



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR MEETING MINUTES  
NOVEMBER 10, 2014 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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11  
12 **1. CALL TO ORDER.**  
13

14 Mayor Samples called the regular meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore  
15 Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette, and Stevens were in attendance. A quorum  
16 was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Fox;  
17 Police Chief Keziah, and Planning Director Morris.  
18

19 Mayor Samples said that this meeting was held on Monday, because Tuesday, November 11, 2014 was  
20 Veterans Day. He invited everyone to attend the Veterans Day Service on Tuesday at 2:00 p.m. Mayor Samples  
21 explained that the town chose to hold its Veterans Day Service at 2:00 p.m. so Veterans and the public could attend  
22 more than one service. Historically, Veterans Day Services were held at eleven o'clock to recognize the signing of  
23 the Armistice Treaty at the eleventh hour on the eleventh day of the eleventh month of 1918.  
24

25 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**  
26

27 A. Invocation: Pastor Robert Hayes, South Strand Assembly of God, gave the invocation.  
28

29 B. Pledge of Allegiance: Mayor Samples lead the Pledge.  
30

31 **3. AGENDA APPROVAL**  
32

33 Mr. Childs moved to adopt the agenda as presented. Mr. Stevens seconded. All voted in favor. **MOTION**  
34 **CARRIED.**  
35

36 **4. MINUTES APPROVAL**  
37

38 **A. Public Hearing Minutes October 28, 2014 and B. Regular Meeting Meetings October 28, 2014.**  
39

40 Mr. Childs moved to adopt the Public Hearing Minutes of October 28, 2014 and the Regular Meeting  
41 Minutes of October 28, 2014 as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**  
42

43 **5. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker)**  
44

45 Mr. Buck Ricks, 4<sup>th</sup> Avenue South, said he appreciated council's decision to allow elevators, which would  
46 not only help elderly residents, but also the business community. In regard to the CRS (Community Rating System)  
47 regulations, page 7 states that no enclosures are allowed. Chairs and grills not placed in storage do not cause  
48 problems during storms. However, the city dumpster did cause a problem. He thought it would be nice to have a  
49 storage place for yard tools like lawn mowers, rakes, and watering cans, because green space was required to be  
50 maintained. Referring to page 20, he read, "... limited storage of maintenance equipment used in conjunction with  
51 the premises." The LMWA (Limited Moderate Wave Action) line did not prevent the need for maintenance  
52 equipment. He "prayed" that council would consider that. He said page 26 states "insect screening shall be  
53 prohibited below the base flood elevation." Mr. Ricks could not see where an insect screen would impede  
54 floodwaters whatsoever. According to the Centers for Disease Control, there have been over 700 deaths in the  
55 United States from West Nile Virus. It would be nice to be allowed to screen areas for family gatherings.  
56

57 **6. COMMUNICATIONS**

58  
59 **A. Comprehensive Annual Financial Report June 30, 2014, Harper, Poston, & Moree, PA, CPA.**

60  
61 Mr. Bob Harper presented the executive summary, a copy of which is on file along with the Comprehensive  
62 Annual Report. He said that there were no exceptions or disclosures, so the town has what he declared to be a  
63 “clean audit.” He explained the contents of each page as follows:

- 64  
65 • Page 1: statement that Harper, Poston and Moree did, in fact, prepare the audit report in accordance with  
66 Governmental Standards in accordance with GASB 34  
67  
68 • Page 2: Statement of Net Position using accrual basis showing a net representation of the town’s value:  
69 Total Assets of \$23,140,132 less Total Liabilities of \$1,516,720 equals **Total Net Position** of \$21,623,412  
70  
71 • Page 3: Revenues, Expenses, and Change in Net Position: Total General Revenues of \$6,232,319 plus  
72 Total Program Revenues of \$2,659,775 less Total Expenses of \$8,058,226 equals **Change in Net Position**  
73 to \$833,868  
74  
75 • Page 4: Governmental Fund Type Revenues (proportionate percentage): Taxes & Fees \$3,997,211  
76 (54.84%); Licenses and Permits \$1,589,382 (21.81%); Fines and Forfeitures \$163,446 (2.24%); Parking  
77 Meters \$223,480 (3.07%); Intergovernmental \$1,148,416 (15.76%), and Other Revenue of \$166,155  
78 (2.28%) equals **Total Governmental Funds Revenues** of \$7,288,090  
79  
80 • Page 5: Governmental Fund Type Expenditures (proportionate percentage): General Government  
81 \$1,116,495 (17.01%); Public Safety \$2,765,259 (42.12%); Building and Zoning \$211,862 (3.23%);  
82 Grounds \$299,740 (4.56%); Streets \$748,886 (11.41%); Intragovernmental Maintenance \$113,937  
83 (1.73%); Culture and Recreation \$319,462 (4.87%); Non-Departmental \$344,076 (5.24%); Capital Outlay  
84 \$557,558 (8.49%), and Debt Service \$88,108 (1.34%) equal **Total Governmental Funds Expenditures** of  
85 \$6,565,383  
86  
87 • Page 6: Enterprise Funds: **Revenues:** Sanitation Services \$1,349,232; Pier Admissions and Rentals  
88 \$382,258; Transfers from other Funds \$47,960; Grant Revenue \$73,766, and other Miscellaneous  
89 Revenues \$3,902 equals **Total Revenues** \$1,857,118. **Expenses:** Operating Expenses – Sanitation  
90 \$1,042,045; Operating Expenses – Pier \$166,717; Interest Paid to General Fund for Pier Purchase \$16,096,  
91 and Transfers to Other Funds \$137,400 equals **Total Expenses** \$1,362,258. **Enterprise Funds Net**  
92 **Income** equals \$494,860.

