

1 **TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS**
2 **March 13, 2007, 6:30 o'clock p.m.**
3 **TOWN COUNCIL MEETING MINUTES**

4
5 **1. CALL TO ORDER.** Mayor Hyman called the meeting to order at 6:30 p.m. and welcomed
6 those in attendance. Mayor Hyman, Mayor Pro Tem Truett, and Council Members Hiatt, Martin,
7 McKown, Samples, and Tuttle were present. A quorum was present. Staff Present: Administrator Booth,
8 Directors Burke, King; Kirk, Donevant, Zoning Administrator Grandell and Executive Assistant Lewis.

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10 **2. INVOCATION & PLEDGE OF ALLEGIANCE.** Mrs. Hiatt said the invocation. Mayor
11 Hyman led the Pledge of Allegiance.

12
13 **3. MINUTES APPROVAL.** Minutes of February 26, 2007. Mr. Samples moved to adopt
14 the February 26, 2007 town council meeting minutes as presented. Mr. McKown seconded. **All members**
15 **voted in favor. MOTION CARRIED.** Minutes of March 1, 2007. Mr. Truett moved to adopt the March
16 1, 2007 town council workshop minutes as presented. Mr. Samples seconded. **All members voted in**
17 **favor. MOTION CARRIED.**

18
19 **4. PUBLIC COMMENTS – Agenda Items Only.** There were no public comments.

20
21 **5. PRESENTATION – Horry/Georgetown Prayer Task Force**

22
23 Mr. Truett introduced Mr. Ted Potts. Mr. Potts presented himself as Coordinator of the
24 Horry/Georgetown Prayer Task Force, which is a statewide organization. The Task Force is trying to
25 control obscenity in the state according to State Statute §(e) that allows communities to develop standards,
26 and for juries to be drawn from that community to control these types of activities [escort services etc.].
27 The mission of the organization is to assist local authorities with enforcement of the state statute on
28 obscenity Mr. Potts said and cited Anderson and Spartanburg Counties as leaders in the taking of legal
29 action against adult entertainment, businesses and others for violations of the statute. While Surfside Beach
30 has done exceptionally well in controlling this type of business, there is a concern for the numerous escort
31 services in the area. Several businesses have a Surfside Beach address or phone number but likely are not
32 operating from within the city limits. Mr. Potts continued by saying a petition has been circulated in Horry
33 County accumulating more than 700 signatures with 110 of those signatures from Surfside Beach residents
34 indicating the concern for the enforcement of the state statute.

35
36 Mr. Potts said addresses of the services shown in the telephone book have been sought but to date
37 very few have been found, and the telephone company would not give the locations. Mr. Potts said if an
38 active look is not taken, there will be an increase in this type of business and the concern is are escort type
39 service businesses licensed, are they acting within the boundaries of the state statute and are they taxed.
40 The Task Force is trying to glean information from the municipalities regarding some of the concerns and
41 asked if are we looking into these escort businesses enough? A copy of the State Statute §(e) was given to
42 the council. Mr. Samples suggested that the Task Force try to locate addresses of legal escort services by
43 going to the Secretary of State website.

44
45 Public Safety Director Burke said was unsure of the process or if there is an ordinance in place to
46 prevent an escort service from getting a legitimate business license. Prostitution service is different
47 however, no complaints have been received regarding escort services in town over the past two years so
48 currently, and no concerns have been brought to the Public Safety Department's attention Ms. Burke said.
49 Mr. Martin suggested that the organization pick up a Town Brochure that shows the various businesses
50 locating within its limits. Mr. Booth said the phone numbers shown in the telephone books are cell phones,
51 and the businesses rarely run out of a building but move a lot making it difficult to locate them. Mr. Potts

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53
54 was thanked for coming before council and for the work of the Task Force.

55
56 **6. COMMUNICATIONS**

57 **A. Proclamation #07-52 2007 disABILITIES AWARENESS MONTH**

58
59 Mrs. Lewis read the Proclamation into the record and enacted on March 13, 2007.

60
61 **B. Public Safety Report**

62
63 Public Safety Director Burke presented the report, which is on file. Ms. Burke presented
64 information received regarding early alert siren as requested at the last meeting and asked for council's
65 direction for future research. Ms. Burke mentioned two sirens would be required to be effective in the
66 town at \$10,000 each. The main issue for consideration Ms. Burke said will be the need to test the system
67 weekly or at the very least, monthly and this could be cause for confusion and disruption particular during
68 tourism season. Other means of emergency notified currently in place include the Horry County reverse
69 911 call back system, TV overrides, weather radios and emergency equipment announcements during
70 evacuations. Sirens, like weather radios is an audible alert for everyone in the town especially in the case
71 of a tornado warning or other immediate emergency occurring in the middle of the night. Ms. Burke
72 concluded by saying the systems are not easily maintained and to date, the 911 call back system appears to
73 be the most effective in our community. Mr. McKown said he was in favor of allocating the funds for this
74 if it would save even one life. Ms. Burke said she did not feel the issue was the money but instead the
75 concern for confusion and problems generated during the testing of the sirens. Council said the system
76 used now appears to be currently the most desirable method of alert.

77
78 Mr. McKown mentioned a few years ago, the town became involved in a county law enforcement
79 network by loaning an officer to a drug enforcement unit task force who recently executed a successful and
80 effective \$850,000 drug bust. A percentage of the funds will be given to the town to be used for drug
81 related activities. Mr. McKown commended the Director and the officer.

82
83 **C. Planning, Building & Zoning Report**

84
85 Mrs. Donevant, Director presented the report, which is on file. She stated the report is designed to
86 inform council of the training, number of permits and the new construction, which includes swimming
87 pools, plan review etc.

