

1 **TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS**
2 **March 27, 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, King; Kirk, Donevant, Zoning Administrator Grandell and Executive Assistant Lewis.
9

10 **2. INVOCATION & PLEDGE OF ALLEGIANCE.** Mr. McKown said the invocation. Mayor
11 Hyman led the Pledge of Allegiance.
12

13 **3. MINUTES APPROVAL.** Minutes of March 13, 2007 Public Hearing. Mr. McKown
14 moved to adopt the March 13, 2007 Public Hearing meeting minutes as presented. Mr. Truett seconded.
15 **All members voted in favor. MOTION CARRIED.** Minutes of March 13, 2007. Mr. Truett moved to
16 adopt the March 13, 2007 town council meeting minutes as presented. Mr. McKown seconded. Mr. Martin
17 noted line numbers 504, 505 and 506 of these minutes and said that he had also voted “aye” but was shown
18 as voting “nay”. Lines 505 and 506 were amended to read *Ms. Tuttle, Mr. McKown and Mr. Martin voted*
19 *“aye”*. **All members voted in favor. MOTION CARRIED.**
20

21 **4. PUBLIC COMMENTS – Agenda Items Only.**
22

23 P. L. Mabry, 15th Avenue North. “I’m just going to come here and throw you a softball here now.
24 In reference to the bike path, one thing I want you to consider is the amount of surface area that it’s going
25 to take up. The surface area of coming in from Highway 17, coming in running two miles and running
26 back out. Well, if you were to note that that’s 5,280 feet in a mile, times the four miles of the distance
27 coming in down and back out, times the ten foot you’ll come to 211,200 square feet of surface area. Now
28 that’s 4.8 acres or the equivalent of what, 40 lots in this town would be. So you can imagine that much
29 surface area of green space that is not going to be here; it’s going to be taken up by this bike path. So,
30 think about taking, look, 40 houses down here and think of them being paved. That’s what the equivalent
31 of this surface area of a bike path that’s going to be run through town will take up. Now I’m a big bully
32 with the green space, but this is not in any way helping our green space at all. Thank you very much.”
33

34 “May it please council, my name is Michael Smith, I’m a local attorney. I represent myself and I
35 represent some others. I live at 518 5th Avenue North and I’m here to speak in opposition of the, of the ah,
36 bike path project as well. Although I will say, in my three minutes I don’t think I can do any better than
37 that gentleman there. I would simply ask you to consider why we’re concerned with linking Maine with
38 Florida over the interests of the local residents. Who’s going to pay all this maintenance cost on this? Why
39 are we concerned, why aren’t we concerned with local taxpayer investment? I would also ask why we
40 should approve 5th Avenue or 17th Avenue Greenway to accommodate Waccamaw Council. They don’t
41 live on our streets. That was noted in this morning’s paper. It was mentioned that the town administrator
42 had, had proposed three alternatives that would; those alternatives are under consideration. Not picking on
43 Mr. Booth, I know he’s new but, what research could Mr. Booth possibly have done in his brief tenure to
44 say that any of these three are in the best interest of the town. I haven’t done my research either to be
45 perfectly honest with you but I know this, that forty three days ago, the South Carolina Supreme Court on
46 February the 12th of 2007 issued an opinion; I’m just going to read just a very small part of that opinion;
47 “determining whether government action affects a taking requires a court to examine the character of the
48 government’s action and the extent to which this action interferes with the owner’s rights and the property
49 as a whole”, in the property as a whole. I think it interferes with our property as a whole. That, that
50 opinion of the Supreme Court goes on to say that the economic impact of the action and the degree, to
51 which this action interferes with the owner’s investment back expectations, will be considered. I did one
52 more little bit of research, and it’s a case down in Hilton Head. Hilton Head decided to build, and my three

54
55 minutes is running up I know real fast, they decided to build a little, a little wall, a little wall between the
56 ocean and some private property owners. And some tourists got on that wall and they fell, but they didn't
57 fall onto the side of the beach, they fell over on to the property owners. And when they brought suit, they
58 sued the property owners. Now, if you would like to pay my legal bills in defending that suit, I'll be happy
59 to accommodate you, but I don't want to spend my very, very small fortune on defending a law suit
60 because I got drug into court. That, that case was decided on May the 6th, 1992 and it says a jury found that
61 the defendants were not liable, but let me tell you why those people were not liable, because they failed to
62 do something in a timely manner, the plaintiffs did, they failed to file their interrogatories. But for that
63 technical violation in civil law procedure, those people could have been held liable. Thank you very
64 much."

65
66 "Yeah, good evening. My name is Dave Chapman, I live at 212 Melody Lane and I would like to
67 address the bike path. My concern is that ah, I spent 33 years in construction land development. I've never
68 run a bike path in front of someone's residence. They've always been on easements, power line easements,
69 sewer easements because pedestrians and bikes don't mix. If you run one in here with the traffic, have you
70 tried to back out of your driveway lately, you can't get out now for the traffic. Can you imagine kids with
71 tricycles and bikes and toys playing on a ten foot path in front of your house? I don't know of anyone that
72 would want that. I just don't believe anybody's gone out and looked at this project in the field. You know,
73 you can make anything look good on paper, but when you put it in the field it's a different story and I hope
74 council would consider that. Thank you."

