



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
April 10, 2007, 6:30 o'clock p.m.
TOWN COUNCIL MEETING MINUTES

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5 **1. CALL TO ORDER.** Mayor Hyman called the meeting to order at 6:30 p.m. and
6 welcomed those in attendance. Mayor Hyman, Mayor Pro Tem Truett, and Council Members Hiatt,
7 Martin, McKown, Samples, and Tuttle were present. A quorum was present. Staff Present: Administrator
8 Booth, Directors, Kirk, Donevant, and Executive Assistant Lewis.
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10 **2. INVOCATION & PLEDGE OF ALLEGIANCE.** Mr. Samples gave the invocation.
11 Mayor Hyman led the Pledge of Allegiance.
12

13 Council Member Martin asked to Amend the Agenda. Mr. Martin moved to add an Executive
14 Session at the end of this meeting to discuss the applicants for the Town Clerk's position. Mr. Samples
15 seconded. **Mayor Pro Tem Truett and Council Members Martin, McKown, Samples, Hiatt and**
16 **Tuttle voted "aye". Mayor Hyman voted "nay". MOTION CARRIED.**
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18 **3. MINUTES APPROVAL.** Special Meeting Minutes and Regular Meeting Minutes of
19 March 27, 2007. Mayor Hyman stated that on Page 9, Line 449 of the Regular meeting minutes, the figure
20 shown was \$25,00. The correct amount is **\$25,000**. With this change Mr. McKown moved to adopt the
21 March 27, 2007 Special meeting minutes and the corrected Regular meeting minutes as presented. Mr.
22 Samples seconded. **All members voted in favor. MOTION CARRIED.** Minutes of April 2, 2007. Mr.
23 McKown moved to adopt the April 2, 2007 Special meeting minutes as presented. Mrs. Hiatt seconded.
24 **All members voted in favor. MOTION CARRIED.**
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26 **4. PUBLIC COMMENTS – Agenda Items Only.** There were no Public Comments.
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28 **5. COMMUNICATIONS**
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30 Mayor Hyman presented a plaque to Mrs. Jan Lewis from NOAA and the National Weather
31 Service. Mr. Booth said the significance was that only three communities along the coast of the Eastern
32 United States are Tsunami Ready. These communities are North Myrtle Beach, Myrtle Beach and Surfside
33 Beach and through her efforts in writing the Standard Operating Procedures for community standards that
34 were ultimately approved and adopted, the Town was given the honor of receiving the Tsunami Ready
35 status.
36

37 **A. Public Safety Report**
38

39 Captain Arron Miller presented the report that is on file. Mr. McKown expressed concern over the
40 increased amount of golf carts being driven by underage people and the lack of Registration of cart
41 visibility. The issue needs to be addressed before the summer season Mr. McKown said. Mr. Truett asked
42 if the rental companies are aware of the rules? Captain Miller said each year the police department
43 encourages the rental companies to advise their tenants of the laws and rules.
44

45 Ms. Tuttle asked for the status of the Crime Watch Program. Captain Miller said this project is
46 handled by the Victim's Advocate position and once that position is again filled, they will proceed with the
47 Program. Mrs. Hiatt complimented the police on their good response time. Mayor Hyman extended
48 appreciation to Captain Miller for taking the responsibility of Public Safety Director in the interim.
49

50 **B. Planning, Building & Zoning Report**
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52 Director Donevant presented the report that is on file. Mrs. Donevant said the department has a
53 good e-mail base with the rental companies in town and said this may benefit the police department as they

55
56 bring important information to the companies such as the laws and regulations. Mr. Samples asked if it is
57 common practice to warn the realty companies in advance when a sign sweep is planned? Mrs. Donevant
58 said yes. Mr. Samples said the department should not be forewarning the people; otherwise we should be
59 ticketing people. Mrs. Donevant the signs are not released until the person pays to get them back. It was a
60 way to have them comply because it is a tough area. They may not put their signs out there. The
61 homeowner may come home and put it out close to the road as well as pranksters so we're just looking for
62 compliance rather than the \$10 fine. Mrs. Donevant said if Council asks that we not forewarn them then of
63 course they will not. Mr. McKown said the way it's being handled is a good community relationship.

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65 **C. Administrator's Report**

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67 The Administrator presented his report that is on file. Mr. Booth mentioned the court system and
68 said at present, the police officers are required to take the prisoners to Conway to jail and then must go back
69 and pick them up for the bond hearing. They then must be taken back to Conway. When the new Clerk of
70 Court is hired, we will ensure the bond hearings are held in Conway rather in town, which will require only
71 the one trip to Conway, by the officers.

