



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
December 14, 2010 ♦ 6:30 P.M.

TOWN COUNCIL  
REGULAR COUNCIL MEETING

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8 **1. CALL TO ORDER**

9 Mayor Deaton called the meeting to order at 6:30 PM. Mayor Deaton, Mayor Pro  
10 Tem Childs and councilmembers Blair, Smith, Dodge, Samples and Johnson were  
11 present. Staff present: Administrator Duckett; Appointed Interim Administrator,  
12 Fellner; Clerk, Pinnell; Police Chief, Frederick; Fire Chief Packard; Fire Inspector,  
13 Faulkenberry; Public Works Director Adair, Building Director, Donevant and Events  
14 Coordinator Ellis. Attorney Mr. Moss was also present.

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

17 Shane Johnson from Solid Rock Baptist Church gave the invocation and Mayor  
18 Deaton led the pledge of allegiance.

19  
20 **3. AGENDA APPROVAL**

21 Mr. Smith made a motion to approve the agenda as submitted. Mr. Childs seconded  
22 the motion. **All voted in favor. MOTION CARRIED.**

23  
24 **4. MINUTES APPROVAL**

25 Mr. Smith made a motion to adopt meeting minutes from November 23, 2010  
26 meeting. Mr. Childs seconded the motion. **All voted in favor. MOTION**  
27 **CARRIED.**

28  
29 **5. PUBLIC COMMENTS- Agenda Items only 3 minutes per speaker**

30 There were no public comments.

31  
32 **6. COMMUNICATIONS: Presented by Interim Administrator Micki Fellner**

33 **a. Service Awards:**

34 **i. Greg Faulkenberry-Fire-5 Years**

35 Greg Faulkenberry was recognized for 5 years of service to the Town.

36  
37 **ii. Jackie Donevant-Building Dept. - 10 Years**

38 Jackie Donevant was recognized for 10 years of service to the Town.

39  
40 Ms. Ellis thanked the council for coming out in the rain and being a part of the  
41 Christmas parade in support of the Town.

42  
43 **b. Building Report**

44 Ms. Fellner reported that there were 71 permits issued for a total of \$5,492.25 last  
45 year during the same period 67 were issued for a total of \$15,731.33. Year to date  
46 using calendar year the Town is up 77 permits but down in total permit revenue  
47 by \$20,786.72. 24 contractor licenses including new issues and renewals were  
48 issued for a total of \$3,283.08; last year during the same period 27 were issued for  
49 a total of \$3,133.10. Year to date using the calendar year the Town is up 71  
50 licenses and total permit revenue is up by \$4,780.57. 91 inspections were  
51 conducted in November; last year during the same period 131 inspections were

52 conducted; year to date the Town is down by 86 inspections. The aggregate total  
53 of departmental revenue year to date is down \$16,006.15. Mr. Johnson asked if  
54 the revenues and numbers being down were due to the lack of new building. Ms.  
55 Fellner stated that there is not a lot of building going on and this is the reason the  
56 numbers are down.

57  
58 **c. Police Report**

59 Ms. Fellner reported on the general case load and calls for service stating that  
60 these have decreased during November. There were 693 calls for assistance and  
61 field activities; these are down 17 percent over the prior month and they are down  
62 for the same period last November, 2009. There were 195 charges and arrests  
63 which are down 25 percent from the prior month. It is up 10 percent for the same  
64 period last year. There were 53 criminal investigations which are up 2 percent  
65 over the prior month and it is up 66 percent from the same period last year. 12  
66 officers worked the Turkey Trot 10 K road race on Thanksgiving Day and there  
67 were no crowd control or traffic problems reported. There were internal  
68 commendations given for Sergeant Rodney Keziah, Sergeant Travis Bailey,  
69 Corporal Chris Kin, Corporal Lee Black and Officers Brode and Sanabria issued  
70 on December 3<sup>rd</sup> for outstanding performance of duty in an undercover auto theft  
71 operation on November 24<sup>th</sup>. Their actions led to the apprehension and arrest of 2  
72 felons. All other police statistics are available online at [surfsidebeach.org](http://surfsidebeach.org).

73  
74 Mr. Samples asked if the Town has been reimbursed for costs from the Turkey  
75 Trot. Ms. Fellner reported that the payment had not been received but they were  
76 billed and agreed to the cost. Payment should be received shortly. Ms. Blair  
77 asked if the Town was aware that the Turkey Trot event staff was going to paint  
78 all over Ocean Blvd. Ms. Fellner stated that she did not know this. Ms. Blair  
79 stated that it should be noted for next year to limit the excessive paint used to  
80 mark the courses. Mr. Childs agreed with Ms. Blair adding that he does not  
81 believe a painted 30 foot line was needed adding that chalk would be a good  
82 alternative use.