75
76 "My name's Donald Eliason, I live at 718 5th Avenue North. I'm here to talk about the green path
77 coming down 5th Avenue. I've lived there since 1984. I've cut the grass out to the road, I've kept weeds
78 out. Now they want to bring and take a good portion off the front of my property. I've been a real estate
79 appraiser most of my, most of my career when I was working, and I know what that is going to do to the
80 property values along 5th Avenue North. It's not going to be good. We have a good little group here
81 tonight from 5th Avenue North. About a year ago, there was another proposal to run a sidewalk down 5th
82 Avenue North. A good gentleman on our street, went up and down our street and took a petition; I think
83 every home owner on that, on that street signed the petition that they didn't want a sidewalk. We certainly
84 don't want a bike path and I don't, I don't, I'm not worried about whether somebody can ride their bicycle
85 from Maine to Florida, I'll tell you that and I don't want a....I think we coulda' had all of 5th Avenue here
86 tonight if we'd had a little more notice; but it was kinda short notice and I just want you to know there's a
87 lot of opposition to it. Thank you." (Clapping)

88
89 "I'm Ann Westcott and I live at 413 Cedar Drive North and my comments are not for the town
90 council. My comments are for these people back here. These people who wasted their time coming here
91 tonight. They just don't get it. They don't understand that there are people on this council who really don't
92 care what we want, they don't care how many accidents we have, they don't even care how many bodies
93 that you scrape up off of, of the sidewalk because people get hit on bicycles. They've got the proverbial
94 fist in the proverbial coconut and there's nothing I or anyone else here can say that's going to change their
95 mind. Why bother with public comments? Why not just take the vote and get it one with and get it over
96 with so we can all go home." (Clapping)

97
98 "Tom Dodge, 15th Avenue North. A couple of facts about running this boondoggal down off the
99 highway, down to Ocean Boulevard. On the west side of Ocean Boulevard, I assume is where these people
100 want to put the bike path. There's 120 driveways, three bridges would have to be built, there's 172 houses
101 on the west side of Ocean Boulevard that little kids all summer long would run out that front door and run
102 toward the beach to get run over by a bicycle going 25 or 30 miles an hour. There's 40 streets that cross.
103 From 3rd Avenue South to 3rd Avenue North, there's no room for a bike path. There's about six blocks of
104 ditches that will have to be filled; there's many drains to be lowered or raised and there will be parking

107 loss on the Boulevard. Ah, last week, it was mentioned here that this was already voted on once, and we
108 would have to do it. This council votes time and time again, and then realize they've made a mistake and
109 they change the vote. Thank you.”

110
111 “Ann Dodge, 15th Avenue North. I'm speaking for our daughter and also for myself. Our daughter
112 lives on 5th Avenue North. I'm sure since talking with her today; she opposes the bike path going that way.
113 That's a heavily traveled street just like 17 Business. Now I'm speaking for myself, if we are going to go
114 through with this, take the shortest and most expeditious route. Take it right down 17 Business; straight
115 down 17 Business or forget the money; we don't need that money if we don't do a bike path just don't do it
116 and we don't have to take that money and I would not criticize this council if they chose not to. Thank
117 you.”

118
119 “My name's Charlie Kearns. I live at 620 17th Avenue North and it looks like 17th Avenue North is
120 not quite as well represented tonight but about two years ago, I brought you a petition which, on the north
121 side of 17th, 29 of the 30 property owners requested that you not do the bike path and as far as I know,
122 nothing has changed since that time and we just ask you to consider that no one on that side of the street
123 and most of the people that we contacted on the south side of 17th Avenue North were not really interested
124 in it. And, we think that there's probably a better way keeping it out of Surfside maybe on Highway 17 or
125 possibly beyond Highway 17 Business and I hope you'll consider that. Thank you”

126
127 “Good evening. I live at 716 5th Avenue North and all I can say, not to take up too much time is
128 “ditto”, anything these people said “ditto”. And now the thing is, why don't somebody get smart like this
129 lady says, take that thing and bring it down 17 North, I mean 17 Bypass, not Bypass, 17 Business. You got
130 the islands over there; you got the extra roads on the sides of the road. What do we need that for? There's
131 the side roads that just are accidents waitin' to happen so use all that space right straight down and you
132 won't have to bother any homeowner. Thank You.” Mrs. Lewis: “May I have your name please?” Mr.
133 Schiadaresis: “Michael Schiadaresis, 716 5th Avenue North. Look it up and you'll see the spelling.” Mrs.
134 Lewis: “Thank you.”

135
136 **5. COMMUNICATIONS**

137
138 **A. Finance Report**

139
140 Mrs. King presented the report that is on file. The report reflected the general fund for February,
141 which is the slowest month. The total revenue in the General Fund is \$123,000 and year to date the figure
142 is \$ 1,903,000. The General Fund should end the year on a very good note Mrs. King said. Mr. Samples
143 asked Mrs. King if he understands correctly that this may be her last night and asked if it is of her own free
144 will? Mrs. King said this was what council decided to eliminate the job. Mayor Hyman said this is the
145 finance report. Mr. Samples said that Mrs. King has done a great job and wanted to compliment and thank
146 her.

147
148 **B. Public Works Report**

149
150 Mr. Kirk presented the report that is on file. The Myrtle Basin Stormwater Project will begin
151 construction by the second week of April on 4th Avenue South. Mr. Kirk said opening day for
152 baseball/softball will be April 14th at 10:00 a.m. at Huckabee Complex and invited everyone out to enjoy
153 the event. Additionally, Mr. Kirk said the Easter egg hunt will be held on Saturday, April 7 at 1:00 p.m. for
154 ages 10 and under at Huckabee Complex.

155
156 Mr. Kirk said he included Leaf Removal Analysis that was requested by council in this report. He