88
89 **D. Administrator's Report**

90
91 Mr. Booth, Town Administrator presented the report, which is on file. Mr. Booth referred to the
92 Covenant Media Law Suit and requested an Executive Session prior to the next council meeting to allow
93 Attorney Andrew Lindemann to advise council. Mr. Lindemann is requiring a decision from the council
94 regarding the billboard issue. This item along with a few personnel matters will be addressed during the
95 Session. Mr. Booth mentioned the Community Rating System (CRS) and said since the town has not yet
96 incorporated the program, we have a rating of 10 however, after beginning the process the town could
97 feasibly have a rating of 5 lowering insurance. Mr. Booth also discussed the NPDES Phase II Water. An
98 article was recently published in a newspaper in which Surfside Beach appeared to be non-compliant with
99 the federal regulations. The letter was from DHEC and was sent to all communities and was meant to be a
100 self-evaluation for each community. We have deadlines that we will be required to meet following a long
101 process which began in 1972 with the Clean Water Act and has culminated to where we are today with
102 treating stormwater like sewage wherein we will likely have to test and treat stormwater runoff.

105 Mr. Booth continued by saying we would like permission to do some testing early to get credit
106 because, a concern is we will do the projects and then be tested. The quality of water is required to be
107 increased by a certain percentage and those who have gone out first; the projects will be behind Mr. Booth
108 said. We would like to do the testing first and then clean the lakes so that when we have to test next year,
109 the base line will have already been established. Mr. Booth said the state is requiring a new stormwater
110 ordinance be submitted by May 1. Horry County's ordinance was well received by the state therefore, we
111 will take the county's ordinance, and after changes are made give it to the state to ensure the state's
112 approval and then submit it to town council for approval. The approved ordinance will need to be in place
113 and followed by the September 1 deadline. As of this date, project plan reviews will need to go to the state
114 along with \$125.00 fee for the review of the stormwater plan to include a \$100.00 per acre on a project
115 such as Harbor Lights Development. Mr. McKown asked if the Clean Water Act coincides with the state
116 compliance. Mr. Booth said yes and said Section 72-300 is the ordinance that the state is observing and the
117 town must abide by. The Clean Water Act was done in two phases and in five-year increments. We are
118 now in the Phase II, second five-year increment and by the third five-year increment we will likely be
119 treating the water. By next year, we will be doing the testing. The Phase the town is in now is the
120 education phase requiring us to identify pollutants. Mr. Samples said that testing through Dr. Libes at
121 Coastal Carolina University has been done to measure what was coming from Horry County against what
122 was going out into the ocean. Mr. Booth said he is referring to the town being required to test on a weekly
123 basis similar to those that a sewer plant would do. The University is very much involved in this process
124 and is submitting our needs to the state. Mr. Samples asked if council could be provided with those results
125 showing bacteria counts that come in from Horry County and what they are when they exit Surfside Beach?
126 Mr. Booth said we could try to get those numbers. Mr. Samples said he would like a comparison between
127 the numbers of bacteria entering Surfside Beach against the number that is exiting Surfside Beach into the
128 ocean. He said there might not be much than the town can do. Mayor Hyman said the county is involved
129 in this and are well aware they have a responsibility to treat the water coming into Surfside Beach and we
130 will be responsible for treating the water accumulated in Surfside Beach. Mayor Hyman also mentioned
131 the federal money amounting to \$6M for the infiltration system to treat the water going to the ocean.
132

133 Mr. McKown said it is important to re-implement the Stormwater Committee because of the
134 knowledge and dedication as well as the compliance information disseminated to council through its
135 members. Mayor Hyman said we are well represented through CCU and their experts.
136

137 Mr. Booth showed transparencies of Dogwood Lake where the filtering of waste materials would
138 be effective. Deep-water outfalls will run approximately \$2 to \$3M making them the most expensive to
139 incorporate Mr. Booth said. Swashes used now, are not as effective because the untreated water returns
140 with the tide and some type of treatment of the water will be required before it enters the ocean waters. Mr.
141 Booth said there are two methods in which to fund the improvements. The state has advised there are
142 stormwater impact funds however the town elected to use an advalorem or property tax that is about to
143 expire. Mr. Booth recommended putting the money back in following the expiration date so it does not
144 come out of the property tax but said we have a year to look at this. Mr. Samples asked if the taxpayers can
145 deduct the fee and asked Mr. Booth to check this.
146

147 Mr. Booth mentioned impact fees and said in talking to the League of Cities, impact fees were
148 designed for water and sewer projects and did not recommend this for meeting the requirements.
149 Additionally Mr. Booth said, impact fees can only be used for that portion that has been impacted.
150

151 On another subject, Mr. Booth said the Myrtle Basin should begin sometime around April 1. Four
152 streets have been paved and the sidewalk on Hollywood Drive continues. Compliments from the citizens
153 have been received regarding the ongoing progress of these projects in town Mr. Booth said.

156 Mr. Truett mentioned the rating discussed earlier by Mr. Booth. He said the rating [ISO] is a 4 in
157 Surfside Beach from an insurance standpoint. Mrs. Donevant said the CRS is through FEMA regarding the
158 flood insurance. This is different. Mrs. Donevant there are about 2500 flood insurance policies in the town
159 and once we would become a 9, these policyholders can save between \$34 and \$56 in premiums. The
160 process is simple but must be pursued.

161
162 Mr. Samples requested that discussion be added to the next Town Council Agenda regarding a
163 stormwater committee.