83  
84 **d. Fire Report**

85 Ms. Fellner reported that the fire department handled 27 total incidents in  
86 November; there were 41 incidents last year during the same period. 21 of the 27  
87 incidents in November or approximately 78 percent were rescue and medical  
88 emergency related calls. 11 inspections were completed or are pending; 2 plan  
89 reviews were conducted and 4 public education opportunities were pursued in  
90 November; this is 33 total educational opportunities year to date which is up 45  
91 percent from last year.

92  
93 Mr. Johnson asked if residents are charged when the Town goes out on assist  
94 invalid calls. It was confirmed that the Town does not charge. Ms. Fellner added  
95 that the Town also does not charge the County even though it is included in the  
96 emergency plan. Mr. Samples stated that it is very clear regarding mutual aid  
97 reimbursement. Mr. Samples had a question regarding Surfside Beach status to  
98 first response. Chief Packard stated that the mutual aid calls that were run were  
99 through Murrells Inlet and Garden City and this is done through an exchange  
100 agreement; the Town does not run calls in the County. Mr. Samples stated that

101 Horry Councilman Loftus has stated that there is a desire amongst some residents  
102 of Deerfield to have Surfside Beach serve as responders. Mayor Deaton stated  
103 that this would be up to home owners associations to approach the Town with this  
104 type of request.

105  
106 e. Interim Administrator's Report

107 i. Ladder Truck Received

108 Ms. Fellner reported that the lease purchase agreement was completed and  
109 the Town closed on the new ladder truck on November 23<sup>rd</sup>. The truck  
110 arrived at the station the following day. Currently equipment is being  
111 mounted and radios are being programmed and training on the pump is  
112 currently taking place. Training for the new smart aerial equipment will  
113 take place on January 10<sup>th</sup> by R.K. Industries; they are the manufacturers of  
114 the aerial equipment.

115  
116 Mr. Samples asked about the plan for the disposal of the existing ladder  
117 truck. Chief Packard reported that it is currently listed on govdeals.

118  
119 ii. Transfer of Unused Funds: Police

120 Ms. Fellner reported on a fund transfer. \$4,617.16 will be transferred from  
121 the professional service line item in the police department budget to 2  
122 different line items in the police budget. The funds would be re-  
123 appropriated from the professional services line item originally allocated for  
124 specific tests and annual physicals that are not required by OSHA. The  
125 funds would be used to equip one fleet vehicle with a warning device,  
126 overhead light bar and prisoner safety screen which would cost \$2,591.27;  
127 the vehicle cannot be put into service without these additions and the funds  
128 would also be used to replace the console internal circuitry in dispatch  
129 which was found to be failing during a recent renovation. The  
130 refurbishment of the console will cost \$2,025.89 and this was not an  
131 anticipated or previously budgeted item.

132  
133 Mr. Samples commented favorably on the issue paper Chief Frederick  
134 prepared. Ms. Fellner added that besides preparing the paper he performed  
135 a lot of research with OSHA to determine what was actually required by  
136 them. Mr. Johnson stated that his concern is why council was led to believe  
137 the exams were needed in the first place. Ms. Fellner stated that the town  
138 was told this by its provider. Ms. Blair asked if the town paid for the exams  
139 in years past. Ms. Fellner stated that she believes the town did previously  
140 pay for these exams.

141  
142 Floral Lake Enhancement Item

143 Ms. Fellner reported that the Floral Lake Enhancement was bid out and it  
144 was within the budget. The bid opening was held on November 5<sup>th</sup>; Sellers  
145 General Construction was chosen as the lowest bidder at \$10,000 and A.P.  
146 Reale & Sons was the second bidder at \$16,980. Currently Sellers  
147 Construction is waiting for the handrail material to complete the job. A  
148 check is being held until the job is totally completed. The plan is to then use  
149 staff to build a ramp and possibly add some steps on one side to make it

150 ADA compliant. Ms. Fellner stated that there was either an application or  
151 engineering misstep; apparently something was not built to spec and Ms.  
152 Donevant will be inspecting it to determine what happened and there would  
153 then be a report back to council.

154  
155 Ms. Dodge reported that the deck had many “bad cuts” and was concerned  
156 about the gates situated under the deck; she was informed by a towns person  
157 that the gates are raised to drain water to the ocean to avoid flooding. Ms.  
158 Donevant stated that this is a weir and this is the purpose. Ms. Dodge stated  
159 that the deck extends over the gates so it looks like they would be difficult to  
160 raise. Ms. Donevant stated that she would look at them. Mr. Samples stated  
161 that this is a concern and asked Ms. Donevant to report back to council. Mr.  
162 Childs stated that he thought they were going to add trap doors to get to the  
163 gates. Ms. Fellner reported that she tried to get out to the area today but did  
164 not have the time.

