



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS  
May 24, 2011 ♦ 5:30 P.M.

PIER COMMITTEE OF THE WHOLE  
MEETING

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1. **CALL TO ORDER**

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

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

2. **AGENDA APPROVAL**

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

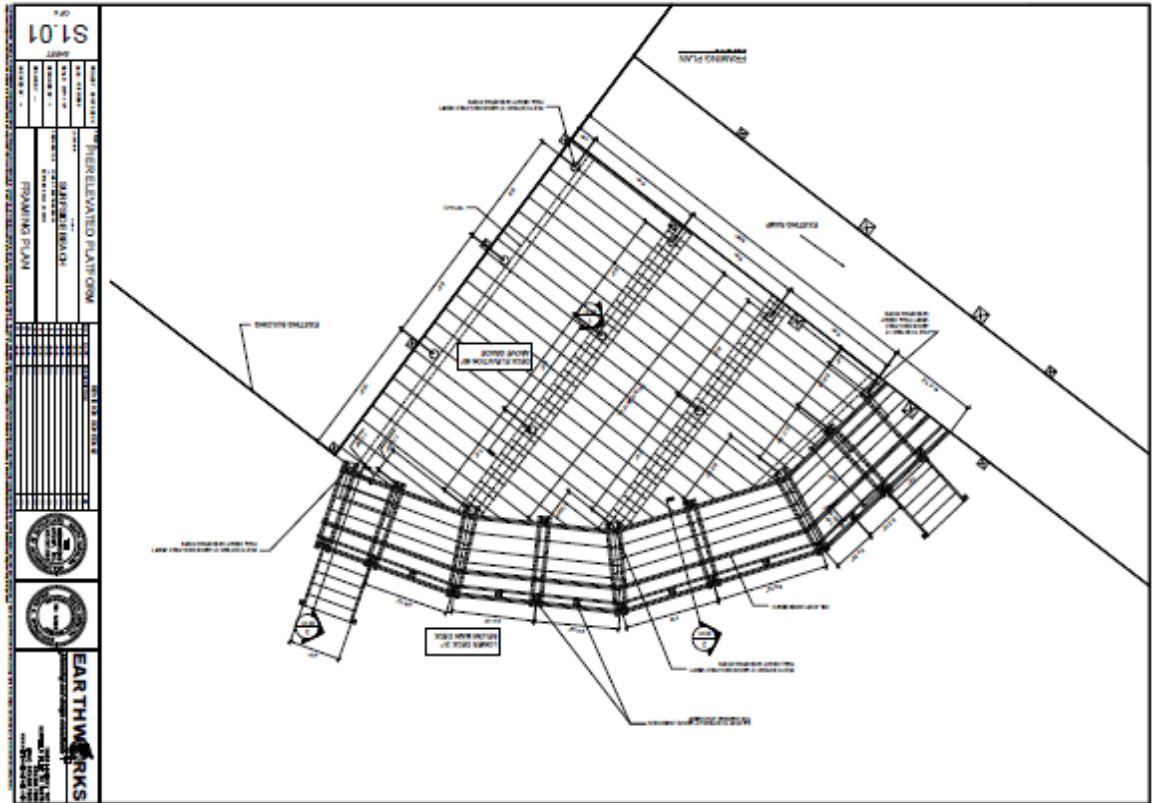
3. **DEPUTY ADMINISTRATOR TO INTRODUCE EXHIBITS**

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

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

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

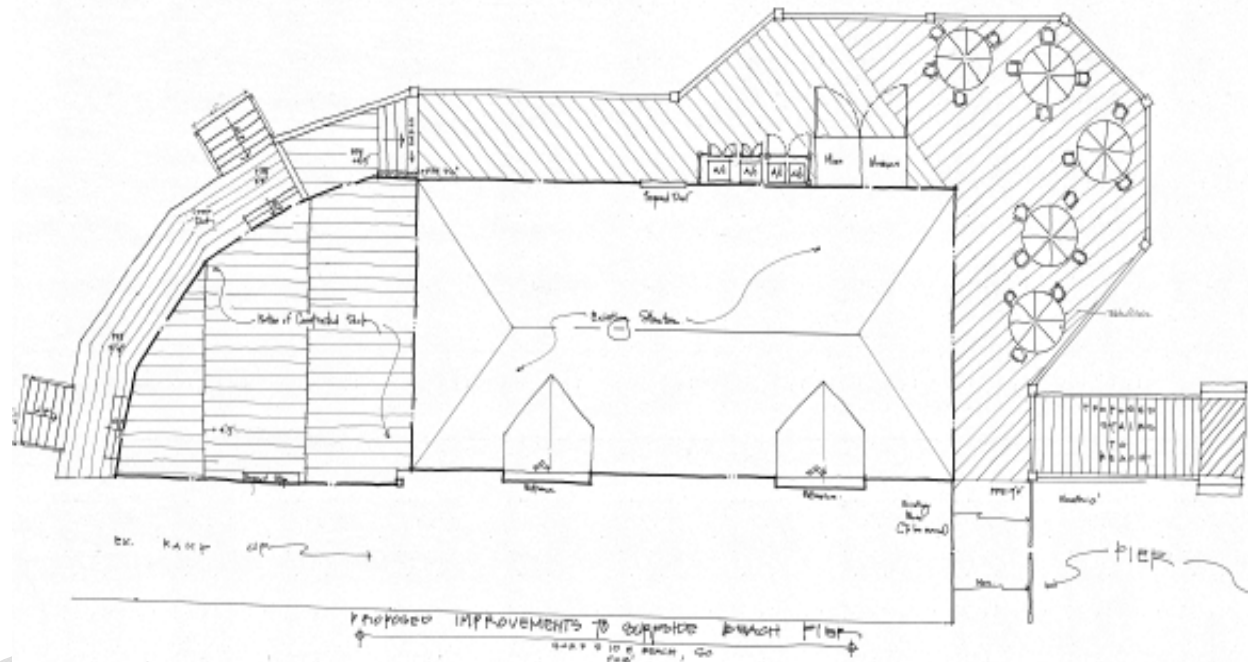


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Mayor Deaton explained that previously the Town had to follow guidelines that allowed 144 square feet as opposed to 1,000 square feet. There has now been a law created that allows the Towns to do what they need to do with its public asset. Ms. Fellner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

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

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83 Ms. Fellner presented the DDC phase II plan and vision. This is a preliminary  
84 plan; it is not an engineered plan but a simple rendering. Ms. Fellner stated that  
85 DDC did not charge for this plan. It was confirmed that any new decking would  
86 be made ADA compliant. The plan being presented was not fully developed at  
87 this point in time.  
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89 Ms. Fellner stated that the new regulations just came out a few months ago; the  
90 Town will look at this very closely and the engineers are aware of all of the  
91 changes that are in place. The Town will comply with all the new regulations.  
92 The Town will need to be compliant as of March 2012. Since the ramp has not  
93 space and, therefore, cannot be built to become compliant the Town will need to  
94 construct a lift. The stores, buildings, restrooms and aisles in the shops will all  
95 need to be ADA compliant.  
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99 Ms. Fellner reported that the Town currently has a preliminary vision. There is  
100 currently a pier and tackle shop with high end beachwear and beach related  