72
73 At a recent meeting, Mr. Samples asked about the test results of the county water coming into
74 Surfside Beach. Mr. Booth said he has asked Dr. Susan Libes from Coastal Carolina University to attend
75 the meeting tonight and will be able to answer to technical questions. Mr. Booth said no testing has been
76 done in the last seven years so a meeting was held with Dr. Libes, Tom Garigen from Horry County and
77 Surfside Beach. At this meeting, it was decided to make Surfside Beach a "pilot community". It was
78 already decided to do a base line to give a starting point because of the considerable amount of work that is
79 being performed. It is not desired to do the work and then test; it is important to test first and recognize
80 results. The county has agreed to participate by testing at their outfall into Surfside Beach and also will test
81 the outfall that Surfside Beach uses to the beach. Two tests will be done on the seven lakes in town; dry
82 season test – incoming and outfall and wet season – incoming and outfall giving us a base line. Following
83 the dredging program that is to begin soon, we will then retest to see improvements from the base line.
84 Being a "pilot community" Mr. Booth said, we would seek grants to allow the state to test more systems to
85 see what is producing results and what programs are not. Mr. Booth said it is presently unclear what will
86 work and what will not work and that is why we consider the town as the "pilot community".

87
88 Mr. McKown said it is shocking news that we have not had testing in seven years and asked whose
89 responsibility it is to provide the test. Mr. Booth said it would have been the county and called upon Dr.
90 Susan Libes of Coastal Carolina University.

91
92 Dr. Libes said Surfside Beach has continued monitoring the surf water in the ocean swimming
93 zones and needs to be given credit however, inland water quality testing has not been done because it has
94 not been a requirement. This is unfortunate because the information needed to take care of the water
95 quality is not provided. Dr. Libes said her associations with Horry County have been positive in that they
96 are willing to partner on this project. We are moving into a new phase with the stormwater management
97 program that will eventually require monitoring. Dr. Libes said she attempted to additional funding into
98 Surfside Beach from DHEC in Columbia to help pay for water quality testing however has not yet received
99 any response so in the meantime, the communities will need to pay for the monitoring requirements. Dr.
100 Libes said staff is recommending that you get on board now. Mr. McKown asked two questions. 1) How
101 important is water quality to our community and 2) In Dr. Libes' opinion, what is a reasonable timeframe
102 for us to be testing. Dr. Libes responded by saying there is hard news coming because DHEC has
103 published a new map of interior water body sights and for the first time, they are going to list coastal
104 waters. One site in Surfside Beach will be listed as a water concern located at the swash at 4th/5th Avenue
105 North. Mr. Samples asked what should be done in preparation for this. Dr. Libes said she has prepared a
106

109 “skeletal” approach including price quotes that can begin immediately. Mr. Samples asked what type of
110 scope of work is being recommended by Dr. Libes? Dr. Libes said her understanding of what staff is
111 wanting to do is to get a status of water quality in each of the seven lakes and have asked her to prepare a
112 project where two water samples would be taken out of each lake; one on a dry weather day and one on a
113 wet weather day. She said she is somewhat uncomfortable because three repetitions of a measurement will
114 be required to get an average number with some uncertainty because it depends upon the time of day the
115 sample is taken etc. This is a mandate that will not be funded but must begin albeit in a modest way. Mr.
116 Samples asked the cost. Mr. Booth said we are looking at this in phases with the first one costing about
117 \$15,000. Then after cleaning the lakes, we will come back and do it again. Mr. Samples recapped by
118 saying seven lakes will be sampled twice (dry & wet weather) equaling 14 samples per each for a total of
119 28 samples for \$15,000. Mr. Booth said that will be the first phase, then following the dredging, they will
120 be tested again to ensure that is a viable solution. Dr. Libes said she has prepared a price quote which
121 includes a per analysis cost of \$313 per sample (12 things tested per sample), and all testing is done to
122 regulatory levels and is defensible data. Dr. Libes said the fee also pays for the fieldwork and data
123 reporting. Dr. Libes said a very detailed report will be prepared for the latest water quality data that is
124 going to be collected will enable staff to make management decisions. Mr. Samples felt that Dr. Libes was
125 saying she would question the limited number of tests. Dr. Libes said she would rather do more. Mr.
126 Samples asked if it would be better to select a “hot spot” lake and focused on it by doing more tests rather
127 than look at all seven lakes. Dr. Libes said that is a “goals” question of the town that she could not answer.
128 Mr. Samples said he did not want to pay for something that wasn’t valid. Mr. McKown said he agreed with
129 Mr. Samples and asked what condition is the water system really in?
130