164
165 **7. BUSINESS**

166
167 **A. Issue Papers**

168
169 **i. First Reading of Ordinance #07-0623 to Adopt FY 2007/2008 Budget.**

170 Mrs. King presented the issue paper that is on file. Mr. Truett moved to approve First Reading of
171 Ordinance #07-0623 as presented. Mrs. Hiatt seconded. **All members voted in favor. MOTION**
172 **CARRIED.**

173
174 **ii. First Reading of Ordinance #07-0624 to Adopt Tax Millage for 2007/2008.**

175 Mrs. King presented the issue paper that is on file. Mr. Samples moved to approve First Reading
176 of Ordinance #07-0624 as presented. Mr. Truett seconded. **All members voted in favor. MOTION**
177 **CARRIED.**

178
179 **iii. Second Reading of Ordinance #07-0619 §9-8 to Amend Parking Enforcement Dates.**

180 Mr. Kirk presented the issue paper that is on file. Mr. Martin moved to approve Second Reading of
181 Ordinance #07-0619 as presented. Mr. Samples seconded. **All members voted in favor. MOTION**
182 **CARRIED.**

183
184 **iv. Second Reading of Ordinance #07-0620 to Amend §2-36 and §2-39 to Amend Time of**
185 **Town Council Meetings and Order of Proceedings.**

186 Mrs. Lewis presented the issue paper that is on file. Mr. McKown moved to approve Second
187 Reading of Ordinance #07-0620 as presented. Mr. Samples seconded. **All members voted in favor.**
188 **MOTION CARRIED.**

189
190 **v. Second Reading of Ordinance #07-0621 Harbor Lights Subdivision New Streets.**

191 Mrs. Grandell presented the issue paper that is on file. Mr. McKown moved to approve Second
192 Reading of Ordinance #07-0621 as presented. Mr. Truett seconded. Mr. Samples clarified the streets will
193 not be accepted until the development is complete. Mr. Booth concurred. **All members voted in favor.**
194 **MOTION CARRIED.**

195
196 **vi. Second Reading of Ordinance #07-0622 To Amend 2006/2007 Municipal Budget.**

197 Mrs. King presented the issue paper that is on file. Mrs. King said the only change is the
198 authorization by council to complete the sidewalk on Hollywood Drive South. This expenditure will be
199 \$41,000 from the Hospitality Fund. Mr. Samples moved to approve Second Reading of Ordinance #07-
200 0622 as presented. Mr. Truett seconded. **All members voted in favor. MOTION CARRIED.**

201
202 **vii. Issue Paper Authorizing Signatures on Town Cash Accounts.**

203 Mr. Booth presented the issue paper that is on file. Two signatures are required on town checks.
204 The names are Mayor Roy Hyman, Jr., Mayor Pro Tem Sammy Truett, Town Administrator Edwin Booth

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206
207 and Finance Director Diana King. **The Consensus of Council was to accept the issue paper as**
208 **submitted authorizing the names as stated.**

209
210 **B. DISCUSSION**

211
212 **i. Greenway Bike Path**

213
214 Mayor Hyman said he requested this be put on the agenda following the Grand Strand Area
215 Transportation System (GSATS) meeting a few weeks ago. At that time it was noted that the Town of
216 Surfside Beach must complete a plan for the Greenway Bike Path. In 2003 Mayor said, Resolution #03-
217 032 and in 2004, Resolution #04-046 were passed by the town stating the path would go down 17th Avenue
218 North to Ocean Boulevard and connect with Horry County on Waccamaw Drive. Recently Council
219 Member Howard Barnard informed the Town that Horry County would not be putting the path on
220 Waccamaw Drive because it would be necessary to relocate the power lines underground, and that is not
221 possible at this time. Mayor Hyman said according to Mr. Barnard, the county is unsure of where the path
222 would be constructed at this time. Mayor Hyman said Senator Nelson Hardwick has recommended the
223 town join the path on the west side of Frontage Road on Highway 17. Mr. Martin said that he discussed
224 this issue with Mr. Barnard and he indicated to him that the final decision regarding the Waccamaw Drive
225 connection had not yet been made. Mr. Martin said the path was approved by town council to move
226 forward with the path so if there is a change, we need to have the county advise us that they are not going
227 to put the bike path where they initially showed it. We have \$386,000 in grant money to do this project,
228 and if we do not proceed per council's direction of four years ago, we will risk losing the money.

229
230 Mr. Truett said the reason this has been placed on a back burner is because the county was
231 uncertain as to where the town would connect with the county. Coming down 17th Avenue North, there
232 was no place to connect with the county Mr. Truett said so, we need to get on the same page with the
233 county, and resolve the problem of where it will go. We can't build it on Ocean Boulevard and have it not
234 connecting to anything; we need to connect to the Greenway Bike Path, which runs from Maine to Florida.

235
236 Mr. Samples said we need to be cognizant of safety and Highway 17 is extremely dangerous, and
237 personally felt it unsafe for a bike path. Ms. Tuttle said we are at risk of losing \$385,000 and if we don't
238 follow through with the path, the funds will be spent on the former base for new development. Regardless
239 of where the path is built Ms. Tuttle said, if a biker gets that close to the ocean, they would come to the
240 Boulevard. We have the map from GSATS and it includes Surfside Beach's path on Ocean Boulevard.
241 Ms. Tuttle said we will connect at some point regardless of what the county does but GSATS only gave us
242 30 days to decide where the path would go and we need to proceed with what was resolved by council in
243 2003 and 2004. Mayor Hyman asked why put it on Ocean Boulevard if it isn't going to connect at Garden
244 City?

245
246 Mr. McKown said his opinion of this project is it would initially have been smarter to run the bike
247 path through a county with fewer problems for instance; a separate bridge will need to be built to
248 accommodate the bikers in Georgetown County. Horry County does not know where it will connect to
249 Surfside Beach, and in fact Mr. McKown said the other municipalities each have their own plan and are
250 building already indicating that no one is on the same page because it's free money. Mr. McKown said the
251 real question is what do the residents want; have we ever polled the residents? He said he has heard that
252 originally, the town was going down the north side of 17th Avenue North, which is half county and half
253 town. Then it was decided it needed to go down the south side of 17th Avenue North, which generated
254 resistance. The path is going to affect a lot of people if it is run through town and said he agreed with the
255 Mayor and aside from that, Horry County has not yet decided where it will put the bike path. There are so

257
258 many loose ends Mr. McKown said and asked for more information as well as a concrete decision from this
259 council before proceeding with the plan. Mrs. Hiatt mentioned the time factor and that an extension has
260 already been given. Mr. McKown said the money is not going anywhere. The council must make a
261 decision. Mrs. Hiatt said this was her understanding at the GSATS meeting, and would not want to loose
262 the \$386,000 designated for this project and stated she was in favor of the path on the west side of Highway
263 17. Mrs. Hiatt concluded by saying Council Member Howard Barnard told her that the path would not go
264 down Waccamaw Drive. Mayor Hyman said if council's consensus is to bring the bike path through
265 Surfside Beach, he felt the affected residents should have input before any decision is made. Ms. Tuttle
266 said the thoroughfare will be more than a bike path to include roller blading, golf carts and walking and
267 will benefit the town's residents and the remaining 20% required to match the grant for this project would
268 be able to come from the Hospitality Fund. Ms. Tuttle said she did not feel that a referendum would be
269 necessary and suggested that we move forward with the project because the worst that could happen is the
270 residents as well as visitors will enjoy it.