93  
94 Mr. Harper offered to answer any questions Town Council might have once they have reviewed the  
95 executive summary and/or annual report.

96  
97 **B. NAICS (North American Industrial Classification System) Presentation, Melissa Carter,**  
98 **Research and Legislative Liaison for the Municipal Association of South Carolina (MASC.)**  
99

100 Ms. Carter said the town had not upgraded its business license classifications for many years nor had it  
101 discontinued using the Standard Industrial Classification Code (SIC) which was discontinued over 20 years ago.  
102 MASC owns the business license model that has withstood two Supreme Court tests as being a fair and rational  
103 system. The court cases were based on the frequency that businesses were classified or reclassified, which must be  
104 done in a timely manner so that businesses were charged a fair and equitable rate. The premise of the MASC model  
105 is that those businesses that make the most money pay the highest rate; therefore, businesses with lower income pay  
106 lower rates. The classifications are analyzed annually based on IRS data. MASC encourages the town to adopt an  
107 ordinance utilizing the NAICS system that is used for federal income tax purposes, and that the schedule be  
108 reviewed at least every two years. Out of 3,195 town businesses licenses, the proposed changes would result in 80-  
109 percent of the businesses having either no change or a decrease in rates; eight businesses would have increases of at  
110 least \$200, and about 17 businesses would have a decrease of at least \$200. Ms. Carter warned that if the town did  
111 not act on this matter, the State Legislature would eventually pass legislation that would require the town to act.

112 Adoption of a new ordinance and the NAICS system would put the town in a revenue neutral position. Ms. Fellner  
113 said she spoke with attorney Danny Crow regarding the town's proposed ordinance and informed Town Council that  
114 the ordinance would be presented under discussion as soon as it was ready. **COUNCIL CONCURRED to place**  
115 **the proposed ordinance under "Town Council Discussion" when it was ready for presentation.**

116  
117 **C. Coastal SC Chapter of the American Red Cross, Executive Director Nancy Conley to receive**  
118 **donation from Surfside Beach Police Department.**

119  
120 On behalf of the town and the police department, Chief Keziah presented Director Conley with a check in  
121 the amount of \$531 for the Red Cross to use in its efforts to serve the community. The funds were raised at the  
122 police officers' dunking booth during the annual festival. Director Conley thanked Chief Keziah and the town. Her  
123 staff participated in the festival and several people that visited the booth volunteered to serve with the Red Cross.  
124 She appreciated the cooperation between the Red Cross and the Town of Surfside Beach.

125  
126 **D. Department Reports.**

127  
128 **i. Fire.** Chief Fox presented the departmental report, a copy of which is attached to these minutes and  
129 made a part hereof by reference.

130  
131 Ms. Mabry thanked Chief Fox for the report and said she appreciated the community outreach programs.  
132 Chief Fox said those programs would expand as time goes on.

133  
134 **ii. Planning, Building and Zoning.** Director Morris presented the departmental report, a copy of which is  
135 attached to these minutes and made a part hereof by reference. There were no questions or comments by Town  
136 Council.

137  
138 **iii. Police.** Chief Keziah presented the departmental report, a copy of which is attached to these minutes  
139 and made a part hereof by reference.

140  
141 Ms. Mabry said they had previously talked about drugs that either were transported through town or are  
142 found in town. She asked what the policy was for drugs. Her friend that lives in the county saw drug dealing on  
143 their street, but the county was not interested in responding. Chief Keziah said the department enforces all drug  
144 violations, regardless of the amount or value. Ms. Mabry said that was the answer she wanted; she hoped the town  
145 continued having that reputation.

146  
147 Mayor Samples said that was a nice letter the police staff received and he appreciated it being shared in the  
148 council package.

149  
150 **E. Administrator's Report.** Ms. Fellner reported the following:

151  
152 North End Stormwater Projects. The contractor was completing the stormwater drainage project work at  
153 3<sup>rd</sup> Avenue North. The 16<sup>th</sup> Avenue North project will begin sometime this week. The project is on schedule.

154  
155 Fire Hydrants & Waterlines. Chief Fox, Mr. Martin, the council-appointed liaison to Grand Strand Water  
156 and Sewer Authority (GSWSA), and she met with representatives to discuss the fire hydrant and water-main pipe  
157 size issues throughout town. GSWSA determined via its GIS (Geographic Information System) that of the 18 areas  
158 there only nine hydrants require a waterline upgrade. The other nine hydrants only need a tap and set. A hydrant  
159 cost about \$750, plus labor for the tap and set. Chief Fox would reassess the nine areas that require waterline  
160 upgrades for possible economies and scope. For instance relocating hydrants; some would require 800 feet of pipe.  
161 The plan is to budget the project over the next two fiscal years, instead of asking for a budget amendment this year.  
162 Mayor Samples asked if the nine lines were 2-inch lines. Ms. Fellner said those nine are 2-inch water lines, but for  
163 sufficient water flow to fight fire the waterline must be at least 6-inches.