159 is offering a couple of ways to handle this. Mr. Martin asked about the dredging of Floral Lake. Mr. Kirk
160 said he will be meeting with the contractor who gave the prices for the program because in looking at the
161 access requests, we will not be able to give. The concern is the estimates given by the contractor showed
162 the town giving access and we cannot do that. The contractor said he may have another way to do the work
163 by building a road out into the lakes and pumping them down and this may alter the estimates Mr. Kirk said
164 and he would like to be updated on what the contractor is planning. Mr. Kirk also mentioned another
165 contractor that he is talking with that will be able to go out in a boat and pull the debris off the bottom
166 without disturbing anything but will need to see pricing for this. Mr. McKown asked Mr. Kirk if he had an
167 opportunity to talk with the Solid Waste Authority in reference to the count council soliciting Waste
168 Management's new waste station? Mr. Kirk said he has heard about that but has not requested the
169 information regarding it. Mr. McKown it would be good for Mr. Kirk to ask the Solid Waste Authority to
170 come and educate the Council because it will affect the residents in town. Mr. McKown said the SWA
171 determines the cost of the trash by tonnage. County Council is soliciting Waste Management (WM) to
172 "compete" with the SWA, which will likely increase the price per ton of our trash. Mr. McKown said we
173 would want to show support for the SWA to Horry County. Mr. Samples asked about Myrtle Basin and the
174 changes that were made. Mr. Kirk said the changes involved the utility conflicts and catch basin height
175 differences. Mr. Kirk said the cost in some areas have increased but in other areas, there are already pipes
176 in the ground so in the end, it should equal itself out. Mr. Samples asked if the weir at 7th Avenue North
177 had been deleted? Mr. Kirk said no. Additionally, Mr. Kirk said none of the original phases were changed
178 that were approved by council. Mr. Kirk referred to Phase 7, which is in the county and said we are
179 working with them to get this done. Horry County has had to redirect the flow of the ditches and run it out
180 through Caropines and Mr. Kirk said he is staying up to date on their progress. Mr. Samples said that in
181 reference to the Solid Waste Authority issue, there are those who think that they are trying to operate a
182 monopoly and this is important to be aware of and encouraged Mr. Kirk to follow up along with the Town
183 Administrator on this. Mayor Hyman asked for an update on the county's progress with the Lake Elizabeth
184 dredging process. Mr. Kirk said Horry County has completed the work and have moved out. Mr. McKown
185 complimented Mr. Kirk on the work that has been done by the Public Works Department and specifically
186 noted the 2nd Avenue south public beach access.
187

188 **C. Administrator's Report**
189

190 Mr. Booth presented his report that is on file. The expansion of the Horry County was discussed at
191 the last town council meeting and Mr. Booth said he contacted the Library Director, Mr. Gaumer who
192 agreed to changes presented by the town. Mr. Booth said those changes included taking the library
193 expansion and wrap it around the existing building as well as the parking lot and develop parking on the
194 town's lot across 1st Avenue North as recommended by council. The Passive Park will remain as it
195 currently is. A Resolution from Town Council will be requested by Mr. Gaumer to present to county
196 council and added that because of the reduction in construction costs, and the contribution of property by
197 the Town of Surfside Beach the county council should be receptive to this plan. Mr. Booth advised council
198 that the Surfside Library is the highest used library facility in Horry County. Mayor Hyman said he had
199 noticed that this project is not to be started until 2013. Mr. Booth said Mr. Gaumer was going to attempt to
200 move up the start date since the suggested plan will be less in cost however, added it will not be done in the
201 near future. Mayor Hyman said the lot is not being donated but is consent to use until it is no longer a
202 library. Mr. Martin asked if the plan includes closing 1st Avenue North? Mr. Booth said yes but will allow
203 access by homeowners in the affected area and does not present any traffic flow problem.
204

205 Mr. Booth referred to concerns mentioned at the last council meeting regarding credit for either
206 Impact Fees or Property Tax Fees. According to the attorney, they are both the same and are tax
207 deductible.
208

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211 Mr. Booth said council has Town Clerk application copies, which have been ranked according to
212 qualification. Ms. Tuttle asked about scheduling an interview. Mayor Hyman said a special meeting would
213 need to be scheduled between now and the next council meeting. Mr. Truett and Mr. Samples said all of
214 the applications should be reviewed by council and then decided upon at the special meeting. Council
215 Consensus was to hold the special meeting on Monday, April 2, 2007 at 6:30 p.m. in Executive Session.
216

217 Mr. McKown suggested having County Council member Howard Barnard address town council
218 regarding the library expansion issue. Mr. Booth said that the county presented the first phase of this
219 project to see if it was feasible and what cooperation they would receive from the Town and now that they
220 see the Town is willing to “loan” the land and work with them, this may have the project underway and
221 completed before 2013. Mr. Booth said he would contact Mr. Barnard and request a presentation to
222 council. Ms. Tuttle added that the high usage of this library would increase the desire to move it forward.
223

224 **6. BUSINESS**

225
226 **A. Issue Papers**

227
228 **i. Second Reading of Ordinance #07-0623 to Adopt FY 2007/2008 Budget.** Mrs. King
229 presented the issue paper that is on file and stated there were no changes. Mr. Truett moved to Adopt the
230 FY2007/2008 Budget as presented. Mr. Martin seconded. **All members voted in favor. MOTION**
231 **CARRIED.**
232

233 **ii. Second Reading of Ordinance #07-0624 to Adopt Tax Millage for 2007/2008.** Mrs.
234 King presented the issue paper that is on file and stated there were no changes. Mr. Samples moved to
235 Adopt Second Reading of Ordinance #07-0624. Mrs. Hiatt seconded. **All members voted in favor.**
236 **MOTION CARRIED.**
237

238 **iii. Second Reading of Ordinance #07-0616 §17-4 to Amend Bedroom Definitions.** Mrs.
239 Donevant said this was an Ordinance that was presented to council in January however, there had not been
240 a Public Hearing and there is to be a Public Hearing here tonight as advertised. The Agenda was incorrect
241 in that it said Thursday, March 27 in lieu of Tuesday, March 27 therefore, council requested this be brought
242 back for a public hearing at the next meeting.
243

244 **B. Discussion**

245
246 **i. Greenway Bike Path.** Mayor Hyman said he requested this be added to the Agenda
247 because three weeks ago at a meeting with GSATS he asked the Committee for a thirty-day extension and
248 he would then give a definite answer if the Town would be participating in this project. The reason another
249 decision is needed is because County Council Member Howard Barnard indicated at the last GSATS
250 meeting the county would not be extending the bike path down Waccamaw Drive (Ocean Boulevard) and
251 up Atlantic Avenue in Garden City because the utilities would need to be converted underground before
252 that could be done. Mayor Hyman said because of this, the town would need to look another plan so the
253 county could connect with us. Mr. Booth met with Mark Hoeweler of the Waccamaw Council of
254 Governments (COG) regarding information on the bike path, and Mayor Hyman said he had stated to the
255 Committee that he would have an answer in thirty days and he will definitely want to do that. Mr. Booth
256 said he came up with three alternatives. The first is Option is the original plan presented by the COG,
257 which is to go down 17th Avenue North to Ocean Boulevard. There are objections from the county because
258 it is on the county side of that thoroughfare as well as the many ditches that would require piping, which
259 would be costly. Going down Ocean Boulevard, we can use the existing sidewalk, which are about six feet
260 wide and add four more feet of concrete putting them closer to the roadway presenting safety issues. This