165  
166 *iii. Conveyance of Scipio Lane Property*

167 Ms. Fellner reported that pending the ordinance for the property conveyance  
168 Horry County has asked for a consensus of Council as soon as possible so  
169 that they can move forward with the permitting process for the development  
170 of the recreation property. Mr. Johnson stated that he originally had  
171 concerns; council had a meeting at the property location and after seeing the  
172 property in question he now agrees to convey this property. Ms. Dodge  
173 stated she also looked at the property and although the County is just asking  
174 for a small amount of land this time it looks like if the road is later extended  
175 they would possibly be requesting more of the towns land. Ms. Dodge  
176 asked if it would be more beneficial for the town to give an easement rather  
177 than convey the property adding that she does not see how the liability  
178 would be that great to the town. Ms. Fellner reported that extending the  
179 road is in the 2035 plan; it could extend out further but the enhancements  
180 they plan would only increase the value of the towns’ property. The future  
181 plan line would extend to the right of the towns property and extend to the  
182 Burroughs and Chapin piece of property. The liability issue would include  
183 mitigation and road liability and Ms. Fellner suggested that this is why a  
184 conveyance would be a cleaner choice adding that the county also prefers a  
185 conveyance. Mr. Smith made a motion for Surfside Beach to convey the  
186 piece of property in question to the County. Mr. Childs seconded the  
187 motion. Mr. Samples stated that he and Ms. Dodge did discuss this matter  
188 and he feels that if this is in the 2035 long range plan he would hope that  
189 Business 17 would also be in the plan. Ms. Fellner confirmed that it was.  
190 Mr. Samples stated that it is important to eliminate any liability issues and  
191 also increasing the value of the property that the town owns is also a very  
192 important consideration. Mr. Samples stated that even if the County  
193 condemned the property and took it they would still have to compensate the  
194 Town for it. Mr. Samples stated that the plan does show the future road on  
195 the Burroughs and Chapin property but is unsure of what will happen over  
196 time. Mr. Samples stated that he supports the conveyance over allowing an  
197 easement. **All voted in favor. MOTION CARRIED.**  
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iv. *Introduction of New Administrator: Mr. Jim Duckett*  
Ms. Fellner introduced the new Town Administrator, Mr. Jim Duckett. Ms. Fellner reported that Mr. Duckett comes to the Town most recently from an interim position in Williston, SC and prior to that from the Town of Lexington, SC. Mr. Duckett's bio will be in the upcoming January newsletter and will be linked online.

Ms. Fellner thanked the Council and the citizens of Surfside Beach for allowing her to serve the last 7 months in the interim administrator position adding that it has been both a pleasure and an honor to serve the town in this capacity.

7. **BUSINESS**

a. *First Reading Ordinance #10-0692: Amend Administration Section 2-114*  
Some wording was added to this section "unless specified otherwise in a signed contract" which would allow council to negotiate contracts. Mr. Smith made a motion to approve First Reading of ordinance 10-0692 to amend section 2-114. Ms. Dodge seconded the motion. **All voted in favor. MOTION CARRIED.**

b. *Decision Paper: Policy Change to Volunteer Firefighter Payroll*  
Ms. Fellner read the decision paper which is on file. It has been the policy to pay volunteer firefighters once per year; the request was now for payment to be biannually. This would allow the payments to be more in line with the town's budget year. Mr. Smith made a motion to change the policy for paying volunteer firefighters to biannual payouts corresponding to 6 month intervals in the same fiscal year. Mr. Johnson seconded the motion. It was confirmed that the volunteers receive \$10 per call. It was also confirmed that there would be a budget amendment made closer to the end of the budget year. **All voted in favor. MOTION CARRIED.**

c. *Decision Paper: UV Light Installation in Ducts*  
Ms. Fellner reported that the town investigated UV lights which were suggested by Councilman Smith and the Town received 3 quotes. It is not a currently budgeted item. The recommendation is to install UV Lights to control and impede the growth of mold spores and other bacteria and viruses. The spore count was just hugely reduced and the addition of the UV lights would be an added benefit. Ms. Fellner stated that it is the staff's recommendation to award the bid to Thomas Incorporated who was not the lowest bidder but the Town had received a 10 year warranty and the concern is, although it would not void the warranty, if anything came up it could be a point of contention as to which company would be responsible. Mr. Smith made a motion to install the 6 UV lights and award the bid to Thomas Incorporated for \$1,875.00. Mr. Childs seconded the motion. Mr. Smith stated that the reason he had suggested this was that he had a mold problem in his home and once the UV lights were installed it brought the situation under control adding that this is a preventative measure. Mr. Johnson asked if this could be done in house. Ms. Fellner stated that the warranty could then be voided; the town would need to purchase the lights and she is not sure if there is anyone at the town who has the expertise to install the lights