164  
165 Infrastructure Committee. The infrastructure committee met today with Grand Strand Area Transportation  
166 Study (GSATS) and South Carolina Department of Transportation (SCDOT) representatives to discuss moving the  
167 budgeted Highway 17 improvements forward. Lia Quattlebaum, project manager for SCDOT, indicated that she

Town Council Regular Meeting  
November 10, 2014

168 would move forward with a request for proposals (RFP) in the hiring of a design firm. The process will take  
169 approximately six months, at which time the infrastructure committee will again meet with the contractor, GSATS  
170 and SCDOT personnel for an initial input meeting. Public input will be part of the process prior to finalization of  
171 any plans voted on by Town Council. Mayor Samples asked how Ms. Fellner would characterize SCDOT's opinion  
172 of the town's quest for economic development in regards to 11<sup>th</sup> Avenue North. Ms. Fellner said they group thought  
173 the engineer would again insist that 13<sup>th</sup> Avenue North is the right place for a traffic light. Mayor Samples said  
174 there are many people interested; Town Council discussed the need for the light, because the largest undeveloped  
175 commercial lot in town is on the west side of Highway 17 at 11<sup>th</sup> Avenue North. After council discussion; council  
176 thought 11<sup>th</sup> Avenue North might be a viable alternative. SCDOT representatives said development would have to  
177 be completed before a light at 11<sup>th</sup> Avenue North would be considered. Ms. Quattlebaum said today that SCDOT is  
178 looking at 13<sup>th</sup> Avenue North for a traffic light, but that the light could be configured to prohibit through-traffic from  
179 Platt Boulevard travelling onto 13<sup>th</sup> Avenue North. Mayor Samples continued saying that anytime a federal  
180 highway was involved, the interest of all the stakeholders would be considered. For years and years, Deerfield  
181 residents have sought easy access to Highway 17. Based on Ms. Fellner's comments, Mayor Samples said the town  
182 would not see any designs for a year. The impression council had was that there would be no improvements along  
183 Highway 17 in the town until there was a resolution to the traffic light location.

184  
185 Technology Issues. The back-up list and plan for sending out emergency notices to the PHP list has been  
186 tested and is now available for use. The clerk has used it on two occasions so proper operation could be verified.  
187 The webcam code was rewritten and viewing on the resource page has been restored.

188  
189 Water Tower Branding. To make sure Town Council agrees with branding on the water tower, Ms. Fellner  
190 asked Town Council for consensus to add the words "The Family Beach" under the logo at a cost of \$1,200, which  
191 was not a budgeted expenditure. **COUNCIL CONCURRED.**

192  
193 Responses to public comments:

194  
195 **Concern:** Three citizens asked Town Council to consider elevators and other limitations with respect to  
196 the new CRS (Community Rating Service) requirements.

197 **Response:** The town realizes the need to be flexible in supporting its businesses. Consequently, fill on  
198 land and elevators will be allowed even though the town will lose CRS points with FEMA (Federal Emergency  
199 Management Agency.)

200  
201 **Concern:** A citizens expressed an opinion that a light at 11<sup>th</sup> Avenue North would be a bad idea. The  
202 citizen further felt the light should be at 16<sup>th</sup> Avenue North, which the citizen felt would serve to decrease traffic  
203 accidents from traffic out of Deerfield and reduce traffic jams at Highway 544.

204 **Response:** This matter was just addressed by Mayor Samples during the previous infrastructure committee  
205 comments.

206  
207 **Concern:** A citizen wanted the town to place a traffic light at 10<sup>th</sup> Avenue South.

208 **Response:** This was answered at the council meeting, but for the public's benefit that might not have  
209 attended, \$500,000 of GSATS money was appropriated for a traffic light at 10<sup>th</sup> Avenue South. Engineering for the  
210 project cannot begin before April 2015; construction could begin as early as October 1, 2015. Once SCDOT hires  
211 an engineer, more accurate start dates should be available. Construction most likely would not begin until 2016.

212  
213 **Concern:** A citizens asked the town to consider all options and information before making a decision on  
214 traffic light locations.

215 **Response:** Both the infrastructure committee and Town Council are considering all information and input  
216 regarding this matter and will also be reviewing all options presented by SCDOT and its designer prior to a final  
217 decision being reached.

218  
219 **Concern:** A citizen stated that there are many safety issues regarding golf carts, i.e. under-age drivers and  
220 single golf carts taking up a full-sized vehicle parking space.

221 **Response:** The town's police department continues to enforce under-aged driving of golf carts when they  
222 observe violations. Residents with parking decals and those who pay to park in accordance with the ordinance may  
223 park in any parking space. The town, along with the parking committee, has identified additional legal golf cart

224 parking spaces and will endeavor to stripe and sign them prior to the next parking season, which begins March 1,  
225 2015.

226  
227 **Concern:** A citizen asked council to continue to use committees to help keep the public involved in town  
228 decisions.