262
263 would present a right-of-way problem since in some areas, the sidewalk is the only right-of-way that the
264 town has. Additionally, there would be places where we would need to cross over Ocean Boulevard again
265 causing traffic and safety issues. Mr. Booth said the reason he chose 5th Avenue North and knowing it
266 would be a controversial, is that the COG understands that the county is bringing the bike path right-of-way
267 down the western side of Business Highway 17 and they would like to cross at 5th Avenue North. The
268 traffic light and intersection at the Highway and 5th Avenue North are scheduled to be reworked and feel a
269 pedestrian cross would be able to be installed there. Mr. Samples clarified by saying the COG's plan was
270 to run it down Highway 17 to 5th Avenue North? The same would be true at the intersection at Surfside
271 Drive and Highway 17? Mr. Booth said yes. Mr. Samples asked if Mr. Booth made the decision or did the
272 COG? Mr. Booth said the COG made the decision for 5th Avenue North. Mr. Samples said what he is
273 trying to do is to encourage Mr. Booth to examine the decision making process that lead to the proposed
274 alternative of being 5th Avenue North because it is an example of the type of decisions that council must
275 deal with. Mr. Samples asked Mr. Booth if the COG's suggestion sounded good to him and if he asked for
276 any additional input? Mr. Booth said this was not negotiated. Ms. Tuttle said we have three options
277 recommended by the COG is that true? Mr. Booth said no, the COG did not recommend any. They
278 understood Highway 17 was a problem area so they gave parameters and requested an answer from council
279 and added the options in front of council are his options to give council choices from Highway 17 based
280 upon those parameters given by the COG and none included 17th Avenue North because the path now will
281 come down the west side of Highway 17 from the air force base and must cross at a traffic signaled
282 intersection.

283
284 Mr. McKown said this project has several holes in it and the money that is predicated that everyone
285 is discussing is a plan put together by the county based upon the amount of concrete bike path footage that
286 would be installed in each community. Mr. McKown said we voted to get the money four years ago not
287 knowing all of the facts and parameters as well as committed to the \$72,000 matching funds to the federally
288 allocated \$285,000. Mr. McKown expressed his opinion that the bike path project be "scrapped" and put
289 the \$72,000 matching funds into the construction of sidewalks.

290
291 Mr. Booth continued by saying the second option is to continue the bike path down the west side of
292 Highway 17 Business. This would be the easiest option however, the COG did not like the idea because
293 their object is to have more of the bike path along the ocean.

294
295 Mr. Truett said we did vote on this four years ago feeling rushed to make the decision by the COG.
296 The options at that time were Surfside Drive to Ocean Boulevard and along the county power lines on the
297 west side of Highway 17 Business. At the time, it appeared to be a positive move to bring the bikes down
298 Ocean Boulevard however priorities have changed and the matching funds could be better spent on our
299 stormwater project, sidewalks and a new fire station. Aside from these, Mr. Truett said the safety issue will
300 be a nightmare. People will park on this path and the bikes will not be able to ride there especially on the
301 south end of town. Mr. Truett said it looks good on paper but agreed with the citizens by saying he
302 wouldn't want it in his yard either.

303
304 Ms. Tuttle said she appreciated Mr. Booth's options and the work that went into the presentation.
305 She said four years ago it seemed like a good idea to participate in a national project but the residents don't
306 want the bike path and council must rethink it coming through Surfside Beach. Ms. Hiatt said when this
307 was voted on, it sounded like a good idea but there are too many houses and too many citizens that will be
308 effected and added if it is put in it should be on the west side of Highway 17. Mayor Hyman said the funds
309 allocated for this project has now doubled since this project began four years ago so instead of the town's
310 people having to pay \$65,000, today it would amount to \$130,000 and said he agreed with the others that
311 there are too many other pressing projects for the town to do. Mayor Hyman presented the fourth option
312 and said it is not to have any bike path and that was his choice because it will save the town's money. He

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314
315 said the county according to Council Member Barnard, does not know what they are going to do with this
316 project or if they will even participate.

317
318 Mr. Samples said for the record, he voted against the bike path when it was first presented and have
319 not supported it. He said Mr. Truett is right in that when the project was first presented, it was a rush job, it
320 had to be passed at that particular meeting. We need to think outside the box because these are not the limit
321 of possible alternatives. Mr. Samples expressed disappointment that this program could not be turned into
322 something that the citizens of the Town of Surfside Beach could be proud of after four years.

323
324 With no further discussion, Mr. Truett moved to decline the funding for the Greenway Bike Path.
325 Ms. Tuttle seconded. Ms. Tuttle said she is not willing to commit public funds to the project at this time.
326 Mrs. Hiatt asked when the bike path would be built? There was no answer. **All members voted In Favor.**
327 **MOTION CARRIED.** Mayor Hyman requested that Mr. Booth write a letter to GSATS declining the
328 funding and to add that this decision was met within the 30-day extension period he requested.

329
330 **ii. Stormwater Committee Consideration.** Mr. Samples said this has been talked about several
331 times and he felt that as much public involvement on the part of volunteers in the decision making in the
332 Town of Surfside Beach on their behalf. Mr. Samples said there was a stormwater committee in the past
333 and it is possible the NPDES Phase II Water Quality regulations encourage public input on various levels.
334 He said it is essential to recognize that we all live in the same community and that we are attempting to do
335 the very best for the community. We have people who live in town that are more than willing to volunteer
336 their time to assist council and staff in keeping Surfside Beach the nice place to live and visit. Mr. Samples
337 said it is time to move forward by setting up an advisory committee. This will not be a mandatory,
338 directive committee who will “run roughshod” over the people, this council or staff but a group of
339 concerned citizens who give freely of their time to work on low cost water quality issues. There are things
340 that we as a council and a community can and are required to do regarding water quality.