248 correctly without voiding the warranty. Ms. Blair clarified for the public that  
249 there were 3 bids received, the lowest was \$1,400 and the highest was \$3,300 and  
250 the bid from Thomas came in at \$1,875. **All voted in favor. MOTION**  
251 **CARRIED.**

252  
253 *d. Decision paper: Surfside Drive Streetscape Project*  
254 Ms. Fellner reported that 4 bids were received ranging from \$333,268.46 to  
255 \$421,771. The bid was advertised and the specifications were reviewed by the  
256 engineers and there was a mandatory on-site review. The bid awards page is  
257 available online. The recommendation of staff is to award the bid to the lowest  
258 bid, Southern Asphalt; they have demonstrated their ability to perform work of  
259 this scope in a timely manner which was investigated. Mr. Childs made a motion  
260 to award the bid to Southern Asphalt for the Surfside Drive Streetscape project.  
261 Ms. Blair seconded the motion. Mr. Samples asked if there was a proposed  
262 schedule. Ms. Fellner stated that a schedule will be made once the bid is awarded.  
263 Mr. Samples asked if the business owners have been informed of the Surfside  
264 Drive project. Ms. Fellner stated that she believes all of the business owners are  
265 aware; some did not come to the initial meetings, there were a number of  
266 meetings. It was confirmed that the business owners would be contacted and  
267 given a schedule. Ms. Fellner confirmed that once the bid is awarded a traffic  
268 plan will also be performed. Mr. Childs stated that he hopes that this is placed on  
269 the top of the list of projects to be done. Ms. Fellner stated that all prospective  
270 bidders were informed at the mandatory meeting that the project would start with  
271 Surfside Drive with an estimated completion time to be in March 2011. Ms.  
272 Dodge asked if this also includes the landscaping. Ms. Fellner stated that it  
273 includes the landscaping. Ms. Dodge stated that the plan is to include live oak  
274 trees and although they are beautiful the roots have side roots that will push up the  
275 sidewalks or asphalt. Mr. Samples asked if the streetscape and landscape was  
276 rolled into one project. Ms. Fellner confirmed that this was correct. Mr. Samples  
277 asked if the town was within budget. Ms. Fellner confirmed that it was within  
278 budget. Ms. Blair stated that the town has waited a long time for this and added  
279 how excited she was to hear that the project should mostly be done by spring was  
280 wonderful news. Ms. Blair asked for confirmation on the inclusion of conduits  
281 for wiring and music. Ms. Fellner stated that the conduits are included but the  
282 wiring is not. **MOTION CARRIED.**

283  
284 *e. Proclamation: Arbor Day*  
285 Clerk Pinnell read the proclamation that is on file.  
286

287 **8. DISCUSSION ITEM** – Pier Improvements: Councilman Samples  
288 Mr. Samples stated that the pier and surrounding area can be a great asset to the Town  
289 adding that the Town has encountered some problems in this last year. Ms. Samples  
290 stated that he feels that there is “something lacking” in the way council is  
291 approaching matters involving the pier adding that he believes that it is from a clear  
292 lack of oversight on the part of town council. Mr. Samples stated that he thinks the  
293 council should establish an ongoing pier business committee; he has spoken about  
294 doing this for over a year. The pier oversight committee mission should be to  
295 consider and develop recommendations for the full council to consider. Mr. Samples  
296 stated that, in his opinion, council, up to this point, has addressed the pier in a

297 “fragmented piecemeal fashion” and he believes that the “information offered  
298 publically and to town council as a whole has been in err in many cases or worse,  
299 “intentionally misleading.” Mr. Samples asked for comments on the suggestion in  
300 establishing a pier oversight committee. Mr. Smith agreed that this was a good idea.  
301 Where the town is now is not a good place and he thinks that the council needs to  
302 come up with a real vision of what is wanted at the pier. There has been discussion  
303 regarding extending the bandstand around the pier and adding decking in front of the  
304 restaurant and possibly expanding the kitchen in the restaurant and there has been talk  
305 about adding upward. Mr. Smith agreed that focus needs to be given. Mr. Childs  
306 stated that a committee was spoken about prior to the acquisition of the pier and he  
307 feels it is needed. Ms. Dodge agreed with Mr. Samples and the need for a committee.  
308 Mr. Johnson stated that he also agrees that something needs to be done and he would  
309 be willing to volunteer his time to serve on a committee. Mr. Johnson stated that to  
310 say the pier was done piecemeal is an understatement and added that council was lied  
311 to. Council was told the town had permits. Mr. Johnson stated that he would like to  
312 prevent anything like this from happening again adding that the townspeople deserve  
313 a lot more. Mayor Deaton stated that this involves a previous administrator and  
314 engineer and there is no reason to “beat a dead horse”. Mr. Johnson stated that he is  
315 thankful that the town has a new town administrator who is going to work with other  
316 employees in the town and that the town no longer has a “ship that is meandering in  
317 the darkness” and agrees this is all “water under the bridge” and feels that the town is  
318 now on the right track and would like to continue in the right direction.