271
272 Mr. Truett recalled when council chose 17th Avenue North four years ago, it was not a popular
273 decision for those on that street however, it still passed. Mr. Truett said his position would be that within
274 the next two weeks, speak with the county and arrive at a plan so that it doesn't result in a "pathway to
275 nowhere", but connect and be a part of the Greenway Bike Path. Mr. Samples said he would like to see the
276 path run along the several lakes in town and suggested that staff needs to meet with Mark Hoeweller of
277 GSATS and the county and get the facts straight as to whether we are limited to the 30 days to make a
278 decision.

279
280 Mr. Martin asked the Administrator if he had talked with Mr. Hoeweller. Mr. Booth said he had
281 and added that the path may need to go by the lakes and get it away from people's homes. It appears that
282 the public does not want people on bikes, go-carts etc. in front of their houses and maybe there is another
283 alternative that staff will be able to find. Mr. Martin said four years ago, council decided to go ahead with
284 the plan, council decided on a path, council has decided and it is in the minutes with a resolution. The
285 council members who voted against the path are trying to bring this back, which is against Roberts Rules of
286 Order Mr. Martin said. Mr. Martin concluded by saying council passed this four years ago and this is a
287 non-issued. Mayor Hyman said he disagreed with that because when county council said they were not
288 going to put the path down Atlantic Avenue to connect with us that made it null and void because it will not
289 connect. Mr. Martin said that is a county problem, not a Surfside Beach problem. The county and Surfside
290 Beach have got to work together Mayor Hyman said, to join the path. Mr. Martin called Point of Order.
291 We follow Roberts Rules of Order and council has decided the issue. Mr. McKown said if decorum
292 dictates that the vote has already been passed, why are we discussing this? Mayor Hyman said when it
293 comes to the Waccamaw Regional Council on Governments (COG) with the path going down Ocean
294 Boulevard because Howard Barnard has said it would not connect with the county and I won't vote for it.
295 Mr. Truett said he was one that voted for the bike path and he still believes it is a good idea, but four years
296 ago, the plan was that the path would connect on Ocean Boulevard to Waccamaw Drive in Garden City
297 with the county. Mr. Truett said he would like to think that the county would honor the plan. The plan
298 showed the path going through Murrells Inlet, down Waccamaw Drive through Surfside Beach onto
299 Highway 17; that was the map of 2003 and that was what was proposed to council and that is what the
300 county needs to live with. Surfside Beach voted according to this plan Mr. Truett said and added that we
301 work with the county giving it a few weeks and if the county is not willing to go down Ocean Boulevard,
302 then we may need to look at an alternative. Mr. Truett concluded by saying this is a lot of money but a
303 valuable project to the town but agree with the Mayor saying, ten feet for the path is a lot of property taken
304 from front yards and that was the problem on 17th Avenue North, taking what was right-of-way but still
305 taking shrubs, bushes and other landscaping for the path. Ms. Tuttle said what she heard Mr. Truett say is
306 what we do is based upon what the county does but we want the funding and this is what Mr. Booth must

309 know. He needs to tell the COG that we want the path within the town and want the funding. The location
310 will be determined later. Mr. Truett said correct and asked that this be brought back at the March 27th
311 council meeting for discussion, following Mr. Booth’s research. Mr. McKown said in two weeks, the
312 county will not be any more decisive as to where the bike path will go than they do today and therefore we
313 as council will need to decide do we want the funding or not and said he felt it to be the consensus of
314 council that the funding is wanted. Mr. McKown concluded by saying he views this as a long process.
315

316 **The consensus of council is to notify the COG and GSATS that we want the money allocated for the**
317 **Town of Surfside Beach. Additionally, Mr. Booth should contact the county and bring back a plan at**
318 **the next council meeting.**
319

320 **ii. Wireless Internet – Aruba Networks**
321

322 Mr. Truett introduced Mr. Brad Rice from Data Network Solutions who has a proposal and will
323 explain the connection with Aruba Networks. Mr. Rice explained the wireless network system and said that
324 many government organizations including the military, have taken advantage of it. Data Network
325 Solutions is a South Carolina based IT company who deliver technology solutions in an effort to solve their
326 customers’ business problems in three specific areas to include Data Network Security, Data Storage and
327 Data Network Infrastructure. Mr. Rice said the company was founded in 1998 and are based in Chapin,
328 South Carolina. There are approximately nine state contracts in South Carolina, North Carolina and
329 Georgia and work with approximately 35 manufacturers in the these three states. Within the
330 manufacturers, we look for them to be standards based [work well with other manufacturers] and most
331 importantly, they must allow our customers’ solutions to evolve [the solution must grow as the organization
332 grows].
333