341
342 Mr. McKown said we need a stormwater committee and expressed a desire for council consensus
343 that it be created. Mayor Hyman said he was against the earlier one and is against this one because staff
344 works with Coastal Carolina and the Consortium. Committees cost the taxpayers money and aside from
345 that we have openings on town committees today, and have not received applications for them. Mrs. Hiatt
346 agreed with the Mayor and said we can’t get citizens to work on the committees that we have. Mrs. Hiatt
347 said that Mr. Samples earlier felt there was not a need for the stormwater committee. Mr. Martin said he
348 recognized the value and benefit of the advisement and hard work from the stormwater committee and
349 agreed with Mr. Samples and Mr. McKown. Mr. Truett said the stormwater committee served a positive
350 purpose. The NPDES Phase II standards state that public education and input is valuable and needed Mr.
351 Truett said and suggested reducing the number of members to approximately three and the Public Works
352 Director if the committee is reinstated. In addressing Mrs. Hiatt’s comments, Mr. Samples said he recalled
353 that he wanted to get off of the committee because of time constraints. The committee was doing a lot of
354 work and saved the town money. Mr. Samples said as a community, we will face many issues over time
355 and we need to encourage involvement. We are having problems in getting volunteers to commit to the
356 legislatively required committees and commissions and maybe a part of this problem is because of some
357 adversarial relationships either council related or other, but we must work together because the town will be
358 better when we bring all of our assets to the table. Personal feelings should be set aside for the betterment
359 of the town.

360
361 Mr. McKown moved to reinstate the stormwater committee. Mr. Samples seconded. Mr. Martin
362 amended the motion to limit the stormwater committee to three members to include Brian Kirk, Public
363 Works Director. Mr. Truett seconded. Mr. Samples said he felt there must be at least three members on
364

367 the committee. Ms. Tuttle asked for clarification on the number of members of the committee. The
368 amended motion is two members plus Mr. Kirk. Ms. Tuttle said she could not support this motion. **Mr.**
369 **Martin and Mr. Truett voted “aye”.** **Mayor Hyman, Ms. Tuttle, Ms. Hiatt, Mr. McKown and Mr.**
370 **Samples voted “nay”.** **AMENDED MOTION DENIED.** Ms. Tuttle amended the motion to four
371 members (citizens) and Mr. Brian Kirk, Public Works Director. Mr. Truett seconded. Ms. Tuttle clarified
372 her motion to be four citizens and the Public Works Director. **All members voted In Favor. MOTION**
373 **CARRIED.** Mayor Hyman referred back to the original motion. Mrs. Lewis restated the original motion.
374 There was no further discussion. **Ms. Tuttle, Mr. Truett, Mr. Martin, Mr. McKown and Mr. Samples**
375 **voted “aye”.** **Mayor Hyman and Mrs. Hiatt voted “nay”.** **MOTION CARRIED.** Mrs. Hiatt asked to
376 make a statement. Mrs. Hiatt said the committee we had did a lot of good but she said she has confidence
377 in the Public Works Director and the Town Administrator to take care of the stormwater issue and added
378 that she would like to see all of the residents that have recommendations go to them rather than to pick
379 three or four citizens.

380
381 **iii. New Fire Department Building**
382

383 Mr. Booth mentioned the footprint and information previously compiled that council had before
384 them. Earthworks has done the preliminary footprint of this building but, Mr. Booth said for the record,
385 Earthworks will not automatically get the project nor any other project because they are becoming very
386 expensive and they believe they are our sole source. One of the savings that will be made Mr. Booth said
387 will be to look for a better price.
388

389 Mr. Booth said in speaking with the chief’s that have just constructed new fire stations, it appears
390 that what is being proposed for the town will cost approximately \$1.5M. Mr. Booth said that some of the
391 savings that are going to be made within the town, we will likely be able to pay for the new station within
392 the budget without having to raise taxes or take any other special measures. The new fire station that will
393 be built on town-owned property is proposed to include five drive through bays and a two-story main
394 building as well as the EOC. The second floor will be basically for training with no public access, which
395 would require an elevator. All public areas will be on the first floor. The new building will also house the
396 town archives and workout room. Mr. Booth said he would like to get council input as to what the building
397 will look like to enhance the compound/complex area. Land will be available on the property in the future
398 Mr. Booth said. The design the department currently has will save money because the architect will have
399 an idea of what the town’s building will look, what kind of facilities that will be included inside and that
400 will make it easier for him to design. This tonight is for information only and we will come before council
401 in about a month. Mayor Hyman said a new fire station has been needed for years but, with the input from
402 the fire chief and the firefighters, they know what they will need. Mr. Booth said this information before
403 council comes from the firefighters and chief and there will be more representation from the department as
404 the project progresses. Ms. Tuttle said Mr. Booth appears to seeking guidance regarding the exterior of the
405 building. Something that would be compatible with the existing designs in the complex and mentioned
406 Murrells Inlet’s station by saying it is a charming village but their new station design is art deco and it
407 doesn’t coincide with the character of the area. Mr. McKown extended appreciation to the firefighters in
408 town and suggested combining the police and fire in one building since the fire department is part of the
409 public safety department. We have 30 plus full time police officers and four full-time firefighters; you can
410 see the difference in the numbers, and create a public safety facility rather than just a firehouse. Mayor
411 Hyman said a fire station is different than a police station and in the future, council may want to return to
412 two separate departments. We have an opportunity here to do something good for public safety in this
413 town by putting a nice fire station that will last this town for a long time. We are in a position now that by
414 the time this station is built, we will be able to pay for it. It will be a great asset for everyone in Surfside
415 Beach and I think the plan is good.
416