319  
320 Mr. Samples clarified his situation to the Mayor. He realized there is a situation the  
321 town needs to deal with but stated that the larger point has nothing to do with  
322 individuals. Mr. Samples stated that the pier is a business. Mayor Deaton agreed  
323 stating that it is an enterprise fund; the town has two, the pier and the sanitation  
324 department. Mr. Samples stated that the sanitation department is self supporting.  
325 Mayor Deaton added “as the pier should be.” Mr. Samples stated that he had gone  
326 back in the records; there have been 20 meetings where bits and pieces of the pier  
327 have been communicated to council.

328  
329 Mr. Samples added that the “only single time that this council has ever discussed a  
330 matter related to the pier, as a discussion item, as you and I both agree, before council  
331 acts we should discuss matters fully, take them after they’ve been fleshed out, move  
332 them to business and have a vote, the only time we ever had a discussion item was  
333 when we terminated the pier maintenance contractor.”

334  
335 Mr. Samples stated that he believes that council has been absent in its oversight of the  
336 pier which is a large asset to the town. It was decided to add a discussion on adding a  
337 pier oversight committee to the next council meeting agenda. Mr. Samples clarified  
338 that the council has not voted to spend money on the pier project; council was assured  
339 the cost would be \$5,000 or less.

340  
341 **9. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**  
342 ***Beth Kohlmann, 1610 Ocean Blvd.:*** “I didn’t intend to get up and speak tonight but I  
343 think it’s important. I want to thank you for speaking what a lot of the residents in  
344 town have been saying for a long time and stifled numerous times. Sometimes  
345 labeled when we asked questions, you know very relevant questions, obviously now;

346 it's hard to believe that over the period of time when the former administrator was  
347 here that you didn't see it and when we did try to come up and talk about it you made  
348 us sound like we were crazy and every time you go on the news or you go in the  
349 paper you have these little comments . . .

350  
351 Mayor Deaton asked Ms. Kohlmann to refrain from making personal comments.

352  
353 **Ms. Kohlmann:** "I don't think I said anybody's name. I simply said members. I  
354 didn't say anybody's name. You know, if it is then they should know who it is. If  
355 you have a tool box, it's empty."

356  
357 **Tom Dodge, 1415 N. Poplar Drive:** "Welcome to town Mr. Duckett. You will get  
358 your feet wet quick. Eleven Nineteen, Sun News, request for bids for a restaurant on  
359 the Surfside Beach Pier, any questions regarding this bid must be submitted in writing  
360 no later than ten a.m. on Monday, December 6<sup>th</sup>, 2010. Questions and answers will  
361 be available to bidders at ten a.m. on December 13<sup>th</sup>. This sounded familiar to me;  
362 then it hit me, the taxpayers, citizens of the town, has asked for this same privilege for  
363 the last two and a half years. Why are outsiders, non-taxpayers, treated better than  
364 the citizens? We've asked repeatedly for answers to questions and we get blown off.  
365 Eleven twenty three, town council meeting agenda, item nine, other personnel matter.  
366 The interim chief was made chief in this secret meeting. This item was not on the  
367 agenda subject to public comments. I sure did not know that was going to happen,  
368 my guess is that no one in town knew it but the chiefs wife knew it because she was  
369 at the meeting. I thought executive sessions, secret meetings, were confidential,  
370 seems like the midnight law passed by this council and mayor two and a half years  
371 ago is alive and well. The midnight law is one that is used to keep the townspeople in  
372 the dark. Twelve two, Christmas tree lighting ceremony invitation, Department of  
373 Public Safety; it is my understanding the Public Safety Department was eliminated  
374 several months ago. Apparently town hall does not have that same understanding.  
375 Twelve three, story about a small time, small town mayor by a big time reliable  
376 newspaper and I quote 'I'm strong on ethics, I have a large ethical toolbox with a lot  
377 of tools in it'; this same mayor voted two or three times against a conflict of interest  
378 policy and will not allow residents questions to be answered in open forum. Twelve  
379 ten, Twelve nine, excuse me, Myrtle Beach Herald, town council and mayor once  
380 again bring bad publicity to Surfside Beach by apparently violating FOIA rules. The  
381 mayor, this mayor, doesn't know what ethics means. Thank you, Tom O'Dare; and  
382 then we had horses in the Christmas parade; I thought that was a violation of our  
383 ordinance. Folks it's all right here, you can't make this stuff up. I hope next year is  
384 better. Merry Christmas."