131 Mr. Kirk, Public Works Director said the reason we are looking in this direction is because the
132 dredging of the lakes will soon be starting and staff wants to find a base line and know what is in every lake
133 in town now. We are looking at grant money to help us get a complete base line now to see what our
134 pollutants are right now and what improvements (if any) we are making by dredging and the completion of
135 the Myrtle Basin because one of the worst areas is the 4th/5th outfall in the Myrtle Basin. We need to get a
136 stand so that when we do the improvements, we are reflecting that and we’re getting credit for the
137 differences made by the changes. Also, the county is going to do their pond and the big infiltration system
138 on the front of Elizabeth Lake. This will take much of what is flowing into Lake Elizabeth, which will
139 make a big difference Mr. Kirk said. By doing the preliminary tests now so when these improvements are
140 made, we will be able to see what differences, if any have been made. Mr. Kirk said that is why we
141 involved Dr. Libes in this plan. Mr. Samples said he is not criticizing what has been done, but has a
142 concern of the money spent on tests that may be insufficient by the scientists’ standards. We are trying to
143 get an average base line with the funds available now without having to reach for more money Mr. Kirk
144 said. The whole years’ testing would amount to about \$70,000 Mr. Kirk said but also added the dredging
145 will make improvements, which is why we wanted a base line.
146

147 Mr. Martin said he felt this discussion has exceeded the Administrator’s Report and suggested
148 adding this to the next Agenda for discussion. Mr. Kirk said the point of this is to advise council in the
149 direction that we are going. Mayor Hyman said he feels that staff should do their job and when they have
150 something to bring before council do so then. Mr. Booth said the program is just beginning. Mr. McKown
151 said that testing has not been done in seven years and this is a concern. Mr. Booth said the testing at
152 outfalls and beach water monitoring has been done regularly, but county has not been testing on those
153 waters that are incoming to Surfside Beach. Mr. Booth said staff would continue to brief council as the
154 program progresses. The money has been budgeted for what we are doing now. Mrs. Hiatt asked, county
155 is going to monitor where the water comes into Lake Elizabeth at 5th Avenue North but, what about 10th
156 Avenue North? Mr. Booth said the county would monitor wherever the water enters Surfside Beach.

159 Mr. Booth continued by advising council of the Grand Strand Alliance meeting that includes
160 mayors and managers will travel to Washington, D.C. on April 25th. Mayor Hyman said we will be able to
161 piggy-back with Myrtle Beach and North Myrtle Beach making it possible for the town to get their share.
162 This is an excellent opportunity to represent the Grand Strand as one body and one voice to our
163 representatives in Washington. Mr. Booth said at the last meeting of the Alliance, the Corp of Engineers
164 was there and they spoke about the beach Renourishment project that will begin with contracts being
165 signed in August and a beginning date in October or November in Georgetown County, reaching Surfside
166 Beach around the first to the middle of December Mr. Booth said. This should restore a significant amount
167 of sand on our beach. Mr. Samples mentioned the Bill that represented this project. Mr. Booth said the
168 Grand Strand went in to a 50-year contract with the Corp of Engineers and this is part of the continual
169 Renourishment project in that contract. Mr. Samples said lobbying for the money would not be necessary
170 then? Mr. Booth said the lobby for direct money for stormwater is apparently an authorization bill for the
171 Corp of Engineers but not yet a funding bill. Referring to stormwater, Mr. Booth said the Corp cannot do
172 anything unless the project is funded. Mayor Hyman said the beach Renourishment money came from
173 Hurricane Ophelia that was left over.
174

175 Mr. Booth commended Kim Hursey, Finance Officer for the savings of \$8,000 or \$9,000 she was
176 able to get for various office products and other items used by the Town by going through the State Bid
177 process.
178