229 **Response:** Town Council strongly believes that the creation of *ad hoc* committees is a useful tool to study  
230 specific matters of concerns. *Ad hoc* committees are, however, by nature usually finite. They are formed to study a  
231 specific subject and usually disband once their findings are reported. The theory is that if additional or new  
232 problems concerning the subject matter ensue, another *ad hoc* committee could be appointed to address the existing  
233 issues at that time. That is basically the tenant under which *ad hoc* committees function. Town Council values  
234 public input and involvement, and in no way wishes to limit it, but rather to direct it towards specific matters it  
235 determines to be of concern at any one particular point in time.

236  
237 Ms. Fellner said there were a number of other public comments that did not require responses. There were  
238 no questions or comments from Town Council.

239  
240 **7. BUSINESS**

241  
242 **A. Second Reading Ordinances.**

243  
244 **i. #14-0787 to amend Section 9-9 Charges to increase pier parking to \$1.50 per hour; to allow**  
245 **nonresident property owners two (2) free parking decals; to add a trial season for selling 100 nonresident**  
246 **parking permits at \$100 each, and to codify that participants in the Guy Daniels Surf off shall be issued**  
247 **permits for free parking, Administrator Fellner.**

248  
249 Ms. Fellner presented the issue paper noting that Mr. Childs brought to her attention that permit parking  
250 was not included; a proposal was presented for Town Council to consider that added paragraph 7,

251  
252 (7) Permit Parking. Legally marked parking spaces on the west side of Ocean  
253 Boulevard beginning at 15<sup>th</sup> Avenue North and ending at Melody Lane shall be reserved for  
254 vehicles displaying a current town issued parking decal.

255  
256 Mr. Childs moved to adopt second reading of Ordinance #14-0787 with an amendment to add “paragraph  
257 7, Permit Parking. Legally marked parking spaces on the west side of Ocean Boulevard beginning at 15<sup>th</sup> Avenue  
258 North and ending at Melody Lane shall be reserved for vehicles displaying a current town issued parking decal.”  
259 Mr. Stevens seconded.

260  
261 Mr. Childs also said that prohibiting parking on the east side of Ocean Boulevard was not included in the  
262 ordinance and it should be. Several member agreed.

263  
264 Mr. Magliette asked if Seaside Drive should be included in the ordinance, because meters were being  
265 removed and people could park there.

266  
267 Mayor Samples said it was a matter of policy versus ordinance which could be enforced by the police  
268 department. Ms. Fellner said there are 19 parking spaces on Seaside Drive, where parking was allowed unless the  
269 area was signed “no parking.” Mayor Samples was concerned with the wording “legally marked.” He asked the  
270 administrator to explain how the spaces would be marked. It was the same question Mr. Magliette had; how would  
271 the public know it was a legal parking space? Ms. Fellner said the spots would be identified as parking spaces,  
272 otherwise, people would park all over the place. Mayor Samples said that Town Council voted to allow permit  
273 parking on the west side of Ocean Boulevard. He did not want to hear the statement “they are not legally marked.”  
274 Ms. Fellner believed a sign stating permit parking only would be legal notice; other signage prohibiting parking  
275 within 30 feet of intersections would also be posted.

276  
277 Mr. Pellegrino reiterated his disagreement with permit parking on the west side of Ocean Boulevard. He  
278 believes this will open another scope of problems for the tourist community and tourism businesses.

279

Town Council Regular Meeting  
November 10, 2014

280 Mr. Johnson said parking had been an issue for 30-years. Parking was prohibited on the east side of Ocean  
281 Boulevard due to safety issues. In his opinion, that was ludicrous, because parking on the west side of Ocean  
282 Boulevard created more safety issues. He asked what Town Council was trying to accomplish.

283  
284 Mayor Samples said larger issues were being discussed when council should be focusing on the  
285 amendments.

286  
287 Mr. Stevens assumed the State Law would be followed insofar as the parking space sizes, etc. Ms. Fellner  
288 said yes, just as all the metered spaces were done. The parking spaces on Ocean Boulevard were wheeled  
289 (measured) out and meet the state criteria.

290  
291 Mayor Samples said for the record, “the legally, what’s the words again?” Ms. Fellner said legally marked  
292 parking spaces. Mayor Samples: “Legally marked, and that permit signs, signs that say parking by permit will  
293 satisfy the criteria. Are we gonna have to put up signs at each parking space? Or...how are we gonna mark these?”  
294 Ms. Fellner asked if Town Council would like to remove the words “legally marked.”

295  
296 Mr. Childs moved to amend paragraph 7 to omit the words “legally marked” and to add paragraph 8 to  
297 prohibit parking on the east side of Ocean Boulevard. Ms. Mabry seconded. Mr. Johnson asked that the motion be  
298 read. Ms. Fellner read,

299  
300 (7) Permit Parking. Parking spaces on the west side of Ocean Boulevard beginning at  
301 15<sup>th</sup> Avenue North and ending at Melody Lane shall be reserved for vehicles displaying a current  
302 town issued parking decal; and

303  
304 (8) Parking shall be prohibited on the east side of Ocean Boulevard, except between  
305 16<sup>th</sup> and 17<sup>th</sup> Avenues North.