334 Regarding Aruba Wireless Networks, Mr. Rice said they were founded in 2002 and are based out
335 of Sunnyvale, California with approximately 350 employees with approximately 2000 customers
336 worldwide. Customers such as Micro Soft, E-Bay, Yahoo, Air Force and Army as well as well as Kansas
337 City, Kansas and higher educational institutions to name a few, use the Aruba Wireless Networks product
338 Mr. Rice said. The mobility of wireless users as well as the security of their data and infrastructure are
339 concerns of organizations that are considering using wireless networks. Using Aruba Networks, your
340 mobility and security are controlled by being able to identify the user, where in the network he is going and
341 the accesses he has optimizing (cleaning) the air which means is she/he the only one touching an access
342 point or is there someone in the middle picking up the information they are transmitting back and forth.
343 Mr. Rice said by taking the current infrastructure in place, you “add another switch” in the routing and add
344 it to the data center and connect it granting access through policies within a single switch. Mr. Rice said
345 Aruba Wireless Networks is six times less expensive and less complicated to implement and control and
346 manage than its closest competitor therefore, specifically what this means for Surfside Beach is the town
347 can actually open it to allow the employees to move around and get their job done, it will enable
348 contractors/vendors who have to come in and access your network, it will give them a controlled access
349 within the network and it will allow “guest users” such as visitors to the town who would be given limited
350 access. This is a guest access and popular among visitors to the beach.
351

352 Mr. McKown asked if Data Network Solutions would be the Franchise organization for Aruba
353 Networks in this area? Mr. Rice said Network Solutions is considered a “value re-seller” where they look
354 at the entire infrastructure to include the operational budgetary goals are and fit a solution to those goals.
355 We would oversee the entire process Mr. Rice. Mr. McKown said he felt the town was looking for access
356 to generate revenues and assumed the capital investment would be up front because this is our territory and
357 secondly, Mr. McKown asked if a franchise agreement is needed with Santee Cooper to place the mechan-

359
360 ism. Mr. Rice said there has never been a “service provider but, solely owned and operated by the
361 municipality to provide secure access. There is a single switch that fits within the data center, then wired
362 into the existing network, policies are created based on the role of the different people accessing it and then
363 throughout specific areas there would be access points with certain ranges within that area. This means that
364 the residents could access for free and the tourists would pay for their use and in doing so, would generate
365 revenue for the town. Mr. Booth asked if Data Solutions would install this program. Mr. Rice said
366 following their discovery process and proposal of specific equipment, they would work with the IT
367 department to get the system implemented and perform the training. Mr. Samples asked what other
368 municipalities in South Carolina have participated in this program. Mr. Rice said Lexington and Richland
369 Counties. Mr. Samples said he likes the wireless idea for anyone who wants to pay for the use but
370 expressed concern regarding how this service could be provided free to everyone. Mr. Rice said from a
371 municipality standpoint, it will be based upon roles the system will know who is logging in. Additionally
372 Mr. Rice said, it could be based upon the PDA, laptop or computer that will be identified as a town asset or
373 other. When a person logs in, it will go through a specific petition to the access point. Mr. Booth said Mr.
374 Rice is talking about management but the system is radios on top of telephone poles, 1000 meters apart
375 because of the range available and it is done in squares. Mr. Rice is talking about the town paying for those
376 radios and server Mr. Booth said. Mr. McKown said that is incorrect and referred to T-Mobile where they
377 have gone through a franchise agreement; there is a surcharge that they operate this for and the income.
378 Mr. Booth said HTC is doing it in North Myrtle Beach; therefore there is some work with the companies
379 that are starting to do this because it is a new field and they are slowly incorporating it.

380
381 After further discussion, Mayor Hyman asked that Mr. Booth get more facts and figures to present
382 to council. **The Consensus of Council was for the Administrator to research and bring information**
383 **back to town council for consideration.**

384
385 At 8:29 p.m. Mayor Hyman asked for a 10-minute recess.
386 Mayor Hyman reconvened the meeting at 8:38 p.m.

387
388 **iii. Horry County Public Library**

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390 Mayor Hyman referred to the information before council that was previously provided by Howard
391 Barnard who is requesting a donation of land to the east of the present library consisting of the town’s
392 passive park to Horry County for the purpose of increasing the size of the Horry County Public Library and
393 using the remainder of the land for parking. Mayor Hyman said this is the second largest parcel of land,
394 with Martin Park being the largest and stated his opinion of having the present library go to two-story in
395 lieu of taking the town’s Passive Park. Mayor also mentioned there is town-owned property across 1st
396 Avenue North that could be utilized for additional parking. Several comments by council expressed desire
397 to work with the county, as the library is a great asset to the community and the need to expand the library
398 are evident. Options regarding the expansion included discussing the possibility of a second story to, or
399 expansion options to the existing library structure and closing that section of 1st Avenue North and utilizing
400 the town’s property across that street from the library to accommodate additional parking. **Consensus of**
401 **council was not to utilize the Passive Park but request the Administrator meet with the county to**
402 **express council’s concerns and discuss options discussed at this council meeting.**

403
404 **iv. NPDES Phase II Water Quality Update.** Mr. Booth presented this topic during his
405 Administrator’s Report and had no further comment.

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411 **v. Underground Utility Conversion Sub-Committee Recommendations; 14th Avenue South**

412

413 Mr. Truett, Chairman said the Sub-Committee began meeting in 2005 and Minutes of those
414 meetings were included in the council packets. After meeting approximately five times, the sub-committee
415 received excellent assistance from the utility companies involved, good input from citizens and
416 informational input from Wayne Pruitt, Electrician. Members of the committee who consist of Mr. Martin
417 and Mrs. Hiatt investigated several town streets for possible pilot project avenues. Mr. Truett said Mr.
418 Pruitt was a help regarding the code and concerns that will affect the homes along the selected street
419 because some homes were built 50 years ago that will be required to be brought up to code to connect.
420 Estimates to convert selected streets were provided by the utility companies and funding will be available
421 through the Santee Cooper Franchise Fund, which as of this date equals approximately \$535,000. This
422 would be a “pay as you go” project Mr. Truett said. Two streets were presented to council that were
423 chosen by the committee as viable options based upon residential interruption and future projects. The
424 streets presented were 14th Avenue South consisting of about 14 houses for a cost of approximately
425 \$458,000 and Seaside Drive consisting of about 11 houses for an approximate cost of \$427,500 with
426 connect fees averaging between \$200 and \$1,000 depending on the age and wiring condition of the
427 property. Timing involved to do a project is for six months of engineering and about four to six months of
428 construction. Mr. McKown said this was project was approved by council about two years ago and it is a
429 great opportunity and commended the sub-committee on their work and good selection of streets. He said
430 from an ascetic’s standpoint, the Seaside Drive area would be an attractive change for the visitors and
431 guests to the beach and added to accomplish this, those residents along Seaside Drive [Mr. McKown owns
432 property on Seaside Drive] would be willing to pay for their own connection enabling those funds to be
433 kept in the fund for another area. This is an R-3 District Mr. McKown said consisting of an essentially,
434 business type environment and those business owners would not mind putting the money back into the
435 fund. In conclusion, Mr. McKown said this is a good project and would be in favor of which ever is
436 selected.