179 Mr. Booth briefed the council on the Town Clerk's position. Two applicants have been
180 interviewed by council and late today (Tuesday), we heard from the third that is willing to come in next
181 Monday. Mayor Hyman asked why an Executive Session is needed this evening to discuss this position
182 when there is at least one more possible interview. Mr. McKown said he believes the majority of council
183 wants to get it over with and make a selection tonight. He also said he didn't really want to go back into an
184 Executive Session but it is the majority of council. Mayor Hyman said council has not completed their
185 work because they only interviewed two of the three finalists. Mrs. Hiatt said she also felt more needed to
186 be interviewed and would especially like to interview the two that were top recommended and try to
187 negotiate the salary based upon their experience. Mayor Hyman said he realizes this is a council
188 appointment but in his opinion, council should consider the town administrator's position on this because
189 he will be working more with the individual than council. Mayor said we should ask for assistance from
190 the administrator and let him guide council in this. Mr. Truett said he was not prepared to make an
191 appointment this evening. In speaking with Mrs. Lewis this morning, the other candidate had not yet been
192 heard from but Mr. Truett said he had no problem with interviewing a few more. He said he was not in any
193 hurry. We need to get the right person. Mr. Samples said we picked our three top people and have
194 interviewed two and one we've tried to get in touch with the third; either of the two would make
195 outstanding clerks for council and they do work for council, not the administrator. Mr. Booth said council
196 has requested an Executive Session and this can be discussed there. Ms. Tuttle said personnel issues do not
197 need to be discussed in public.
198

199 Mr. Booth said there are sixteen Public Safety Director applications in front of council, which he
200 has reduced to five choices. No interviews have been conducted to date and requested direction from
201 council. Mayor Hyman said our ordinance indicates the choice of Public Safety Director is at the discretion
202 of the Administrator with a recommendation to town council. It was consensus of council to have the
203 administrator select the Public Safety Director with a recommendation to Town Council for appointment.
204

205 The MASC Annual Meeting will be held in Greenville on July 12 through the 15. If council would
206 like to attend, please advise early so we can make room reservations early to avoid not being able to stay at
207 the host hotel. It is important for council members to be able to network with other municipal officials.
208
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211
212 Mr. McKown stated that for the benefit of the residents, a copy of a letter to the Waccamaw Regional
213 Council of Governments (COG) was in council packets indicating that the town would not be accepting the
214 funding for the Greenway Bike Path.

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216 **6. BUSINESS**

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218 **A. Issue Paper**

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220 **i. Issue Paper Authorizing Signatures on Town Cash Accounts.** Mr. Booth presented
221 the issue paper that is on file. Mr. McKown moved to authorize individuals noted in accordance with the
222 Town Code. Mrs. Hiatt seconded. **All members voted In Favor. MOTION CARRIED.**

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224 **7. PUBLIC COMMENTS.** There were no Public Comments.

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226 **8. COUNCIL COMMENTS**

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228 Mrs. Hiatt: “I’ve got one. The Easter Egg Hunt that was at Huckabee Park was very well
229 organized and I thought it went great. The children seemed to really enjoy it.”

230
231 **9. EXECUTIVE SESSION.** Mr. Samples moved to enter executive session at 7:20 p.m.
232 pursuant to FOIA §30-4-70(a)(1) to discuss the Town Clerk’s position. Mr. Martin seconded. **Council**
233 **Members Samples, Martin, Truett, Hiatt and Tuttle voted In Favor. Mayor Hyman and Council**
234 **Member McKown voted “nay”. MOTION CARRIED.**

235
236 *Mayor Hyman announced a five-minute recess before Executive Session.*

237
238 Mayor Pro Tem Truett stated that no action was taken during executive session. Mr. McKown
239 moved to reconvene regular session at 7:41 p.m. Mr. Samples seconded. **All members voted In Favor.**
240 **MOTION CARRIED.**

241
242 Mr. Martin moved to hire Mrs. Sharon Pinnell at the salary stated in her application at \$21,000 per
243 year and request that the town administrator pursue the notification of Mrs. Pinnell to be the Town Clerk of
244 Surfside Beach. Mr. McKown seconded. Mr. Truett asked that Mr. Booth also inform the second
245 individual interviewed of council’s decision. Mr. Booth said that would be done tonight. Mrs. Hiatt said
246 that as many applications that were received, she could not believe that only two people could be
247 interviewed. Mayor Hyman said he was not in favor of the way this was handled. Mayor said he felt it
248 should have been done in a better way and would not support the nomination; not necessarily the person
249 but the way this was handled. **Council Members Martin, McKown, Truett, Tuttle and Samples voted**
250 **In Favor. Mayor Hyman and Council Member Hiatt voted “nay”. MOTION CARRIED.**

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252 **9. ADJOURNMENT**

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254 Mr. Samples moved to adjourn the meeting at 7:56 p.m. Mr. Truett seconded. **All members voted**
255 **In Favor. MOTION CARRIED.**

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Jan Lewis, Acting Town Clerk

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266 Approved: April 24, 2007

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Roy Hyman, Jr., Mayor

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