419 Mr. Martin said the current plan shows two level gym and archives area and said it would be good
420 if the archives would be put on the second level and the gym on the first level and asked if the public would
421 then be able to access the gym. Mr. Booth said there will only be one gym however, this would be up to
422 council. Chief Packard said initially the gym was set up on the first level with the archives on the second
423 level but then we discussed who would be carrying the archival materials upstairs. He said he doesn't mind
424 carrying things upstairs to the archives but wanted to bring one point to those who want a gym for the
425 public. A concern is the liability issues involved with public access to the gym. What will that cost the
426 town? Who will be responsible for maintaining and looking after those who are in there, and what are the
427 time frames? Mr. Martin asked if the Chief has spoken with Myrtle Beach and North Myrtle Beach? Chief
428 Packard said Myrtle Beach's fire stations do not allow the public inside for fitness activities. The fitness
429 center is for employees and public safety personnel only. Mr. Martin asked that the Chief check into the
430 concerns he mentioned. Mrs. Hiatt said she likes the design and added you have to lock the fire station
431 when you are out on a call and echoed the liability concern. Mrs. Hiatt said maybe when this is done she
432 would like to see something for the residents added on but not made a part of the firehouse. Mr. Samples
433 said this is a good first effort. He said he did go by the fire station and walked the entire site and it left no
434 question that something is needed different either through refurbishment, rebuilding etc. but asked what
435 would be done with the existing structure. Chief Packard said that would be torn down. The building will
436 not withstand a 70 mph gust. Mr. Samples said it was said that there is a need for improving the
437 habitability of non-public safety personnel. We need to discuss and vote consciously what is in the best
438 interest of the town because when we did the police station, if we were today, we would likely do it
439 differently. Chief Packard said we have an opportunity to do something for the employees but more so, for
440 the residents and visitors of the Town of Surfside Beach. This will be a good place to start, a nice
441 cornerstone and a vision of what a new city complex may look like, with this, the town will have a good
442 idea of the direction that council is pursuing. Mr. Truett said he agreed with the cornerstone concept
443 because eventually, the entire complex will need to be replaced and this is the first piece of the big puzzle.
444 Ms. Tuttle said several residents have expressed a desire for public facilities such as a gym, and this design
445 does lend itself to external access and the argument to closing off the entire facility is not viable. Ms.
446 Tuttle also requested that Mr. Booth check additional insurance for public access. Mrs. Hiatt asked how
447 much will new equipment for public use cost? The members of the fire department have donated the
448 equipment now being used by the fire fighters Chief Packard said. Mr. Samples asked if money has been
449 allocated to spend to date. (Several speaking at once) \$25,000 has been allowed so far. Mr. Samples
450 suggested no more than that amount be spent before we get too far ahead. Mr. Booth said nothing would
451 be spent before council selects an architect.
452

453 **iv. Uses for the Property at Surfside Drive & Poplar Drive**
454

455 Mr. Booth showed a plan for a parking lot that had been previously developed and said it would go
456 well on the property that was just purchased. Mr. McKown said he liked the plan and felt it was needed at
457 the location. Mr. Truett said three years ago, there was a study done and at that time, it was shown that this
458 parking lot would pay for itself in 5.7 years so with the meter revenue, the concept is good and shows green
459 space. Mr. Truett said the original plan allowed for some type of parking plan for the businesses in the
460 business district by selling them a spot or separate decal for employees allowing for more pedestrian
461 parking on Surfside Drive. Mr. Martin said the plan looks good and said he originally wanted to see some
462 park and some of each. Mr. Martin mentioned pervious pavers and asked if this has been considered for
463 this area, which would make it more like a park. Mr. Booth said it had and we are discussing the best way
464 to use pavers there. Ms. Tuttle asked if the lot spaces are metered? Mr. Booth said yes.
465

466 **v. Council Members Contact w/Department Directors**
467

468 Mayor Hyman said he had requested this be put on the Agenda because with the new administrator

470
471 he felt he could have more control over staff. This is not to keep council from talking with staff, but issues
472 should go through the administrator. He will be able to answer questions and give information to council
473 from the staff.

474
475 Ms. Tuttle said it is confusing and stressful for staff in some cases when individual council
476 members go to them for various reasons and felt if a council member needs information, department heads
477 are at council meetings and any issues should be dealt with in public at that time. If information is needed
478 between meetings, the town administrator would be the source. Ms. Tuttle suggested an “operational
479 policy” for staff be developed by the administrator for his staff to respond to him in lieu of council
480 members. Mr. Samples said this has been discussed before and recalled the policy to be that individual
481 council members are currently only authorized to contact staff members on the basis of a question. Council
482 is not to direct staff or use influence. Mr. Samples said the policy is written well and changes are not
483 necessary. We only need to follow it. Mr. Truett said we discussed a while back that questions would be
484 allowed by council to department heads however it appears that privilege is being abused and it is time to
485 change. With the town administrator, department heads need only worry about one boss. Mr. McKown
486 said he agrees with what was said and recalled a memo to council from the Mayor regarding this issue. He
487 felt it might be necessary that we as a council need to police ourselves because we are responsible for
488 each other. Mrs. Hiatt said if we go by what we already have in place, it should be good. Ms. Tuttle said
489 this issue needs to be dealt with in public. The consensus of council was to go through the administrator
490 for staff. Further, council directs the administrator to develop an operational policy for staff, which is
491 already on file and which has been varied from.

492
493 **6. PUBLIC COMMENTS**

494
495 “Guy Lanham, 1020 Hickory Drive. Up until about two months ago, any citizen who asked could
496 get on an e-mail list and we would receive agendas from council, the minutes of the meetings, council on
497 all of the various commissions in addition to any happenings around town, any events that the general
498 public would need to know about or want to know about and it stopped a couple of months ago and I was
499 just wondering why we couldn’t get this started again. I thought it was a very good service and if nothing
500 else, it helped to dispel rumors because people who don’t always come to these meetings hear things all
501 over town and if you were able to get this information on the Internet, it would I think, be a very good,
502 a very good service and I’d like to see it reinstated.” Mayor Hyman: “Thank you very much. Part of the
503 cause is we don’t have a town clerk at the time and Mrs. Jan Lewis has so graciously filled in and still
504 doing her job so when we get a town clerk, a full time town clerk I feel sure this will begin again.” Mr.
505 Lanham: “Ok, I’ve got one other subject. Regarding volunteers on the town commissions and committees
506 and you have just passed a consensus to get a stormwater committee which, that was a consensus of the
507 council, and my understanding is we apparently need, if they haven’t gotten them, two on the Planning &
508 Zoning Commission and I think you may still need one on the Zoning Board of Appeals.” Mayor Hyman:
509 “Three.” Mr. Lanham: “Three on the Zoning Board of Appeals. Now, we have a whole group of people
510 out here tonight that seemed concerned with this city so you would think a few of them would be willing to
511 serve on some of these and I think what you should do is put a sign-up list back there and see how many
512 names you get. I’m being sort of fascias because I don’t think you’ll get very many. I wish we did but
513 that’s the way it goes.”