306  
307 Councilmembers Childs, Mabry, Magliette, and Stevens voted in favor. Mayor Samples, Mayor Pro Tem  
308 Pellegrino, and Councilmember Johnson voted against. **MOTION TO AMEND CARRIED.**

309  
310 Mayor Samples called for discussion on the amended primary motion. There being none, a vote was  
311 called. Councilmembers Childs, Mabry, Magliette, and Stevens voted in favor. Mayor Samples, Mayor Pro Tem  
312 Pellegrino, and Councilmember Johnson voted against. **MOTION CARRIED AS AMENDED.**

313  
314 **ii. #14-0788 regarding Floodplain Management in response to CRS requirements from FEMA,**  
315 **Director Morris.**

316  
317 Director Morris presented the consideration paper, a copy of which is on file. At the public hearing there  
318 was concern expressed because elevators were not going to be allowed in the V flood zone and the ability to fill low  
319 lying lots. The CRS FEMA committee addressed those issues in a recent meeting that most councilmembers  
320 attended. The ordinance was amended to allow property owners to use fill and amended first reading to allow  
321 elevators within the V flood zone as requested by the CRS committee and Town Council.

322  
323 Ms. Mabry moved to adopt Ordinance #14-0788 with an amendment to page 26, paragraph (14) to omit the  
324 third line beginning with “Elevators and open stairways shall be exempt” through the end of the paragraph and to  
325 insert “Elevators and all stairways will be permitted below the BFE provided they meet the minimum requirements  
326 of the NFIP.” Mr. Child seconded.

327  
328 Mr. Johnson asked what effect this would have on the town’s rating. Ms. Morris said some credit would be  
329 lost, but there was a give and take. The town did not want to lose the commercial businesses in that area. The loss  
330 would be minimal compared to what the town might lose. Mr. Johnson asked what effect allowing the fill had. Ms.  
331 Morris said the town would lose about 280 points for the fill. The town has many on-going residential projects and  
332 every one of them is using fill. The benefit is that upon adoption of this ordinance, R-1 district property must have a  
333 stormwater plan. R-1 property was not required to have a stormwater plan under the current code. The town may  
334 gain some points back. The requirement will certainly help with other stormwater issues in the future. Also,  
335 compaction tests are required for any property using fill for structural use. Ms. Morris said the accommodations

336 recommended by the committee and Town Council are for the benefit of commercial properties in the V flood zone.  
337 Mr. Johnson asked what percentage of property in the V flood zone was commercial. Ms. Morris said currently  
338 there were five commercial properties adjacent to or located in the V zone. The town's V zone is very minimal  
339 now; but once the flood maps are prepared that might change. Mr. Johnson asked how many commercial properties  
340 were in the AE flood zone. Ms. Morris did not know; any commercial property along Ocean Boulevard is in an AE  
341 zone, except the five that are in the V zone, which is very close to the water.  
342

343 Mr. Pellegrino said new construction on 13<sup>th</sup> Avenue North created a flooding problem for one of the  
344 neighbors. He asked if the required stormwater plan in the R-1 district would prevent that in the future. Ms. Morris  
345 said yes, it would. This ordinance addresses the requirement for a stormwater plan in the R-1 district and it will be  
346 implemented upon adoption of this ordinance. She said Mr. Adair is preparing a separate stormwater ordinance for  
347 Town Council consideration, explaining that zoning issues only deal with private property; public works deals with  
348 public property.  
349

350 Mr. Stevens believed the ordinance as proposed allowed elevators. Ms. Morris said the very last sentence  
351 which would be omitted by the motion refers to a technical bulletin, which is just one phase of the National Flood  
352 Insurance Program. Staff did not want to identify just one. FEMA advised her that the technical bulletins are  
353 frequently amended. Mr. Stevens proposed a situation regarding a family that lived in a house without an elevator.  
354 Due to an accident, a child that became physically challenged. He asked if they could have add an elevator. Ms.  
355 Morris said yes; the ordinance allows both commercial and residential properties to have an elevator.  
356

357 All members voted in favor. **MOTION CARRIED.** Mayor Samples said second reading was adopted.  
358

359 **B. Committee Appointments** (May be deferred until after executive session.) **i. Board of Zoning**  
360 **Appeals Appointment: Mr. Timothy Courtney; ii. Stormwater Committee: Mr. Ron Crouch, and iii.**  
361 **Construction Board of Appeals: Mr. Orlando Arteaga.**  
362

363 Mr. Magliette said there was no need for executive session, because all volunteers were qualified to serve.  
364 Mr. Magliette moved to appoint Mr. Timothy Courtney to the Board of Zoning Appeals; Mr. Ron Crouch to the  
365 Stormwater Committee, and Mr. Orlando Arteaga to the Construction Board of Appeals. Mr. Stevens seconded. All  
366 voted in favor. **MOTION CARRIED.**  
367

368 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.  
369

370 Mayor Samples said the council was going on a two-day retreat at Brookgreen Garden beginning at nine  
371 o'clock on Wednesday and Thursday mornings, November 12<sup>th</sup> and 13<sup>th</sup>. The public was invited. He asked Chief  
372 Keziah if he would check on the possibility of installing a 4-way stop at Pine and Poplar Drives. Chief Keziah said  
373 the site survey had already been done and the intersection was being changed to a 4-way stop this week. The  
374 parking lot at the police station was being reconfigured to accommodate sight lines.  
375

