



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JANUARY 10, 2012 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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10     1. **CALL TO ORDER.**

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12           Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tempore  
13 Childs, and Councilmembers Blair, Dodge, Johnson, Samples, and Smith were in attendance; a quorum  
14 was present. Staff present: Administrator Duckett; Deputy Administrator Fellner; Code Enforcement  
15 Official Morris, Fire Chief Packard, and Police Chief Frederick. Others present: Town Attorney Smith,  
16 and Town Clerk Herrmann.

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

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20           Father Gabriel Bullock, St. Nicholas Orthodox Church gave the invocation. Mayor Deaton led the  
21 Pledge of Allegiance.

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23     3. **AGENDA APPROVAL.**

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25           Mr. Smith moved to approve the agenda as presented. Ms. Dodge seconded. **All voted in**  
26 **favor. MOTION CARRIED.**

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28           Mr. Samples moved to take from the table the business item to establish an Ad Hoc Parking  
29 Committee and add it to the next meeting agenda for action. Ms. Dodge seconded. All voted in favor.  
30 **MOTION CARRIED.**

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32     4. **MINUTES APPROVAL.**

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34           Mr. Smith moved to approve the minutes for the regular meeting held December 13, 2011 as  
35 presented. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**

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37     5. **PUBLIC COMMENTS – AGENDA ITEMS.**

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39           There were no comments.

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41     6. **PUBLIC HEARING – Proposed Amendments to Chapter 15, Land Development Regulations.**

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43           Mayor Deaton opened the public hearing at 6:33 p.m. explaining it was the public's opportunity to  
44 make comments on the Land Development Regulations. There were no public comments. Mayor  
45 Deaton closed the public hearing at 6:34 p.m.

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47     **COMMUNICATIONS.**

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49     7. A. Department Reports

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51     i. **Building & Zoning.**

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53           Mr. Duckett presented the building and zoning report, a copy of which is on file.  
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56 ii. Police.  
57

58 Mr. Duckett presented the police report, a copy of which is on file. Ms. Dodge questioned the  
59 wisdom of officers issuing warnings instead of tickets. Mr. Duckett said it was left to the officers'  
60 discretion. Officers are provided a 'warning' book and a 'Uniform Traffic Citation' book. In the past  
61 warnings were made verbally; warnings are written now to document the traffic stop data. That practice is  
62 common throughout the state. Officers are performing proactive investigations. Ms. Dodge said her point  
63 was issuing warnings to a person that has multiple offenses; she was concerned that drivers would get  
64 the impression that Surfside Beach only issued warnings.  
65

66 iii. Fire.  
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68 Mr. Duckett presented the fire report, a copy of which is on file.  
69

70 C. Administrator's Report – Update on Current Events.  
71

72 Mr. Duckett presented his report, which is on file. Mr. Johnson asked if the fence bordered the  
73 houses beside the Huckabee Complex, and if it was needed to prevent thefts. Mr. Duckett said yes. Mr.  
74 Samples asked if a list of stolen items could be provided to council. Mr. Duckett said yes.  
75

76 Mr. Duckett said the budget retreat is planned for March 7, 8, and 9 at the Santee Cooper  
77 Conference Center in Wampee, South Carolina. If alternate dates are preferred, staff will contact the  
78 conference center. Mr. Samples believed the budget meeting should be held in town so community  
79 members could attend. Mr. Duckett said that was a council decision; the public was invited. Based on  
80 previous experience, he believed meetings held in town hall or local facility are not as effective, because  
81 councilmembers take calls and leave the meeting to conduct other business. He believes an off-site  
82 facility allows everyone to pay more attention. Ms. Dodge agreed with Mr. Samples, saying that she likes  
83 for the public to see council in action; feedback from the public is welcomed. Mr. Smith thought it would  
84 be better to meet at a place like Wampee. The budget meeting he attended last time was very useful to  
85 be separated from everyday work. When he served on the Solid Waste Authority Board, he found in town  
86 meetings were not as successful because board members were too busy doing other things to pay  
87 attention. Ms. Dodge moved to have a consensus vote on where to hold the budget meeting. Mr.  
88 Samples seconded. Ms. Dodge and Mr. Samples voted in favor. Mayor Deaton, Mayor Pro Tem Childs  
89 and Councilmembers Blair, Johnson, and Smith voted against. **MOTION FAILED.**  
90