101 necessities, limited collectables, jewelry, beverages, candy and snacks, seasonal  
102 snow cones and an ice cream and hot dog shop. The Town has a lot of "could  
103 have's". The Town could have a two story facility, a full service restaurant, games  
104 and arcade, all accompanying amenities such as a place to view the ocean, a place  
105 to enjoy take-out food and beverages, tables, chairs, umbrellas, modernized ADA  
106 compliant restrooms, easy access to the beach (steps to and from the beach), a  
107 place for ocean related educational opportunities and a community gathering

108 point. Not everything has to have a high cost attached. Ms. Fellner stated that the  
109 Town would like to see message boards which are large flat screen televisions  
110 that work from a DVR and they play a continuous loop. These boards would be  
111 in a shaded area and they could be produced by local high school or college  
112 broadcast classes. Ms. Fellner spoke with both Soccastee and St. James high  
113 schools and they both indicated that they would love to do something like this. It  
114 could show what is under the pier, indigenous aquatic life in the area, the life  
115 cycle of sea turtles and the stormwater cycle and more. This area could be a focal  
116 point and be an interesting place for people to sit and recline. Discovery cove  
117 crafts could be provided for the children each summer at the pier; two mornings  
118 per week the Town could hold a summer camp with beach related crafts and it  
119 could be produced by local high school or college art clubs. Ms. Fellner stated  
120 that she is sure the local schools would be very receptive to this idea. Ms. Fellner  
121 stated that the Town could provide a Fairy Tale Theater at the pier to entertain the  
122 children. Local high school and college drama clubs could be used to provide this  
123 entertainment. These should be relatively low in cost to the Town. Ms. Fellner  
124 stated that the Town needs to look at the big picture by thinking big, getting it  
125 right the first time and implementing a vision even if it must be done in phases.  
126 Mayor Deaton added that doing a project like this is very important to do in  
127 phases.  
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129 ***b) Pier financial operation plan 2011-2012- Funded and unfunded maintenance***  
130 ***needs***