376 Mr. Childs thanked Chief Keziah for his fast work on the 4-way stop. Two or three people have  
377 complained and other councilmembers also agreed the 4-way stop was a good idea. It was long over-due.  
378

379 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)  
380

381 Mr. Timothy Courtney thanked Chief Keziah and Lieutenant Hofmann for their work on the traffic  
382 situation at 15<sup>th</sup> Avenue South and Poplar Drive. The neighborhood was very happy with their work.  
383

384 Mr. Harry Kohlmann, South Ocean Boulevard, said the traffic lights were very, very important and had  
385 been discussed for two or three years. SCDOT wanted a light at 13<sup>th</sup> Avenue North the several years ago, but the  
386 town disagreed. He did not think SCDOT would change its mind, because the Deerfield traffic comes out there. He  
387 understood that residents on 13<sup>th</sup> Avenue did not want all that traffic driving by their houses. He did not understand  
388 why it would be any different for the residents on 11<sup>th</sup> Avenue who would definitely be impacted by a traffic light as  
389 would the residents on 16<sup>th</sup> Avenue. Looking at the big picture, regardless of where the light was placed it would  
390 impact the residents. Unfortunately, there are many older residents that need assistance getting across Highway 17,  
391 which is very dangerous. Mr. Kohlmann said unless he was wrong nothing would be done, not even the light at 10<sup>th</sup>

392 Avenue South, if the light was not placed at 13<sup>th</sup> Avenue North. The town needs these traffic lights, because there  
393 are more people and cars travelling on the road. It is a very dangerous situation that cannot be put off. He was sorry  
394 that residents at 13<sup>th</sup> Avenue might be upset, but the best decision had to be made for the whole community. He  
395 offered this solution three years ago; make 13<sup>th</sup> Avenue North one way from Highway 17 to Poplar Drive.  
396 (Unknown speaker said it was a state road.) Mr. Kohlmann said talk to SCDOT to change it, and to limit access  
397 with directional curbs at the light. The common sense answer was that 13<sup>th</sup> Avenue made sense. He knew his  
398 comments would upset some people, but there was an accident every other day at 15<sup>th</sup> Avenue North, because there  
399 was no easy way to turn north onto Highway 17 from the west side. He encouraged council to please, please do the  
400 right thing for the whole community.

401  
402 Mr. Tim Cunningham, Cherry Drive, said he was directly affected by having a traffic light at 11<sup>th</sup> Avenue  
403 North. He collected about 15 names from his neighborhood on a petition, including full and part time residents.  
404 The concern might be alleviated by what he heard during discussion at this meeting that 13<sup>th</sup> Avenue may be the  
405 chosen location. One note that had to be considered was that Deerfield Plantation residents wanted to have a way to  
406 cross Highway 17. He bought his house on a residential street with limited access, because he did not want to live  
407 on a major thoroughfare. His neighbors were concerned, because the family communities on 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> Avenues  
408 North; Cedar Drive where children fish on the lake, and Poplar Drive are very active. People walk their dogs;  
409 children and grandchildren play in the streets on their skateboards, and people use their golf carts. He did not want  
410 to be derogatory, but the police did not enforce the speeding on their streets. Children at play and radar signs were  
411 posted, but they did not help much. He and his neighbors wanted to know if 11<sup>th</sup> Avenue could be made a dead end  
412 so no one would come onto the street or could speed bumps be added. He thought it was important for Town  
413 Council to consider that a light on 13<sup>th</sup> Avenue would be equally beneficial to the commercial development of the  
414 vacant property at 11<sup>th</sup> Avenue. He suggested that the light be placed at 16<sup>th</sup> Avenue North and that the town  
415 consider annexing the shopping area on the west side of Highway 17 for more tax [revenue,] and limit ingress into  
416 the town.

417  
418 Mr. Matt Freedman, 11<sup>th</sup> Avenue North, said if council was looking for a street that did not go all the way  
419 to the ocean, it would make more sense to use 15<sup>th</sup> Avenue North as it would serve the same purpose as 11<sup>th</sup> Avenue.  
420 15<sup>th</sup> Avenue North goes across to the frontage road where Deerfield Plantation is located, but ends at Cherry Drive.  
421 That area has fewer residential property so there would be less impact to residents. Also, a light at 15<sup>th</sup> Avenue  
422 North would help with traffic backing up.

423  
424 Mr. Richard Dressler, 11<sup>th</sup> Avenue North, had two complaints. One was the [American Heart Association  
425 Beach Ride] fiasco on the beach this past weekend, the horse remnants are still on the beach. He believed the  
426 councilmembers that supported the event should be required to clean the beach. The manure would stay there until  
427 someone cleaned it. Number two was the speeding on 11<sup>th</sup> Avenue North was ridiculous. He requested a stop sign  
428 or speed ramp on Cherry Drive and 11<sup>th</sup> Avenue North to slow traffic. To put a major thoroughfare through his  
429 neighborhood with no sidewalks was ridiculous. He asked what would be done with the parking meters; he wanted  
430 one for a souvenir. *(Laughter)*

431  
432 Ms. Juanita Finley, 11<sup>th</sup> Avenue North, said her biggest complaint was the way this was handled. She  
433 believed that the residents should be contacted for opinions before the town made major changes such as a traffic  
434 light. Residents need time to discuss and make comments on the issues. The change would impact some residents  
435 more than others, so regardless of where the light might be placed, the residents should be informed and have an  
436 opportunity to discuss it with council.