91 Mr. Johnson added that he attended budget meetings in and out of town. Regardless of the  
92 location, he believed councilmembers were more focused when they are away from town hall. Mr. Childs  
93 agreed with Mr. Johnson saying that council was more involved when the meeting was held at Wampee.  
94 Members had time to discuss issues and listen to the administrator and staff. Mr. Samples also saw the  
95 benefit to being focused; his concern was that the public would not have easy access. In the ten years he  
96 has served on council, only one citizen, that being Ms. Dodge, attended an out of town meeting. There  
97 are numerous local venues that could serve as an offsite meeting place that are near enough that the  
98 community could attend. Mr. Smith suggested that the administrator have a public presentation after the  
99 budget meeting. Ms. Blair said that had been done before.  
100

101 Ms. Blair said, "I just wanted to say for the record I actually brought this same thing up last year.  
102 It wasn't so much on the same focus. I think that we're professional enough to stay focused wherever we  
103 meet on whatever the topic is at hand. But, I did question how much it cost, and the savings, because at  
104 that time last year we were looking at, at the budget cuts and raises and things that we were not giving  
105 out to our staff, but yet we were spending money to go on a budget retreat. And I had asked for a report  
106 on how much that cost, and it came back that it was very minimal and very affordable, and, and it, so  
107 again we, it was so that we chose to have it at Wampee. And, I've, I've been to Wampee on many  
108 occasions as a presenter to other councils, as a member of a board for a civic group, and it is very  
109 conducive to meeting. But, I certainly can see the benefit of staying in town where everything is available  
110 to the residents and making it easier for them. I just wanted for the record, Councilman Samples, it  
111 seems like he was the only one, but I did broach this last year and bring it up to hold it locally as well."

112  
113 Mr. Smith asked how many vacant positions there are and the number of full time employees.  
114 Mr. Duckett said two vacancies in the police department and one vacancy in public works. There are 72  
115 full time employees out of 75 full time approved positions.

116  
117 Mr. Samples asked for a status on the pier maintenance procurement package being prepared by  
118 the engineering firm. Mr. Duckett said divers will re-inspect the pilings on January 11<sup>th</sup> that were  
119 inspected in 2008. He and others believed that moving forward with a request for proposals (RFP) to  
120 repair five pilings should not be done until all pilings were inspected. The re-inspection will cost about  
121 \$10,000; an RFP will be brought at a future meeting. It will take about three days to complete the  
122 inspection. Mr. Wooten will be contacted next week for an update; he believed the package should be  
123 ready soon. Mr. Samples said Mr. Wooten reported that the package would be let in mid-January, which  
124 he believed was an optimistic schedule. Mr. Samples said a lot of money is spent on engineering and  
125 other professional services, and those providers should perform.

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127 **7. BUSINESS.**

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129 First Reading Ordinance #12-0709, Amend Chapter 15, Land Development Regulations (LDR.)