437

438 Ms. Tuttle asked if a policy or ordinance is in place that all new construction requiring the wiring
439 underground? Mayor Hyman said yes. Ms. Tuttle said she has a problem with the town funding
440 improvements on private property and said no government would pick up the tab for any utility hookup and
441 said this is an unfavorable precedence to set. Ms. Tuttle also asked why 14th Avenue South was chosen.
442 Mrs. Hiatt [sub-committee member] said one reason was sidewalks are planned for that street and this
443 would be done prior to that. Ms. Tuttle said she felt the commercial district should be done first to include
444 the Surfside Drive option, which is the gateway to the beach in town.

445

446 Mr. Samples said no one sitting here tonight will ever see the entire town underground and
447 suggested also to begin on a major thoroughfare, which would benefit everyone.

448

449 Mayor Hyman said this is a good thing and agreed that to spend a ½ million dollars would like to
450 see the most bang for the buck and suggested Surfside Drive.

451

452 Mrs. Hiatt said when this was discussed in the meetings of the sub-committee, we talked about the
453 proposed sidewalks and I feel that by doing 14th Avenue South as a pilot project would eliminate the need
454 to disturb the properties more than once. Trunk lines increase the cost of a street Mrs. Hiatt said and this
455 was a factor involved with doing Surfside Drive. By doing 14th Avenue South, we would be able to do the
456 entire thoroughfare. The Surfside Drive Business District has lines on 1st Avenue North and 3rd Avenue
457 South and to accomplish those two areas for that thoroughfare would be approximately \$800,000 from
458 Highway 17 to Poplar Drive for Santee Cooper. On 14th Avenue South, the two telephone companies are
459 already underground and would not be in the cost.

461
462 Mr. Martin said on Surfside Drive, the possibility of using grant money for beautification would be
463 sought and therefore felt it premature to pursue that area since grant money has not yet been applied for.
464 Mr. Martin said the sub-committee investigated the Surfside Drive area because it is highly visible and the
465 subject of visionary processes for the near future and concluded that if grants are available to enhance
466 budgetary funding, we would want to use that opportunity. Mr. Martin said on Seaside Drive,
467 Accommodations Tax funding for the utility companies other than Santee Cooper could be used because of
468 it being a beautification project in the business and rental district. Mr. Martin also referred to and agreed
469 with Mr. McKown and Ms. Tuttle’s comments regarding the town not pay for private connections and on
470 Seaside Drive there are 11 properties. Seaside Drive is also the closest to the beach and in a storm event,
471 would benefit from that in terms of protecting the town.
472

473 Mr. Truett said the Franchise Fund is growing at about \$25,000 per month in the winter and
474 \$35,000 per month during the summer at an average of approximately \$30,000 per month a year.
475 Whichever project is chosen Mr. Truett said, the next project will have the funds in one year to pay for it.
476 Another option with Santee Cooper is that the town can go out three years on a project against future funds.
477 Mr. Truett said consideration of all aspects went into the options chosen for the pilot project and the
478 committee looked at two or three streets on both the north and south sides of town but we wanted to pick a
479 street that we could do, look at and pay for and progress from there. Mr. Truett coordination with projects
480 in town and specifically the sidewalks brought attention to 14th Avenue South. While the project will
481 impact more people on 14th Avenue South, that impact will be limited to only once for both the
482 underground conversion and the sidewalks. This will be a positive example to the other homeowners in
483 town that the program will be ascetically pleasing and functional at the same time. In reference to the
484 funding, Mr. Truett said Conway and Myrtle Beach paid the connect fees for private property. Mr.
485 McKown said his property on Seaside Drive is already underground and he will support either location but,
486 Ms. Tuttle had a good point, by doing Seaside Drive, there will be the least resistance by the people to get
487 involved with the project. When the town pays for private properties to be improved, Mr. McKown said he
488 felt this was not a good idea. Mr. McKown said both locations will be ascetically improved and will be a
489 valuable asset to the town but more visibility of the project will be indicated on Seaside Drive.
490

491 Mr. Truett said regarding the connect fees, when you begin on a street and tell a homeowner that
492 he’s going to have to pay \$500 to reconnect his electricity when it is currently working fine, that is a tough
493 sale and when you go and say we’re going to be taking these power poles out and it won’t cost you a dime,
494 Mr. Truett said the public will be receptive and willing to work with the town. Ms. Tuttle again stressed
495 that these are public funds spend for a select few’s benefit.
496