385  
386 **Ken Harbin, 322 S. Willow:** "This concerns the lake enhancement at Floral, just to  
387 clarify. It did appear to be above the ground; it did appear to lack steps or ramps; it  
388 did appear to overhang over the board system that we do release water through and  
389 according to Public Works those had all been taken into consideration. The supports  
390 for the floor joists on the platform are two by twelves and they were resting on some  
391 existing portion of what was there. That's why it was raised up. We discussed it in  
392 the Stormwater Committee but I think we only discussed it on a conceptual basis so I  
393 don't know if we saw plans; don't know if we talked about having it more land or  
394 have it more water but it did cover it but provisions were made in the plan that there's



395 going to be removable panels; that's why the platform's not complete; it has nothing  
396 to do with the railings; that's where the platforms will be, they are removable  
397 platforms so we can pull those. Just on another matter, it appeared that some of the  
398 decking boards were upside down; we had some public comment about the boards  
399 replaced on the pier that rather than cupped down they were cupped up and it causes  
400 the edges to raise and Public Works was made aware of all of those but that was the  
401 response so just for information sake on the lake enhancement. One request I would  
402 make to council in discussion of the pier group or pier committee that we not over  
403 react, that we not tie the hands of our staff, our new administrator, our interim  
404 administrator and then let them do the job that we've hired them to do. I can't  
405 question the rationale for having such a committee; I would urge council, however, to  
406 have some business people on the committee, business people in town to look at it  
407 from a business aspect of the people that's on the pier whether that be a commercial  
408 broker talking about the lease situation or whether it be somebody in the restaurant or  
409 the entertainment or the hospitality association business we can talk about those kind  
410 of things but they're obviously important things that we all need to talk about but  
411 seek the advice and seek the help and counsel of the business community; they're  
412 here, they certainly would help and would be valuable members, I think, on that  
413 committee, if you indeed decide to create one. Thank you."

414  
415 **Shane Johnson, Solid Rock Baptist Church member, 675 Highway 17:** "We all  
416 know that each of you were elected by the votes of the citizens of Surfside Beach;  
417 these citizens voted for you because they thought you would represent the town and  
418 its people; they thought that you were the best choice or the best people for the job;  
419 the ones who would listen to what the town folks opinions were on things. In  
420 representing them in these meetings and in the decisions that you make now for those  
421 of you that accept Jesus as your Lord and Savior you have also been chosen to  
422 represent him in all you do. How are we doing? On the issue of outdoor dining,  
423 alcohol consumption in public or mixed use, whatever you want to call it, we can  
424 clean it up, dress it up, change its name, it's still wrong. I stand here tonight with a  
425 heavy heart; it is my prayer that town council seek guidance and leadership from the  
426 Lord concerning this matter. Please reread the section and take careful consideration  
427 to all aspects before making a decision. I leave you with this, I don't believe that  
428 anything good has ever come from the consumption of alcohol, Surfside, stand up,  
429 stand out and let's set the example for others to follow. Thank you."

430  
431 **Joyce O'Brien, 613 S. Myrtle Drive:** "Sadly I just have to say that all the things that  
432 brought me to Surfside that I love are disappearing and it's very sad, I mean, the pier,  
433 an empty pier sits there now, Legends is gone, I mean I don't know what's happening  
434 to our town but whatever's happening it's saddening me . . . I mean, it's not the town  
435 I moved into and it's sad, its' very sad and I don't think I'm just speaking for myself,  
436 I think I'm speaking for a lot of people when I say this, I mean, it's obvious that  
437 something very tragic is happening in this town and I don't know what we're going to  
438 do about it, I don't know who's going to do something about it but I certainly hope  
439 that people really take it serious. I mean, I feel like this is the government that I read  
440 about and see on the news; that the issues of the people aren't being addressed.  
441 Everybody has their own agenda and that's what's happening. You're not working as  
442 a group or I shouldn't say you because we have new councilmember's but in the past  
443 you haven't worked as a group for the benefit of the people in town. You've had

444 your own agendas and I didn't say this, facts are being withheld from people who  
445 need to know the facts and how do you work like that? How do you accomplish  
446 anything like that and we're not stupid, we're educated people and you treat us like  
447 we're imbeciles, like we don't know what's going on. Well guess what, we do, we  
448 know, you're not fooling anybody but yourself and it's just very sad to me and I'm  
449 just going to say in closing that I'm not a psychic but I will make a prediction that we  
450 will be in the paper again with the Surfside Drive situation, that's my prediction,  
451 we'll see what happens. Thank you."

452  
453 **John Wright, 710 S. Hollywood Drive:** "Welcome Mr. Duckett, you're in a fine  
454 town. You're in a town that has a family history. I want to encourage the council and  
455 the town to keep that in mind. Let's keep it a family beach. We don't want to lose  
456 this . . . the lady has already spoken about our past, our traditions, let's keep a family  
457 beach. Let's don't become a South Myrtle Beach. Let's be Surfside Beach and,  
458 again, I'd like to thank the council for what has been accomplished this year. There  
459 has been some good accomplishments this year. I want to encourage you to work  
460 together as we start a new year. It is Christmas, Merry Christmas."