514
515 “Tom Dodge and I still live at 15th Avenue North. I want these people for coming tonight because
516 there’s usually only a couple of us that are here and we know what’s going on in this town. You people
517 ought to come every meeting; you’d be surprised what you can learn. So you can see what, how this
518 council affects your life. We have an excellent fire department and a super leader in Butch. We should do
519 all we can do to give him anything he needs. As far as volunteers go, this council has shot themselves in
520 foot with volunteers several years ago. They put term limits on volunteers which they would not put on

522
523 themselves. They got rid of volunteers off committees and now for some reason, they can't seem to find
524 people to fill committees. Strange. Ahhhh, I won't go there. I think the business, the building department
525 or whoever gives permits when houses are moved or torn down should make sure that that lot is cleaned up.
526 There's a lot down on 4th and Dogwood North that the house was moved weeks ago and that lot is a mess.
527 I think they should make these people that move a house or tear down a house, clean that lot like they
528 would want to have their own front yard cleaned. Thank you.”

529
530 “Thank you for this second opportunity ah, Mike Smith, 5th Avenue. I wanted to commend you on,
531 on that bike path thing. I think that was the right decision. Kind of another issue that I didn't plan on
532 talking about tonight but it's near and dear to my heart, is ah, we have city ordinances that cover health and
533 safety issues, yet do we have a lot do we have a lot of health and safety problems and hopefully it's
534 apparent to all of you, and I would ask that council maybe talk to the administrator, have him talk to some
535 of the staff people, and let them ride around and look at all...look into the people's yards, I mean, you just
536 have to ride down the road, there's no, no invasion of privacy on it. You see a couple of cars there with
537 license plates, and you know, they're jacked up, they hadn't been, no tires on in quite some time. Boats
538 that obviously are on, they're on their trailers but the trailer is up and long ago, the canvas is ripped up and
539 those things are holding water and mosquitoes. Just the other day they had a nice, nice thing on TV about
540 West Nile Virus, of course we don't have that sort of thing but, we know its mosquito borne and I would
541 simply say that we enforce the ordinances that we have. Mr. Samples and I discussed this once before, all
542 you have to do is you go on line, I'm sure we have manuals and books here and look up what the
543 ordinances are and simply enforce them. They cover everything from health and safety to nuisances.
544 They're in the front yards, they're in the side yards, they're in the back yards, there's furniture sitting out
545 and those things just need to be cleaned up. Particularly, if we're going to have nice parking lots and
546 meters and we're encouraging people to park to come and visit us and visit our parks and what's wrong
547 with cleaning up our town. I just think that that's very important. I didn't plan on talking about this but ah,
548 this thing about getting the staff, think of yourselves as a, as a board of directors. If you were a board of
549 directors of a bank, you wouldn't call a teller and give her directions, you would, the board of directors
550 would call the CEO and direct the CEO for that teller to be nicer to maybe one of his friends. But, but
551 everything would be done through the CEO. We've hired a CEO, hasn't been very long, he'll get his, he
552 comes with good credentials and I'm sure he'll, he'll get his feet on the ground and do us a fine job. But,
553 we need to go through ah, our board of directors needs to go through our CEO and let him handle his staff.
554 And thank you very much for your time. Again, great work on the bike path.”

555
556 “I know I'm quick to complain. I want...” Mayor Hyman: “State your name Ann for the record.”
557 “I'm sorry, my name is Ann Dodge. I'm up here for the second time tonight and thank you very much for
558 listening to me. I live at 15th Avenue North. I'm quick to tell people on the council when they do wrong. I
559 want to say, thank you to each one of you tonight because you worked together as far as the greenway goes.
560 You voted together instead of the usual four to three. I, I would love to see more of that. It would make
561 me, it would make me feel good. It would restore my faith in this council and this government in our town.
562 Thank you.”

563
564 “I would like to say again, “ditto” to what this lady said. But the thing I'd like to know is, it's a
565 possibility...” Mayor Hyman: “Give your name and address for the record sir.” “Mike Schiadaresis, 716
566 5th Avenue North in Surfside, ok. Is it possible to get stop signs, just one or two on 5th Avenue North to
567 make it so that these people who belong to NASCAR don't use that road to get to the beach or get to 17.
568 50/60 miles an hour is nothing. Believe me. I live there and I sit on the porch. It's nothing to it. I
569 complain to the police, and what they did, they put this sign up that tells you how fast you go. That's just a
570 come-on. They want to see how far up it can go. Thank you very much.”

571
572 “P.L. Mabry, 15th Avenue North. I want to talk about you tonight about four years ago, we had

574
575 this same discussion that we had tonight concerning the, concerning the bike way path. I want to thank you
576 for, I don't want to say coming to your senses, but, you know how I voted four years ago. It was kinda like
577 everybody wanted you to vote tonight. But I do think that you did a good job just by listening and
578 understanding what all the people were concerned about. They are concerned. Everyone here is
579 concerned. I'm glad they came because like you say, most of them don't show here and it's a good thing
580 here to come to a public meeting. It's not a four three all the time. I remember when it used to be six one
581 and I was usually the one. But it is a good thing to ah, to see you change your mind after seeing all the
582 issues brought back and it's not to make fun of you in any way, I sincerely mean that, that you have done a
583 good thing here tonight and doing a good thing is the right thing to do. Thank you."
584