497 After further discussion Mr. Truett made a motion that the first pilot project for underground
498 wiring be on 14th Avenue South. Mrs. Hiatt seconded. Ms. Tuttle asked when the sidewalk on 14th Avenue
499 South. Mr. Kirk, Public Works Director said following the Hollywood Drive Sidewalk and in conjunction
500 with this underground conversion project. Ms. Tuttle also asked if it has been determined that all of the
501 conversion will be done on the same side of the street? Mr. Kirk said that there would be crossovers to
502 accommodate homes on both sides of the street and if the sidewalk would be done first, they would have to
503 be going under the sidewalk creating cracks and breaks and beyond that, machinery and equipment would
504 be going across the sidewalk. Ms. Tuttle amended the motion to say no public funds be spent on private
505 property, specifically connect fees. Mr. McKown seconded. **Ms. Tuttle, Mr. McKown and Mr. Martin**
506 **voted “aye”.** **Mayor Hyman, Mayor Pro Tem Truett, and Council Members Samples and Hiatt**
507 **voted “nay”.** **MOTION DENIED.** Mr. McKown amended the motion to follow the recommendations of
508 the sub-committee in its entirety with the second project to be Seaside Drive entities of 1st Avenue North to
509 3rd Avenue North, 1st Avenue South to 3rd Avenue South. Mr. Martin seconded. **All members voted in**
510

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512
513 **favor. AMENDED MOTION CARRIED.** Regarding the original motion made by Mr. Truett and
514 seconded by Mrs. Hiatt, **Mayor Hyman, Mayor Pro Tem Truett, Council Members McKown, Tuttle**
515 **and Martin voted “aye”. Council Member Samples voted “nay”. MOTION CARRIED.** Ms. Tuttle
516 requested that the Town Administrator consult the Town Attorney for a legal opinion of the town spending
517 funds for the connect fees. Mayor Hyman approved.

518
519 **vi. Residential Development in the C-1 District.**

520
521 Mrs. Donevant presented the consensus of the Planning & Zoning Commission by stating at the
522 February meeting the Commission requested something written in ordinance form, which was presented to
523 the Commission at the March meeting. The Planning & Zoning Commission reviewed and made a
524 recommendation to council. It appeared that it was council’s consensus that what the Building Department
525 was attempting to do was encourage more commercial development and create more of a buffer zone
526 between the residential and commercial district without allowing developers to come in and make all of our
527 commercial property residential and leaving just the strip of commercial down Highway 17. Mrs.
528 Donevant said this was looked at and the R-3 is a permitted use in the C-1 District so what was proposed,
529 uses permitted in the R-3 High Density Residential and Accommodations District, and conditional uses
530 subject to their conditions provided that residential dwelling units meet the density of the requirement of
531 the district, front on Poplar Drive and are restricted to rentals of 180 days or greater. The Building &
532 Zoning Department was attempting to have the residential houses face across Poplar Drive to the other
533 residential houses therefore, leaving more property behind it while still allowing for commercial
534 development in the commercial zone but residential development will need to face Poplar Drive. Mrs.
535 Donevant said this will not affect the R-3 District but if residential development is allowed in the C-1
536 District, it will have to front on Poplar Drive which makes a residential buffer and still gives a lot of
537 property for commercial development. Mr. Martin asked when the Planning & Zoning Commission
538 discussed this was there also a discussion of the buffer between this and the commercial? Mrs. Grandell
539 said you would have the natural setbacks for residential which are 20 feet and the rear setback of the
540 commercial, which is also 20 feet for a total of a 40-foot separation.

541
542 Mr. McKown said this is a great step forward but staff did a good job but need to be more specific
543 because this does not define the depth and road footage. Mrs. Donevant said we are trying to regulate the
544 residential development in the C-1 District. If there is residential development, they will need to face
545 Poplar Drive because in the R-3 District you are allowed 3600 sq. ft. lots however, this will not affect the
546 PDD which is different. Mr. McKown said the purpose of this then, is to deter residential building along
547 Highway 17 and keep our commercial district in tact promoting commercial development along Highway
548 17. Mrs. Donevant said in recapping, residential development will not be allowed unless they face Poplar
549 Drive unless the developer is proposing a PDD of which council has control over. Mr. Truett said with the
550 house facing Poplar Drive, how deep would the lot be that is facing Poplar Drive? Mrs. Donevant said that
551 is what Mr. McKown is saying. We would assume that someone is building a house and only go 120 feet
552 deep and save the rest for commercial because only one residence will be able to go on the lot. Mr. Truett
553 said so if you have a 175 ft. lot, you will have 250 feet of commercial so as long as you can ensure the
554 commercial will have a minimum and added he didn’t think anyone would come in and build on a 200 foot
555 lot because the land is too valuable but, who knows. We need to preserve the 225/240 feet frontage.

556
557 Ms. Tuttle asked if all of the residential developments on Highway 17 are PDD’s. Mrs. Donevant
558 said yes. Ms. Tuttle said this change came about because we do not want residential development on the
559 Highway so really we there has not been anything but the PDD residential and said, so to eliminate it from
560 the C-1 District of which we’re really not having a problem, we could eliminate the R-3 as a conditional
561 use? Mrs. Donevant said we are trying to get a buffer and can do so with what is being proposed here as

565 well as adding a depth on the lots, otherwise you could have a commercial building facing the people on
566 the other side of Poplar Drive. After further discussion, Mayor Hyman said the council would like to have
567 the Building & Zoning Department look at the depth of this from the commercial side and bring it back to
568 council.

569
570 **C. RESOLUTION #07-068 SUNSHINE WEEK MARCH 11 TO 17**

571
572 Mrs. Lewis read Resolution #07-068 into the record. Mr. Truett moved to Adopt Resolution #07-
573 068 as written and submitted. Mr. McKown seconded. **All members voted in favor. MOTION**
574 **CARRIED.**