461

#### 462 **10. COUNCIL COMMENTS**

463 **Mr. Childs:** "I want to discuss a couple things; first of all I'd like to thank Debbie  
464 Ellis and the Town for the Christmas parade. I know the last event we had was  
465 cancelled for rain and I knew we were going, no matter how hard it rained, we were  
466 going to be in that parade. The whole ocean could have been on Ocean Boulevard,  
467 that parade was going to happen, so I would like to thank them, it did turn out nice  
468 and it did stop raining and Mr. Mayor there's one other thing I'd like to take this  
469 opportunity to acknowledge a charitable event that took place last Sunday in the Big  
470 Apple Bagel parking lot across from town hall. It was a benefit car show and it was  
471 for Toys for Tots and local food banks; 152 toys and 200 food items were collected  
472 and I'd like to thank East Coast Artie and Big Apple Bagel Shop for this charitable  
473 event. Thank you Mr. Mayor."

474

475 **Mr. Samples:** "I would like to clarify for the benefit of the public and the  
476 councilmembers. The committee that I'm suggesting is really a committee of council.  
477 Council should always take advantage of professionals and interest groups on matters  
478 . . . the input, but ultimately the decisions reside with the collective body under our  
479 form of government and I don't want to go back and I'm sure we won't be returning  
480 to . . . I hope we, Mr. Duckett, we won't be returning to the . . . I'm going to speak  
481 plainly, just the poor administration, the misrepresentation, in my opinion, that we've  
482 received but that means, frankly, I think we could have a committee of the whole  
483 council. I got a feeling many of us are interested in serving on that pier committee, I  
484 know I am also, and so, in any event, have a Merry Christmas, let us know what you  
485 think. Many of us share the same concerns, we share the same concerns, we live  
486 here, we chose to live here. I don't know why anybody would move here, live here  
487 and then seek to change it. I just don't get it. Thanks a lot. Have a Merry  
488 Christmas."

489

490 **Mr. Smith:** "Well, the reason I ran for council was because I was concerned; I love  
491 the town, I'd like it to be a family beach and I want to keep it that way so if you think  
492 we're not doing that please call me, 238-0189, I want to hear from you, personally."

493 Mr. Wright, I share your concerns and pastor, I share your concerns. The pier is not  
494 going to be empty next spring; we'll have somebody, it's cold now and it's closed for  
495 the season but next spring the pier will be active again and well, that's about all I can  
496 think of right now, but anyhow, Merry Christmas and Happy New Year."

497  
498 **Ms. Dodge:** "I share the thoughts of some of the people in this town. I understand  
499 that you're frustrated; maybe angry. I want it to be better and I look forward to that  
500 in the coming year; working together including the citizens more in what we do in our  
501 decision making; I think that's important. I thank you all. I thank our people who  
502 work for the town. Pray for us; we'll keep trying. Hope you have a wonderful  
503 Christmas. God Bless."

504  
505 **Mr. Johnson:** "First of all I would like to publicly welcome Mr. Duckett, secondly, I  
506 would really like to thank everyone who braved the elements on Saturday, especially  
507 those who participated in the parade on the floats and what not; I really thank you  
508 from the bottom of my heart. It was a wet day and I was inside a car; I can't imagine  
509 what it would be like otherwise. As far as some businesses in town go, this council  
510 has no input on whether a business moves from Surfside to Myrtle Beach; I mean,  
511 that's totally two entities and I hated to see Legends go but I feel like that was a  
512 business decision made and I hope they do well. I hope we fill that building by  
513 springtime with a very prosperous business. I hope we fill all empty buildings in the  
514 town of Surfside Beach with prosperous businesses. In this economy I don't know if  
515 we can do that or not. All we can do is hope and pray and on those lines I would like  
516 to wish each and every one of you a Merry Christmas and a Happy New Year. Thank  
517 you."