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131 Mr. Duckett presented the issue paper, which is on file. Second reading will be held at the next  
132 council meeting, during which changes can be made if council so desires. If any councilmember or  
133 citizen would like to have a detailed briefing of the LDR, please contact him. Mr. Duckett said there are  
134 five key points that are addressed in the amendments:

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136
- Updated antiquated information found in the current document
  - Added additional definitions to ensure accurate interpretation and general understanding, for instance definitions were expanded from three or four terms to two or three pages of definitions
  - Addresses storm drainage and flooding issues for new developments not previously addressed in the current ordinance
  - Addresses standards for street construction and resurfacing to meet SC Department of Transportation standards
  - Updated maintenance warranties for street improvements to the state standards; for example the current ordinance requires 110-percent of the value; state code requires 125-percent.
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150 Mr. Duckett explained that in all cases where state code was more stringent it would apply. He  
151 said that the Planning Commission should be congratulated for its diligence, adding that at least four  
152 councilmembers had served on the commission and had first-hand experience with the requirements to  
153 present amendments to the LDR. He encouraged council to adopt first reading and to offer any changes  
154 at second reading.

155  
156 Mr. Smith moved to approve first reading of Ordinance Number 12-0709. Mr. Childs seconded.  
157 Mayor Deaton thanked the Planning Commission saying the members worked very diligently. The LDR  
158 represents a lot of work and time, and it made council's job much easier when it was presented for  
159 consideration. The Planning Commission has been charged to upgrade the town's ordinances and  
160 regulations to eliminate any conflict between town, state and federal codes. He congratulated the  
161 Planning Commission and its members personally on the job well-done.

162  
163 Mr. Samples asked for clarification whether the document made any changes to density or height  
164 requirements. Ms. Morris said it did not. Mr. Samples asked if there were any special issues to be  
165 considered or that council should be made aware of. Mr. Duckett said there were none. Mr. Childs  
166 commended the Planning Commission for the great job, particularly Chairman Seibold.

168 Mr. Smith said the LDR requires the staff to act and if staff does not act after a specific amount of  
169 time, applications for planned developments are considered approved. He liked that limited times were  
170 imposed to require action; the document clearly sets forth what is required to be done by the applicant  
171 and staff. Mr. Samples asked if that applied to a planned development, a PUD. Ms. Morris said planned  
172 developments are submitted through zoning; this time limitation refers to regulations platting the  
173 development. Mr. Samples said it was very important that the Planning Commission and staff adhere to  
174 the timelines that relate to planned developments. He asked that staff prepare a synopsis of the timelines  
175 for council to consider as part of the package. Mr. Duckett said that state code imposed the same  
176 restrictions on the planning commission when it failed to act within a timely manner; applications were  
177 automatically approved when deadlines were not met. Mr. Samples said the code states that the  
178 Planning Commission has 30-days during which to make a recommendation to town council; otherwise  
179 town council can then intervene and take action.

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181 All voted in favor. **MOTION CARRIED.**

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183 **8. DISCUSSION.**

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185 There was no discussion to come before this meeting.

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187 **9. PUBLIC COMMENTS.**

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189 “Tom Dodge, 15<sup>th</sup> Avenue North. I stand here as a taxpayer and a concerned citizen; not a  
190 complainer, Mr. Duckett. I’m sorry to hear that council cannot focus in this chamber. That amazes me  
191 that you have to go two hours away in order to focus. Bad. That, that floors me that you can’t focus in  
192 this chamber. But, I digress. What is the status of correcting the sidewalks on Surfside Drive between  
193 Poplar Drive and Highway 17 that are cracked all over? I talked to Mr. Duckett about this three months  
194 ago and got the usual brush-off. I have heard nothing since. We spent a lot of money there as  
195 taxpayers, and, and in my opinion, Mr. Duckett is not doing the job of looking out for our funds. Those  
196 sidewalks are cracked in at least 44 places. He said yeah, we’re looking at it. We’re going to do  
197 something about it. That was two or three months ago; haven’t seen anything, yet. In past winters, our  
198 public works department used to do different projects in town; repairing walkovers, repairing drive-overs,  
199 putting down concrete blocks in the access to the walkovers. I have seen nothing at all done this winter  
200 and I’m just wondering why? What is Mr. Adair doing... Mayor Deaton interrupted, “Sir, I’m going to  
201 caution you against the use, I’m going to caution you not to call people’s names.” Mr. Dodge continued  
202 speaking, “(\*\*) public works department.” Mayor Deaton, “You can talk about departments, but not  
203 people’s names.” Mr. Dodge, “(\*\*) in the summertime and trim trees and do things like that. What are  
204 these people being used for? I have seen no projects. If they’re there, call me on it. Tell me I’m wrong.  
205 But, I think that we have a lack of leadership. When I talk to Mr. Duckett he said he doesn’t like to micro-  
206 manage. But, I think that is Mr. Duckett’s job to micro-manage. He should be looking out at what the  
207 department heads are doing and not doing. And, I don’t think that’s micro-managing. Thank you very  
208 much for your time.”