131 Mr. Adair stated that in the year he has been working with the Town, working  
132 around the pier has been one of the most gratifying experiences and he knows that  
133 the residents and visitors feel the same way. A lot of work has been done to the  
134 pier in the last year. The Public Works staff has worked on re-decking the pier,  
135 placing handrails on the ramps and replacing bolts. Mr. Adair stated that he is  
136 very proud of his staff and how much they have accomplished. To date in the  
137 current fiscal year budget the Town has incurred expenses of approximately  
138 \$15,000 on salaries, spent approximately \$26,000 on repairs, maintenance and  
139 supplies for items such as wood, screws, roofing, tools, structural steels and  
140 electrical work and the Town spent approximately \$15,000 on capital  
141 improvement projects, construction projects such as renting the crane and hydro  
142 lift that was used on the pier. Galvanized hardware was also purchased; some of  
143 the stainless steel supplies were purchased in the previous budget cycle so it is not  
144 reflected in the current years' budget.  
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146 A handout was distributed by Mr. Adair to council and members of the public. It  
147 was confirmed that this information along with the Powerpoint presentation  
148 would be made available on the Town website. Mr. Adair stated that the Town  
149 has spent approximately \$56,000 this fiscal year on repairs and maintenance to  
150 date. This includes new decking and railings, the entire outward band of pilings  
151 have been re-bolted with either one inch stainless steel or three quarter inch  
152 galvanized hardware. The shade structure at the end of the pier has been reroofed,  
153 new benches were fabricated and installed and the north side of the pier has  
154 received some emergency electrical repairs; about 1,000 feet of number 10 wire  
155 was replaced, weatherproofing of all the conduits has been performed. These  
156 costs are not annual costs but maintenance on the pier is an ongoing activity. A

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

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

206 regards to a restaurant space even for a short term lease. Mr. Samples concern  
207 was would the space currently be safe to use for a short term period. Mr. Childs  
208 urged councilmembers to look at the space.  
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#### 210 **4. COMMITTEE OF THE WHOLE DISCUSSION**

211 Ms. Dodge stated that she was thinking of putting in a souvenir t-shirt shop for short  
212 term use. Mr. Childs stated that the Town already has a shop like that across the  
213 aisle; the tackle shop already sells these types of items adding that he is not sure that  
214 the Town would want to compete. Mr. Duckett stated that the Town currently has a  
215 60 page contract with Pier Outfitters and suggested that before council proceeds that  
216 it receives legal guidance as to what would be allowed and what would not allowed.  
217 Mr. Samples suggested that staff come back and inform Council what uses are not  
218 allowed adding that it is staffs job to advise Council as to when it is headed in the  
219 wrong direction adding that it is not up to Council to read a 60 page lease this late in  
220 the game.  
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222 Mayor Deaton gave a brief history explaining that there was approximately \$800,000  
223 plus in the Atax account that was going to go back to the State. Mayor Deaton stated  
224 that he went to the TRAC committee in Columbia to convince utilizing this funding  
225 to purchase the pier. This money was originally held to re-nourish the beach; the  
226 beach re-nourishment ended up being funded by the federal government; the Town  
227 would have had to return the funds unless it found another tourist related use. The  
228 committee had asked if a visitors center would be placed at the pier adding that this is  
229 something the Town could add. The best use for the space would be a restaurant but  
230 since that is not going to happen at this point in time perhaps a visitor's center could  
231 be placed there temporarily. This would be feasible and easy to accomplish. Mayor  
232 Deaton stated that he is opposed to using general tax money for the pier; the Town  
233 borrowed 1.8 million from the general fund to purchase the pier. The Town is paying  
234 itself back at 2 percent interest. Mayor Deaton stated that he would not want to use  
235 general funds to renovate the pier; the pier is an enterprise fund; this should be self  
236 funding. Mayor Deaton stated that this pier project would have to be done in phases,  
237 and he would prefer to see revenue streams such as Atax and hospitality contribute to  
238 the pier; these funds are generated by the tourists and not the taxpayers. Ms. Blair  
239 thanked Ms. Fellner and Mr. Adair for their presentations adding that she is very  
240 encouraged by the vision Ms. Fellner presented. Some great ideas came in from the  
241 residents and thanked them for their contribution. Ms. Blair stated that she was  
242 originally discouraged feeling that this Council may not come together to work  
243 toward the future of the pier but now she is feeling much more positive. The pier can  
244 be made into a focal point for Surfside Beach. The time it has taken and the mistakes  
245 made have discouraged some but others have maintained a positive outlook. If the  
246 Town is patient and it works together on its phases, one day the Town will be proud  
247 of what has been created. It will take planning and patience. Ms. Blair stated that she  
248 agreed with the suggestion of the Mayor to put in a welcome center. Ms. Blair  
249 thanked Council for putting their feelings and egos aside to work together for the  
250 Town.  
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252 Mr. Johnson stated that this is a good first step but feels that the Town needs to work  
253 quickly adding that he would like staff to come back as soon as possible with the uses  
254 that are not allowed in the lease.  
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***Proposed meeting schedule for Committee of the Whole***

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

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

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

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

Mayor Deaton thanked everyone for their input.

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**5. ADJOURNMENT**

The meeting was adjourned at 6:30 PM.

Approved: May 24, 2011

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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

**Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell. In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin boards outside Council chambers and in the Town hall reception area. Meeting notice was also posted on the Town marquee. When (\*\*\*) is used a section of the transcription is inaudible.**