518  
519 **Ms. Blair:** "First, because I didn't go on record when we were discussing it, I just  
520 want to support publicly, councilman Samples and the committee. I definitely think  
521 that all it takes for us to agree on the fact that there hasn't been enough oversight is to  
522 go down Surfside Drive and take a look at the skeleton that's looming at the end of  
523 the pier that we hoped would have been our entertainment deck by now, so, and no  
524 doubt you're right, determining who will serve on that committee may be as big a  
525 challenge as what the committee does but I'm sure we will all be willing to give of  
526 our time and input and effort to hopefully complete everything that we want to have  
527 done down there and make it the centerpiece of Surfside that we all anticipated would  
528 hopefully be done by now. I also want to welcome Mr. Duckett and wish him all the  
529 best and I know that he will be an asset to us and lead us in the direction that we want  
530 to go; with that be said, a huge thank you to Micki who came into a leadership  
531 position at a difficult time and all of these things that have worried us and upset and  
532 angered many of you and many of us she had to deal with on a first hand daily basis.  
533 I think that she did an absolutely marvelous job; she was always accessible to us; she  
534 always responded; she always had answers and personally I think that she was  
535 definitely grace under fire and I thank you for all I've learned from you and all that  
536 you did for us in the last seven months. I also want to thank the council, it has been a  
537 difficult year and we all get just as frustrated; frustrated at the things that we don't get  
538 accomplished; frustrated at the many criticisms that we face and some are criticisms  
539 that are across the board and some are directed at some of us individually; we're  
540 smart, educated people and we know when those barbs are at one of us or at us. We  
541 also like to think and hope and pray that sometimes it's out of total frustration that

542 you lash out and that many of you understand that if you were in this seat it would not  
543 be nearly as easy as it might appear to be from the seat that you're sitting in now. I'm  
544 not saying we do everything right, obviously we don't, and we struggle with those  
545 decisions, I do, every day, every night. I pray for us, I hope that you pray for us and  
546 that when we are sitting here the last meeting of 2011 we have all good things that  
547 come from you and from us and let's all just go forth with hope that 2011 will be the  
548 better year that we need it to be both economically, both for the town and for all of  
549 you individually, thank you for your support even though you have been so  
550 aggravated with us over many things. Merry Christmas, Happy New Year and God  
551 bless each and every one of you for being in this town and for bringing the goodness  
552 to it that we know is here. Thank you."

553  
554 Mayor Deaton: "Merry Christmas everyone. We're going to . . . I'll entertain a  
555 motion for executive session for FOIA 30-4-70 (a) (1) for a personnel matter."  
556

557 Mr. Smith made a motion to move into executive session. Mr. Childs seconded the  
558 motion. Mayor Deaton further clarified that the executive session would be regarding  
559 a personnel matter for contractual information. **All voted in favor. MOTION**  
560 **CARRIED.**

561  
562 **II. EXECUTIVE SESSION**– *FOIA 30-4-70(a) (1) Personnel Matter*  
563

564 Mr. Smith made a motion to enter back into regular session. Mr. Childs seconded the  
565 motion. **All voted in favor. MOTION CARRIED.**  
566

567 Mr. Duckett made a recommendation to council adding that it is a two part  
568 recommendation. The recommendation was for council to implement the position of  
569 Deputy Administrator and that the current Interim Administrator, Ms. Micki Fellner,  
570 be the one appointed to this position. Mr. Duckett stated that he believes this would  
571 provide a seamless transition for him and Ms. Fellner to work together and  
572 recommended that she be given the new title at her current salary. Mr. Childs made a  
573 motion to accept the administrators' recommendation. Ms. Blair seconded the  
574 motion.  
575

576 Mr. Johnson explained to the public "we have discussed this quite often among  
577 ourselves and it's my general feeling that the main reason that we're doing this is to  
578 create a better cohesiveness and a stronger body in town administration of Surfside  
579 Beach and that alone will help council and the citizens of Surfside Beach."  
580

581 Mr. Childs stated that he agrees with Mr. Johnsons' statement adding that he feels  
582 that a Deputy Administrator is long overdue; there had been times when the  
583 administrator was absent and various items had to be placed on hold. This would  
584 allow one person to continue where the other leaves off. Mr. Samples stated that he  
585 also supports the motion adding that the hope is that the administration in town will  
586 meet or exceed the peoples' expectations. Ms. Dodge stated that she feels that Ms.  
587 Fellner has done an exemplary job adding that she was thrown into a situation and she  
588 quickly brought things together. Mr. Smith stated that he supports the motion as well  
589 adding that he feels she has done a great job in the last 7 months. Ms. Blair agreed  
590 adding that she feels that the town will get double the quality with both Ms. Fellner

591 and Mr. Duckett in their positions and looked forward to working with both of them.  
592 **All voted in favor. MOTION CARRIED.**

593

594 **12. ADJOURNMENT**

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

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598 Approved: January 11, 2011

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Sharon Pinnell, Town Clerk

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K. Allen Deaton, Mayor

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Roderick E. Smith, Town Council

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Vicki W. Blair, Town Council

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Ann Dodge, Town Council

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Douglas F. Samples, Town Council

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Mark L Johnson, Town Council

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Robert F. Childs, III, Mayor Pro Tempore

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624 **Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell.**  
625 **In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete**  
626 **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**  
627 **area. Meeting notice was also posted on the Town marquee. When (\*\*\*) is used a section of the transcription is inaudible.**

*Approved*