209  
210 “John Ard, Cypress Drive, Surfside. On what Mr. Dodge was just speaking about on the  
211 sidewalks, and stuff down here, I rode around quite a bit today and everything, and I would like to say that  
212 they have gone down there today. They had a whole crew of down there people working on these  
213 sidewalks. They’re patching it, where patching stuff is in it, and they’re doing some work and stuff down  
214 there. And, so there is something being done on it to try to get the back up to where they’re supposed to  
215 be and everything. Whoever’s responsible, well, I do appreciate it. It’s been a while in coming, but I do  
216 know for a fact that work’s being done. So, I will have to speak in y’all’s defense on that part. Now, I’d  
217 like to issue a thank you, if you don’t mind, to the fire department and medics and to the police  
218 department. I had a little situation a few weeks ago that required them. They done [sic] their jobs, every  
219 one of them, the medics, the fire department, and the police in a very professional way. And, it involved a  
220 member of my family, and I do appreciate it very much. Y’all done [sic] a real good job and I hope in the  
221 future that they will keep this up. I know they will, because we’ve got some real good people there, and I  
222 expect to see a lot better out them. And, I know they gone [sic] do better; I don’t think they can do much  
223 better. They’re doing a great job now! But, anyway, I would like to thank y’all very much. Y’all done [sic]

224 a very good job that day, and I appreciate it with all my heart. And, that's all I have to say; everything's  
225 good tonight."

226  
227 "Beth Kohlmann, Ocean Boulevard. I don't mean to beat a dead horse, but I just wanted  
228 directions tonight. (\*\*) Who do we speak to about the committees? I read back for years (\*\*) in the  
229 minutes and it talks about, and y'all seem to really be for it, and you just praised a committee tonight, and  
230 the people that come here, and that, I know you don't like hearing some of the things we have to say, but  
231 we don't like hearing some of the things that you have to say, either. So, I think it's a fair field. But,  
232 there's never been really told to the public why some of our committees are no longer here. Now, I know  
233 that some of you have served on the committees and I know that you like the committees. I know you  
234 shake your heads and all, but what needs to be done? I was told there was an ordinance. I've seen so  
235 many ordinances written since this has all come about. And, I understand that there was a timeframe put  
236 on the recreation committee. They need it in this town and I know you know that they need it in this town.  
237 The people that come here and pay to come here, they want more. They need more, and the people live  
238 here deserve more. These people pay for us to have lower taxes and to live in this beautiful place. So  
239 when we have people that are willing and able to help and come up with ideas, you don't have to like  
240 them all, you don't have to accept them all, just let them give some ideas, and throw it around. Don't  
241 accept them all. That's fine. But, it's really upsetting to me, and I know a few other people, not a lot, but  
242 people that care about being here, and living here, and having kids here, and having a good time. They  
243 all, it should all go together. It's not about one block. It's about this entire town. And, it's not about one  
244 person. It's about this entire town. So, if somebody could break the rules tonight and tell me who to talk  
245 to get this going, cause it's really, you know, patience is a little bit thin! And, I'll be nice, if you'll be nice.  
246 Just give me an answer. Should I stand here and wait or should I just go now or should I be thrown out?"  
247 Mayor Deaton, "You should go now." Ms. Kohlmann, "Okay."