437  
438 **10. TOWN COUNCIL COMMENTS**

439  
440 Mr. Johnson said the traffic light discussion was an initial consideration. Nothing was final. The town had  
441 been through this several times. The outcome had always been the same; someone had their toes stepped on. When  
442 another area was chosen, someone else was offended. This discussion was all “extremely preliminary.” Town  
443 Council did not know that a traffic light would be placed there, because SCDOT has to receive a suggestion or plan  
444 to get the process started. Trust him; this was just the initial stage. He did not think any councilmember would  
445 make a decision without hearing and considering all comments. If a light is installed, it will probably be years from  
446 now. He asked the public to bear with council and let members know their comments and concerns. Mr. Johnson  
447 thanked everyone for attending and said God bless you.



Town Council Regular Meeting  
November 10, 2014

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Mr. Childs said he was the only member that opposed allowing the American Heart Association Beach Ride. Town Council was assured that the beach would be properly cleaned. The horses would be at the water's edge where the tide would take care of any horse muck. He hoped that Town Council would take this into consideration next year when the request was made, because the same complaints were heard last year.

Mr. Stevens thanked everyone for attending the meeting and speaking on the traffic light concerns at 11<sup>th</sup> and 13<sup>th</sup> Avenues North. Nothing had been done yet. Town Council would definitely read the proposal before adopting it. There were five people who spoke at this meeting. He agreed with their comments, because he knew what it was like for the town to make changes to your area. Keep in mind that Town Council listens and would pay attention to their comments. Based on earlier comments, SCDOT was considering 13<sup>th</sup> Avenue North. The beach ride was discussed at the bocce ball court today. He was very disappointed that the representatives stood at the podium and said to the Town Council there would not be any mess on the beach. He said that was the first and last time that he would vote in favor of horses on the beach. He would vote against any future requests, because as far and he was concerned, the representatives lied to the town and to the council.

Mr. Pellegrino thanked everyone for attending and repeated his comment from the last meeting; he thought that as an effective group, council should learn from mistakes. He was glad to see so many people attend, because of their concerns and passion about the traffic light. A traffic light was placed at 5<sup>th</sup> Avenue North where there are no sidewalks. That road is not remotely pedestrian friendly. In fact, it is dangerous. There was nothing to slow drivers, and pedestrians walked on the edge of the road. SCDOT wants 13<sup>th</sup> Avenue North, but that was another road without a sidewalk. 16<sup>th</sup> Avenue North has a sidewalk and public parking near the beach. In his opinion, 16<sup>th</sup> Avenue North was a "slam dunk." It was council's responsibility to give SCDOT a recommendation. SCDOT needs to manage its roads. He thanked everyone who spoke about the issue, because council did not want to make the same mistake twice. Second reading was approved for permit parking on Ocean Boulevard. In his opinion, there was some risks involved, because tourists would be visiting next summer and not have parking available, which could cause an issue. He and his family personally enjoyed watching the horses during the Beach Ride. But after speaking with Mr. Dressler yesterday, he personally checked the beach yesterday and again this morning. There was still horse muck on the beach. The representatives did say they would clean the beach. Unfortunately, they failed to uphold their agreement. On the positive side, funds raised during the event might save several people with heart ailments. There is a golden lining in everything; please keep that in mind. He told everyone to have a great night; God bless.

Mr. Magliette thanked everyone for attending the meeting tonight and assured them that he and the council believed in citizen participation and 100-percent transparency. That means that all the issues that are discussed by council will be open to the public. Each councilmember will always invite the public to contact him or her to ask questions and make comments by any means: telephone; e-mail; at meetings, or in person. There will be workshops to which he encouraged the public to attend and participate. Mr. Magliette wanted to protect the town, because Surfside Beach is a little gem. The town needs to find that balance to protect the town, to provide quality services, to help bring in [revenue] to the town; but, the most important thing was to keep Surfside Beach the way it is and to protect it. He loves this town, and thanked everyone again for participating. He thought as a council they could find balance. He did not agree with everything the councilmembers said, but he was a proponent of taking small steps instead of radical change; trying to reach consensus; finding balance, and working together. Everything can be re-evaluated after six months or a year, i.e. the parking situation. There were initiatives under way to lease land for additional metered parking. After the next parking season, council can evaluate the program and make changes, if necessary. Because of the upcoming holiday season, Mr. Magliette announced that Library Bingo will be on Wednesday, November 26<sup>th</sup> at 10:00. The event is free and everyone is welcome. The Surfside United Methodist Church is hosting a Family Thanksgiving Dinner for the community on Thanksgiving Day beginning at 12 noon until 3:00 p.m. The free event is for anyone in the community who is alone and wants some fellowship. If you want to attend, please contact the church secretary at 843.238.2734 or him to sign up. He again thanked everyone for being active participants in local government, saying nothing could not be done without them. Thank you very much, and God bless you.