585 "Buck Ricks, 4th Avenue South. I've missed you all for a while. I've kinda had to get to know the
586 projects in Conway. I've got kinda a bigger yard to cut over there so to speak but ah, I had happened to
587 bump into some of my neighbors here. Sunday I was walking down Ocean Boulevard and all these old
588 senior citizens about ran over me on a bicycle and ah, kinda had what I came to comment about ah, you
589 know these people COG and all this kind of money stuff. You all can correct me if I'm wrong but I believe
590 I am probably the only one that has ever used that bicycle rack outside. And these people that say they so
591 for something, you know, you know, don't just, money is one thing, they make money every day but time,
592 put your time into it. Come out here and stand up and say what you believe. I had to, you know, I've got a
593 lot of grass to cut in Conway, and I have to quit and get off that lawnmower early, get washed up and cut
594 several off a beautiful day just to come over here and make sure that I don't have a problem, whatever.
595 And it's not just, you know part of my problem is not just that it's coming down 4th Avenue, you know
596 coming down where our house up there on 4th, part of the problem is that ah, you know, you all've heard
597 me talk about that before, of course there's economic considerations for sure. But, back when I was in the
598 5th grade in Conway, I guess the closest thing we had to Ocean Boulevard would be ah, I guess part of the
599 River Walk now, but back then it was Main Street and on the Friday night of the first football game in
600 Conway ah, I was crossing Main Street on my bicycle and I got hit by a car. And that sorta convinced me
601 at that point in time, that cars and bicycles don't mix. I did a pretty good job though. The car that I hit was
602 a '69 GTO. I ah, broke the antenna off, beat the windshield out, they kept me in the hospital overnight for
603 observation; no stitches, no broken bones. His car had to go to the body shop so I guess I won but ah, I
604 don't want to try that again. Trust me. And bicycles you know, we ride them down there with these beach
605 cruisers just like me and my single speed that's one thing, but some of these people that come from
606 Charleston to go to Wilmington, they're on these 18 speeds, but I mean, you couldn't catch them in a police
607 car if you wanted to. It's dangerous. You can't see them, they don't have a profile, you just, you just don't
608 see them coming out. I mean, these, you ought to see my little horn and stuff that I use on my bicycle.
609 These ah, you know these vans and stuff just don't see them coming out so ah, I think it's a safety issue.
610 We already have a lot of things going on down there anyway and do you know what, and when the
611 hurricane comes and the sands in the road like it was with Hugo, I guess the bicyclists will just have to
612 walk then 'cause they can't go down in that area. It's ah, it's very, it's a safety issue, it's a liability issue. I
613 feel like part of the reason, I didn't really follow about the county but ah, it seems like they sorta dodged
614 the liability issue in Garden City. Now they use the light pole thing but ah, to put where all that volume of
615 people travel, I think that would expose the county to a great deal of liability so I, I think that, I'm pro
616 bicycle obviously as I show by riding but I just don't think that we need that volume of those, those people
617 down there in that area. Let's take the county and let them take the liability. They've got more money than
618 we do. Another thing I want to say, the other things you all were talking about here, this parking lot, that's
619 kinda new to me, that was kinda interesting. Joe mentioned the ah, pervious stuff at the end of 2nd, well ah,
620 I reckon it's 'cause I got up here and worried you all so much it, somebody called me a few minutes ago
621 and told me about it so I checked that out. This parking lot here ah, I saw the little sketch that you all had
622 over there. You all know I've studied this stuff a lot. There's, not just pervious but perhaps we could put
623 some trees in the middle and I don't mean trees that would necessarily eliminate parks, but one thing one
624 thing that we would have if we go with what we have there is what they call the "heat island effect." That

626
627 parking lot will be a huge “heat sink” and if we put some trees there to cool it down the cars won’t...you
628 know when you come out, y’all know how it is in the summer time, you come out and the car’s been sitting
629 out in the sun it’s going to get melted, it’s going to get kinda hot. Buy anyway, I thank you so much for
630 your time. I appreciate the opportunity to be a part of this down here and ah, I miss you all. Becky, I saw
631 you on the river not too long ago and I saw Roy. Actually Bill, I just missed you, you were chasing a
632 couple of (?) girls out there in the country in Conway but ah...anyway, you all take care, I thank you for
633 your time.”

634
635 **7. COUNCIL COMMENTS**

636
637 Mrs. Hiatt expressed concern regarding the Town’s Employment Application. She recommended
638 removing the Social Security Number section from it because of the frequency of identity theft. Mrs. Hiatt
639 said it is not necessary at the front end of application. Mrs. Hiatt also thanked everyone for coming to the
640 meeting tonight and asked them to come to the meeting again.

641
642 Mr. Martin asked about the appointment to the Planning & Zoning Commission. Mr. Booth said
643 this must be done in executive session and it will be included at the next session.

644
645 Mr. McKown said he would like to address Mr. Smith’s concerns regarding the “eyesores” at some
646 of our resident’s houses. Mr. McKown said about three years ago Town Council adopted the International
647 Building Code (IBC) giving the Building Department the authority to address these issues and felt that as
648 these locations are noted, the Director will see that they are cleaned up.

649
650 Mr. Samples thanked Diana King for her service to the Town of Surfside Beach. Mr. Samples also
651 referred to a swimming pool near him that has not been maintained since the renters moved and asked that
652 this be looked at since it poses a health issue. Mr. Samples also thanked everyone for coming out and
653 asked that if anyone knows of valid candidates for the open positions of Public Safety Director and
654 Municipal Judge, they should be encouraged to submit an application for consideration.

655
656 Mr. Truett extended appreciation to Diana King for the service she has given to the town.

657
658 **8. ADJOURNMENT**

659
660 With no other business for discussion Mr. Samples moved to adjourn the meeting at 8:42 p.m. Mr.
661 McKown seconded. **All members voted in favor. MOTION CARRIED.**

662
663
664
665
666 _____
667 Jan Lewis, Acting Town Clerk

668
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670
671
672 Approved: April 10, 2007

677 March 27, 2007 – Town Council Meeting Minutes

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680

681

Roy Hyman, Jr., Mayor

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683

Rebecca J. Hiatt, Town Council

Joseph P. Martin, Town Council

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William M. McKown, Town Council

Douglas F. Samples, Town Council

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James S. Truett, Mayor Pro Tem

Judith K. Tuttle, Town Council

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692

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

697

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699