248  
249 "Gene Maruca, 7<sup>th</sup> Ave. South. I want to commend the council for once again kicking the parking  
250 down the road. Marvelous job. Tabling instead of postponing (\*\*). The fact is, the issue isn't going to go  
251 away, and there's an election very shortly. I'm sure the people who have to deal with the parking, the  
252 residents, the people that live on the boulevard will take the, will take into account on Election Day what  
253 has been done to kick it down the road. That's enough said on the parking. The other thing I have to say  
254 is for one reason or another you want to take the budget committee [sic] out of Dodge. Hide behind the  
255 curtain. Not let the people know what's going on. That's fine. As one of the councilors stated, it's not a  
256 big expense to go two hours away. I think as a courtesy, this council might provide transportation for any  
257 taxpayer from this town hall to the budget retreat so they can go if they desire, since it's not a big deal  
258 money-wise as stated, again, by the council."

259  
260 **10. COUNCIL COMMENTS.**

261  
262 Ms. Blair, "Thank you, Mr. Mayor. Thank you all for coming out and Happy New Year to  
263 everybody. I hope your New Year's started out on a positive note. I usually try to say something in a  
264 positive way, and I usually don't address back from here, but I wanted to be sure that Mr. Maruca knows  
265 that we have brought that committee back to discuss at another meeting. And, I wanted to be sure you  
266 understood that it was tabled, because we did not have a full council here. We didn't, in fact the  
267 councilmember that made the motion to form the committee wasn't here. So, we thought it was only fair  
268 that everyone be represented on something that is so important to so many people. (\*\*) I apologize. I  
269 made the motion, so if the term offended you, I apologize. But, the intent was to wait until we had a full  
270 council so everyone's consideration could be a part of forming that committee. But anyway, I just wanted  
271 to be sure, I mean it will be brought back, and we will discuss it, and then move forward from there. So, I  
272 apologize for, it was my ignorance that used the wrong term. Thank you all for being here, and I just  
273 wanted to say, too, we've got a great calendar in our package that has our fire department. So, I'm  
274 assuming from reading this that we won the contest, since we're on the cover of the calendar and all fire  
275 departments can submit some photos, and if you're chosen you represent one of the months, and if  
276 you're chosen for the cover you actually get a monetary or some money to use for supplies. So, this is a  
277 great photo and I think we're on the first month on the inside, and I wanted to commend the fire  
278 department. Great job. I looked through and several of these have fire house pets, so I just wondered

279 when we're going to get our first dog. Don't throw anything at me, Chief! Thank you all for being here.  
280 Have a great week."

281  
282 Mr. Johnson, "(\*\*)" Thank you, ladies and gentlemen, for coming out. I appreciate all of your input.  
283 Have a good evening, and Happy New Year. I was not here at the last meeting (\*\*)" Happy New Year."

284  
285 Ms. Dodge, "Thank you, Mayor. I just wanted to say I agree with Ms. Kohlmann about the  
286 citizens committee. I think when we have the citizens input we are stronger as a town. We need that.  
287 We're the people who pay the freight, so to speak, and we need you. Thank you. I also appreciate the  
288 comments from everybody. It's very helpful. Thank you."

289  
290 Mr. Smith, "I'd like to congratulate the Planning Commission, which is made up of seven citizens,  
291 for their effort on the Land Development Regulations. And, I'm looking forward to a New Year, and a  
292 happy one. Thank you."