575
576 **9. PUBLIC COMMENTS**

577
578 “Good Morning. P. L. Mabry, 15th Avenue North. I don’t want to throw any gasoline on the bike
579 path. I am not doing that but I do want you to do something for the citizens of this town. I want you to go
580 on a field trip and see what the dimensions, and how it would be built along Ocean Boulevard. Look at the
581 number of houses, the number of people that it will affect, and see how it, in other words, look at the other
582 side of the coin. Don’t look at just one side, and you don’t always have the right side of the coin. But,
583 please look at both sides of it. There is, or are, two different issues there. Safety is one of them. You’re
584 not going be having golf carts on this bike path, you’re not going to be having cars parked on there, but you
585 look down there where all this thousands of homes that have just been built in Horry County, they’re going
586 to the beach and where do you think they’re going to go? They’re going to go right down there and where
587 are they going to park?” (Tape End Identifier) Mr. Mabry: “Is my time up already?” (Laughing) Mr.
588 Truett: “Good job Jan”. (Laughing) Mr. Mabry: “No, I was just wondering.....ok. The next subject
589 would be the parking at the library. To say anything about the library is almost like talking about that flag
590 over there (gesturing to the American Flag). You’re not going to do it and survive. But do think about this.
591 We had a library up on 10th Avenue North. The town gave the property to build this library up there. We
592 never got it back. We never got it back. Just like we gave the one down here that’s built on Surfside Drive.
593 That library, the land was given to the county. We’ll never get it back. Now that doesn’t mean that the
594 county is crooks or whatever, it just means that you just don’t see it. The other thing that comes into play
595 in that property is that it’s built in the flood zone, it’s built below the flood zone right now which means
596 that if I built down there, and Jackie found out that it was below the flood zone, flood elevation, I wouldn’t
597 be getting a CO. Is that correct, Jackie?” Mrs. Donevant: “I’d give you a stop work order”. Mr. Mabry:
598 “I know you would but the point is, that it’s built incorrectly now and to build more incorrectly is ah, is not
599 the way it’s going to be done or can be done. So, the other point that I was going to make was, I went to
600 ah, on a trip and I went to another country and I saw how far those people walked to get to a parking lot. It
601 was amazing to see. And it really opened my eyes that we are a bunch of lazy people that have a parking lot
602 that’s right across from the library; the town has paved and done an excellent job on it. There’s plenty of
603 parking there for that without cutting trees down so look at both sides of that coin; don’t waste the county’s
604 money or our money either ‘cause we give the county the money. So, the ah, the multiplier on the
605 connection fees, keep that in mind because it’s not just \$400 or 50 houses that you’re making those
606 connections to. Once you open that barn door and let the cows out, they’ll always be out because you’ve
607 got to do it on every house that you come to. You can’t do it for one if you’re not going to do it for
608 everybody in town so it’s just a matter of being fair. Now those were “soft balls”, I didn’t throw any rocks
609 tonight so count your blessings. Thank you very much, I appreciate that.” (Laughing)

611 “Tom Dodge, 15th Avenue North. I don’t know how many of you people ride bicycles; I’ve never
612 seen any of you on one. I ride one almost every day and I ride it on Ocean Boulevard. It’s probably the
613 most dangerous street in town, I think there’s more traffic there than on any other street even 14th Avenue
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615

616 South. There’s probably.....did that just go right over everybody’s head? Ah, tough audience. There’s
617 probably 200 plus driveways on Ocean Boulevard. There’s 40 cross streets, and I’m an old man and I ride
618 slow but you put a bike path down there you’re going to have young people with speed bikes and they’re
619 going to go fast. And when “Jack” backs out of his driveway, takes a look one way, backs out, he’s going
620 to run over a guy on a bicycle because he’s just flying up that bike path. But, this old man can ride because
621 he goes slow. And, I heard you say it had to be a ten-foot wide path, that means you’re going to be putting
622 it on private property, which, I don’t think, will fly. Coming down 17th Avenue and Melody, you’re talking
623 four more miles, that’s just not a prudent use of government funds, our funds, accommodations funds, all
624 kinds of funds. The best place to put the bike path would be on the west side of 17. As far as the library
625 goes, I think you should raise it up. The county has been eating our lunch ever since I moved to town,
626 fifteen years ago, we just gave them a parcel of ground to put an SPCA plant over on Scipio, we gave them
627 the land to put the first library on, the land you want to give them now is probably the most expensive land
628 in the town that the town’s people paid for. And now you want to give it away. Don’t make sense to me.
629 Thank you.”
630

631 **10. COUNCIL COMMENTS**

632

633 Ms. Tuttle said for the record, the former library on 10th Avenue North did revert back to the Town
634 of Surfside Beach and the town, led by the late council member Archie Benton, pursued and accomplished
635 the senior citizen center in that building. The county is proposing a \$4M improvement on the town’s
636 property, which is a good deal from the county Ms. Tuttle said. Ms. Tuttle mentioned the cost of recreation
637 amounting to approximately \$500,000 per year and the proposed fire station, which will house two county
638 EMS vehicles. These services are also provided by the town and paid for by town taxpayers but are
639 utilized by county. The library is an opportunity to get the county to step up to the plate with funds more so
640 than they have for other functions in town. Mayor Hyman said he would like to see us have a new library
641 but unlike the last time, set a limit of years for use of property as well as require the compliance of town
642 ordinances.
643

644 Mr. McKown thanked the Underground Utility Conversion Sub-Committee for their work, which
645 was time consuming and required diligent research. Mr. McKown also commended the staff, which he felt
646 was excellent, and doing a good job.
647

648 **11. ADJOURNMENT**

649

650 **ADJOURNMENT** With no other business for discussion Mr. McKown moved to adjourn
651 the Town Council meeting at 9:56 p.m. Mrs. Hiatt seconded. **All members voted in favor. MOTION**
652 **CARRIED.**
653
654
655

656
657 _____
658 Jan Lewis, Acting Town Clerk
659
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663 Approved: March 27, 2007
664
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669
670 _____
Roy Hyman, Jr., Mayor

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672 _____
673 Rebecca J. Hiatt, Town Council

672 _____
673 Joseph P. Martin, Town Council

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675 _____
676 William M. McKown, Town Council

675 _____
676 Douglas F. Samples, Town Council

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678 _____
679 James S. Truett, Mayor Pro Tem

678 _____
679 Judith K. Tuttle, Town Council

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681
682 Transcribers Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting
683 notice and the agenda were faxed and/or emailed to media and interested parties. A complete list is on file in Town Hall. The
684 agenda was posted on bulletin boards outside council chambers and in the town hall reception area. Meeting notice was also posted
685 on the town marquee.
686
687