I really enjoy the  
557 Recreation Committee and I think it was important. A few points I just want to make  
558 was that having town council members on the committee with us was unbelievable. It  
559 was wonderful, and if you really look at those minutes, if you have the time to go online  
560 and look at them, so much was done in 6 months, it was amazing and it was fun and  
561 every single member on that committee was involved. It wasn't just, you sat around and  
562 gave an idea, we sat around, we gave ideas, we had great discussions and we did things  
563 and things got done and this is a family beach and it is a tourist attraction. Mr. Mayor ?  
564 I didn't know if you were listening. It's a town that needs tourism and I think that if you  
565 take that Recreation Department away that you're really doing a disservice to the people  
566 of the town and to yourselves. I wanted to say, too, that I can only hope and I believe in  
567 my heart that each of you are professional enough, when you make the decision to do an  
568 ordinance, which I'd love to know how long it takes to make an ordinance, I just think  
569 you just have to write something out and then run through it, I think, I'm not sure but I  
570 would think with an important issue like this that it needs to be done and it needs to be  
571 done fast. Forget the elephant eating and all that stuff, just do it, and when you do make  
572 those appointments again, I think that the committees need to be done by the prior  
573 experiences and the service that a lot of people have done in this town and I hope it's not  
574 done simply based upon the fact that you do not like who we associate with or that we're  
575 involved with the community watch group. Thank you."

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**10. COUNCIL COMMENTS**

*Mr. Childs:* “I would like to assure everybody here this evening, my motion was not out of any disrespect or blindsiding anybody, I can assure you that in public, anybody’s that been around here any length of time, Mr. Johnson, Ms. Blair can tell you, this Surfside Drive issue comes up and goes down and comes up. As long as I’ve been here that’s all that’s been talked about and I really feel that if I’d have taken any other avenue, we’d be talking about it again 6 months from now, the same ole same ole. I really feel that this will go a long way to get this project started along with the mayor’s help and I know we can do it and really believe this is one way, the only way, the only proven way that we can get it done. Thank you.”

*Mr. Samples:* “Thanks for coming tonight. I think we made a major step towards more transparency and more accountability in government tonight. Sometimes, it seems to me that we forget, some of us forget, whose money it is, it’s not our money or who we work for. We work for the people who live in this town. I want to say thanks to Faye Creel, I’ve been meaning to do this for quite awhile, from the Myrtle Beach Chamber of Commerce, for coming to our meetings. She comes religiously and goes back, I know, and tries to do the best that she can for our town, so, Faye, thanks for coming and since I see Mardi sitting there and I don’t see Mardi Hardwick there all the time, I’ll say, tell Nelson ‘hello’. Thanks.”

*Mr. Truett:* “I thank Mr. Childs, for one thing, because thank God we’re back on the path of Surfside Drive and we will get it right this time. I want to remind everybody tomorrow at 2 o’clock, Veterans Park, we’re going to have a Veteran’s memorial, promptly at 2 o’clock, rain or shine I’ve been told by Debbie, so, we’ll keep our fingers crossed and you might want to bring an umbrella but thanks for coming.”

*Mr. Johnson:* “Thank you ladies and gentlemen for coming out. I feel like we did some good business tonight. This is your town. I just would like to address the Surfside Drive issue. Mr. Truett, I can assure you that I do realize that there are a lot of people who take that very seriously and I think there are more people that take it seriously than don’t. I look forward to finally getting something done. All you have to do is get out of this town, this wonderful town that we live in, just go somewhere and look around at their landscaping and their architecture and you can look at what they have and then say, ‘hey, we can do that on Surfside Drive or we can do this on Ocean Blvd.’ and it’s really not that difficult to do. You just have to have a little imagination and a little umph, you know, and get it done. That’s all we need. As far as the committees go, I’m all in favor of having committees. We went for many years and did not have committees and did not have a lot of public involvement and that has changed in the past year and a half or two years and the more committees, I feel, the better and thanks to our wonderful staff for attending those committee meetings. We can get some things done and I would also like to ask for a parking study update at the next council meeting please.”

*Ms. Blair:* “Thank you all for coming. I wanted to commend Brian, I was reading this letter and it looks like you’re scheduled to take your ISA certified arborist test in the Spring so congratulations on that, we wish you the best and that can only mean more good things for Surfside, that you will have that under your belt and thank you for that. I was just wondering, do we have any Veterans with us tonight? Thank you. (Veterans in audience raised their hands. There was applause). Stay dry. I’m sorry I won’t be able

629 to be at the event tomorrow, I am scheduled to work an H1N1 vaccination clinic  
630 tomorrow so I won't be able to be there but enjoy it and thank you to all of the Veterans  
631 who are here with us for all you've done for us and for everyone for being here tonight.  
632 Have a great week.”  
633

634 **11. ADJOURNMENT**

635 Mr. Truett made a motion to adjourn. Mr. Childs seconded the motion. **All present**  
636 **voted in favor. MOTION CARRIED.** The meeting was adjourned at 8:05 PM.  
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638 Approved: November 24, 2009

639 \_\_\_\_\_  
640 Sharon Pinnell, Town Clerk

641 \_\_\_\_\_  
642 K. Allen Deaton, Mayor

643 \_\_\_\_\_  
644 Joseph P. Martin, Town Council

645 \_\_\_\_\_  
646 Vicki W. Blair, Town Council

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648 James S. Truett, Mayor Pro Tem

649 \_\_\_\_\_  
650 Douglas F. Samples, Town Council

651 \_\_\_\_\_  
652 Mark L Johnson, Town Council

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654 Robert F. Childs, III, Town Council  
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656 **Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell . In**  
657 **accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on**  
658 **file in the clerk's office. The agenda was posted on bulletin boards outside Council chambers and in the town hall reception area. Meeting**  
659 **notice was also posted on the town marquee.**  
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