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Ms. Mabry said she was a big proponent of the Beach Ride. She did not back away or shy away from what she believed in, because she thought that was unfair. Most people know that she used to ride; up until 10 years ago she had her own horses. There is a scheduled beach clean-up tomorrow. It has taken a few extra days, but the beach will be cleaned. She was on the beach when the horses went through. She had never seen so many people that brought their children and had such a great time watching the horses. Some of them stopped and allowed the children to pet the horses and ride them. It was a great, great time. She went to several cross-overs. Every one of them was full; the pier parking lot was full. She talked to some of the riders, including some she personally knew. Now, those riders are interested in staying in Surfside Beach hotels. Not all of them stay at the campgrounds. The riders were thankful and so appreciative of being able to ride through the town's beach. Ms. Mabry said she actually had the best afternoon. The beach will get cleaned. That joyous day of seeing those horses and seeing the kids and families from Surfside Beach was worth a little bit of inconvenience knowing that the beach would be cleaned tomorrow. It will be a big workday, but the beach will be pristine. Nothing is more disgusting than to see dog waste on the beach. There was much more dog waste on the beach than horse muck. Having lived on farms, she would take grain source horse muck any day over dog waste. She thanked everyone for attending and appreciated each and every one of them.

Mayor Samples agreed. One of the reasons that he and Town Council liked transparency was because the public needed to understand how state, county and local government works; not just the Town of Surfside Beach government. Roads were discussed tonight. Mr. Kohlmann provided some information, which he appreciated. One difference between 13<sup>th</sup> and 11<sup>th</sup> Avenues North that matters to the state is that 13<sup>th</sup> Avenue between Highway 17 and he believed, Cedar Drive, or at least Poplar Drive, was state owned. It did not belong to the town. 11<sup>th</sup> Avenue is a town owned road. He did not want additional traffic in his neighborhood, but he also had a pretty good idea of how the process worked. There was a little bit of money programmed for "Surfside Frontage Roads." The frontage roads are on the west side of Highway 17, and he thought that was pointed out at the last meeting. Mayor Samples said 10<sup>th</sup> Avenue South needs a 4-way traffic light. On the north end, for as long as he has lived in the town, improvements to Highway 17 have been held hostage to some kind of a traffic control device that helps Deerfield Plantation. It was not about the town, which is why Mayor Samples tried to assure everyone that the proposal was not a 4-way light on the north end of town. The more information everyone had and the better they understood the process would determine whether this project would fall apart. The south end frontage road was an embarrassment to the town. Long-time residents understand that is the town's business. The town had to figure out how to keep people from getting killed or injured on Highway 17. Mayor Samples reiterated that there was not a single councilmember who wanted to add a 4-way traffic light on the north end. The council needs to be united in its opposition of that 4-way traffic light, and also united in support of a solution that addresses a safety problem that residents in Deerfield have. There are no traffic lights where Deerfield residents accesses Highway 17 Bypass; Highway 544, or Highway 17 Business. He ventured that many of the fender-bender car accidents were contributed to by people who were trying to access the roads from Deerfield. The council was trying to protect the community and wants its residents to understand why options were being discussed. All council was trying to do was "get the ball rolling with SCDOT." Mayor Samples had seen the town lose monies in the past that could have helped 5<sup>th</sup> Avenue North, which was acknowledged as a problem in the town, because council was not willing to cooperate, communicate, and educate. He knew politically that this would be spun. If you were fooled by the spin, he could not help it. The public needed to understand and support its council who made a collective judgment to get the process started. There will not be a traffic light at 11<sup>th</sup> Avenue. SCDOT told them that today; but, SCDOT keeps coming back to 13<sup>th</sup> Avenue North and it always will, because of Platt Boulevard. Mayor Samples said the 13<sup>th</sup> Avenue North proposal was really about Platt Boulevard and it would not be a 4-way traffic light. He did not know how to be clearer. He thanked everyone for attending.

**11. EXECUTIVE SESSION**

**A. Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or the appointment of a person to a public body.** This matter was addressed during Business Item 7.B. See page 7.

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**B. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements.**

Ms. Mabry moved to enter executive session at 8:23 p.m. Mr. Pellegrino seconded. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 9:03 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mayor Samples said that no action was taken during executive session.

Mr. Johnson moved that the town administrator move forward with the contractual agreement as discussed in executive session. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

**12. ADJOURNMENT**

Mr. Johnson moved to adjourn the meeting at 9:04 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

\_\_\_\_\_  
Debra E. Herrmann, CMC, Town Clerk

Approved: November 25, 2014

\_\_\_\_\_  
Douglas F. Samples, Mayor

\_\_\_\_\_  
David L. Pellegrino, Mayor Pro Tempore

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Robert F. Childs, Town Council

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Mark L. Johnson, Town Council

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Mary Beth Mabry, Town Council

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Ralph J. Magliette, Town Council

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Randle M. Stevens, Town Council

Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded. Appointments to hear recordings may be scheduled with the town clerk, or to obtain a copy made to your flash drive. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on the town website, the entry door at Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the Town marquee.