293  
294 Mr. Samples, "Happy New Year to everybody, also. I'm sure that we're going to adopt the  
295 parking committee soon; hopefully, at the next council meeting. I also believe that the recreation  
296 committee that we had set up was a great success. I know Councilman Childs and others were members  
297 of that committee, and, and it was a great benefit to us, because I, I sit here tonight as we enter a New  
298 Year wondering whether or not we're going to have a car show, for example. I like to use that, because I  
299 felt it was a great event for the town, and we had it one year, and, and it didn't work out. Well, the way it  
300 works in the world is you've got to plan; you've got to be taking action now, okay, to pull off these events,  
301 to coordinate them with people. And, I'll be honest with you, movies, not on the beach, because you  
302 couldn't hear them if you're on the beach, but in the park. I still think it's a great idea. I think that it's  
303 something that helps carve out our niche, because we're not Myrtle Beach. We're not North Myrtle  
304 Beach. We're not the high-rise hotels. What we have is we have locally homes that families from all  
305 around come to, and we collect enough money in A-Tax that we ought to be feeding some of it back. I'll  
306 use the term that I hope [Mr. Mabry] won't mind me stealing it, we ought to be fertilizing the garden during  
307 those three months to attract, frankly, the people that we hope will someday move here and stay. Okay,  
308 and the way you do that is you encourage fun-filled, family entertainment. I will say, and I, you've heard  
309 me say it before, frankly, I'm not really paid to; we don't get paid to hear the good news. It's nice to hear  
310 the good news. We all feel; we know when we've done the right thing and when something is good. We  
311 live here, also. But, really what we have to do is, is to head off, pre-empt the bad news. I'm still waiting  
312 to hear something on the pier, okay. I know that we've had those meetings with these professionals a  
313 couple of times now, and I'm not faulting them. But, something is mighty slow. I mean my gosh, if we  
314 were in the private sector; okay, if we were in the private sector and that was an asset sitting out there,  
315 I've got to believe somebody's head would have been on the chopping block. But no, this is government.  
316 I thank y'all. See you next time."

317  
318 Mr. Childs, "Mr. Mayor, I would... following up on Mrs. Kohlmann's comments. I was the author  
319 of the motion that created that committee, and we still feel the good results of the committee when you  
320 were on it. I'm an advocate of committees. I think they help council make decisions. Council's busy  
321 doing everyday things, and a lot of times they don't have the opportunity to spend as we did on that  
322 committee to hear from people, and come up with some ideas. The bar-b-que cook off was an idea of the  
323 committee, and I would like to say the mayor has called for a meeting tomorrow to create the car show  
324 this year, and it will be held tomorrow at 10:00 o'clock, and we have a group. One gentleman's sitting  
325 here now is going to be part of that group, and we are going to have it, and I would like to, to dispel any  
326 myth that the town dropped the ball on last year's car show. They did not. Our Rec. [sic] Department  
327 tried very hard; contacted two clubs, and at the last minute they both backed out. We did not have the  
328 opportunity to have that show. That was the only reason. The town was not at fault in any way, shape, or  
329 form. So that this year, we're going to do it ourself [sic.] We're not going to depend on somebody else,  
330 so I hope that this year, I feel will be the beginning of that show for years to come. I think each year will  
331 be bigger and more successful than ever, and so we will have it. We're planning to have it on a Saturday,  
332 Memorial weekend, and if everything goes smooth the cars will be there, and I really look forward to it and  
333 I want to thank the mayor for calling this meeting tomorrow. Thank you, Mr. Mayor, and I wish everybody  
334 a Happy New Year."

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Mayor Deaton, "Okay, I'd like to thank everyone for coming out tonight. It was a very productive meeting."

11. **ADJOURNMENT.**

Mr. Smith moved to adjourn the meeting at 7:26 p.m. Mr. Childs seconded. All voted in favor.  
**MOTION CARRIED.**

Respectfully submitted,

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

Approved: January 24, 2012

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

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

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Robert F. Childs, III, Mayor Pro Tempore

\_\_\_\_\_  
Ann Dodge, Town Council

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Mark L Johnson, Town Council

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Douglas F. Samples, Town Council

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Roderick E. Smith, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In accordance with FOIA, meeting notice and the agenda were distributed 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.