



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
August 14, 2007 ♦ 6:30 o'clock p.m.

TOWN COUNCIL MEETING MINUTES

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62

1. **CALL TO ORDER**

Mayor Hyman called the meeting to order at 6:30 p.m. Mayor Hyman, Mayor Pro Tem Truett and Councilmembers Hiatt, McKown, Samples, Martin and Tuttle were present. A quorum was present. Staff present: Administrator Booth; Clerk Pinnell; Planning & Zoning Director, Donevant; Director of Public Safety, Christenson; and Finance Treasurer, Hursey.

2. **INVOCATION and PLEDGE OF ALLEGIANCE.**

Mr. Samples said the invocation. Mayor Hyman led the Pledge of Allegiance. Mayor Hyman then welcomed and thanked everyone in attendance including the firefighters and police officers that were there.

3. **MINUTES APPROVAL**

Mayor Hyman asked for approval of the minutes from July 24, 2007. Mr. Samples moved to approve the July 24, 2007 Lake Dredging Workshop and the Regular Meeting minutes as submitted. Mr. McKown seconded. **All voted in favor. MOTION CARRIED.**

4. **PUBLIC COMMENTS – Agenda Items only** – 3 minutes

There were no public comments.

5. **COMMUNICATIONS**

A. **Proclamation-World War II Veterans**

Clerk Pinnell read the proclamation that was submitted. Mayor Hyman stated that Mr. Jack Platt had come to see him at the Town Hall recently and asked him to make a proclamation regarding his attempt to raise enough funds to make sure that every Grand Strand Veteran who served prior to 1945 and who has not seen the Memorial in Washington to receive the opportunity to do so. Mr. Platt had explained that not every Veteran can afford to make this trip and wanted to present the opportunity to them. Mayor Hyman stated that if anyone wanted to make a donation towards this cause to please see the Administrator. The Town of Surfside Beach made a donation in the amount of \$233.00.

B. **Public Safety Report**

Mr. Christenson presented the report that was on file. Mr. Christenson stated that Officer Walker would be able to reacquire his Class I Certification. Mr. Christenson stated that all of the positions that were vacant in his department have been filled including the position of a training lieutenant, which was needed to meet the training mandates. Mr. Christenson stated that Chief Packard, Assistant Chief Black, Lieutenant Lewis and Engineer Hans recently completed the NIMS (National Incident Management Systems) IC300 class, which is a course required by the federal government to receive federal funding. Mr. Christenson stated that Captain Miller was currently on vacation and unable to attend the meeting this evening, but he did want to mention that due to the persistence and investigative efforts of Captain Miller, a previous employee of Student American International (SA) owned by Ms. Polos was prosecuted successfully by the US Attorney's office in Florence, and found guilty of embezzling from Ms. Polos' company. In appreciation, Ms. Polos has donated a check in the amount of \$1,000 to the Town of Surfside Beach.

Mr. Christenson stated that there has been a problem with fireworks on the beach and to address this situation his department has placed a sign-up board where officers can sign up on a voluntary basis to patrol the beach from 9:00 PM until midnight each night on the town four-wheeler. Mr. Christenson stated that this has made quite an impact and the amount of fireworks going off has decreased tremendously. Mr. Christenson stated that one thing that he likes to promote is community cooperation in helping to ensure that our town is as safe as it possibly can be and he stated that he would like to recognize Mr. Steven Griffin for his conscious efforts in notifying the Town that there were no speed limit signs for an approximate twelve block stretch on South Willow and that the four-way intersection on the corner of 8th and South Willow had no stop sign. The Town addressed these issues and Mr. Christenson stated that he appreciated Mr. Griffin's input and would like to see more input like this in the community. Mr. Christenson stated that the Fire Department had some training on

63 the handling of hazardous materials the end of July. A simulated hazardous waste spill was
 64 demonstrated out on one of the lakes in town. Mr. Christenson stated that he had received a copy of
 65 a letter sent by Mr. Jerry Reeves to the Waccamaw Metal Recycling thanking each agency involved in
 66 collecting cans, with Surfside Beach being one of them, which assisted in raising funds for the Medical
 67 University of South Carolina Foundation's Burned Children Fund. Mr. Christenson stated that the
 68 contract with Myrtle Beach Communications was terminated on August 1st. This contract charge was
 69 \$814.27 per month. Mr. Christenson reported that the County already had towers up and had given
 70 authorization to use these towers and since the staff already had the necessary radio channels to
 71 connect to these towers the Town was able to save almost \$10,000 per year by connecting to the
 72 County towers. Myrtle Beach Communications has agreed to keep all of their talk groups active in
 73 case they need to switch back at some point in time. Mr. Christenson stated that he had included the
 74 monthly activity reports for the police department and the fire department in his report. Mr.
 75 Christenson stated that he has been in law enforcement for a long time and has dealt with
 76 governments for a long time and he wanted to let council know that he is very impressed with the way
 77 that council has collectively addressed the various important town issues that have been presented to
 78 them since he has been here at Surfside Beach. Mr. Christenson stated that members of the police
 79 and fire department were here tonight to show their appreciation to council in their approving,
 80 unanimously, the Pay Plan that was presented to them by the Administrator and Directors. Mr.
 81 Christenson stated that this Pay Plan creates a futuristic mechanism that will help to ensure that the
 82 Town continues to get the caliber of people it deserves. Mr. Christenson asked the representatives
 83 from the police and fire departments to please stand. There was applause in the audience. Mayor
 84 Hyman stated that Officer Walker had retired from the Horry County Police Department and was
 85 uneasy about remaining retired so he came to work for the Town of Surfside Beach and brings with
 86 him a lot of experience. Mayor Hyman asked officer Walker to stand. There was applause in the
 87 audience. Mayor Hyman stated that Surfside Beach Officer King had wanted to become a police
 88 officer since he was around fourteen years old and he stuck with it. Mayor Hyman asked Officer Chris
 89 King to stand. There was applause in the audience. Mayor Hyman stated that he was proud of all of
 90 our officers and firefighters and continued to state that he personally feels that we have as good a staff
 91 in Surfside Beach as you will find anywhere. Mr. Martin thanked Mr. Christenson for his simplified
 92 report and stated that he knows Mr. Griffin very well and that he admires his persistence and thanked
 93 Mr. Christenson for assisting him in dealing with this traffic issue by his home. Mr. Martin also stated
 94 that he thinks that it is wonderful to have a proactive approach towards to fireworks issue. Mr. Martin
 95 thanked the police and fire department staff for attending and thanked them for all that they do. Mr.
 96 McKown stated that he believes that through the efforts of Mr. Christenson, Surfside Beach is on its
 97 way to become the safest community along the Grand Strand.

C. Finance

100 Ms. Hursey presented the report that was on file. Ms. Hursey stated that the court fines for March
 101 have been balanced and recorded. Ms. Hursey gave a special thanks to Kathy Blair in Finance and
 102 Valerie Wentz, Associate Judge/Clerk of Court for their help in getting this done. Ms. Hursey stated
 103 that the fines for April have also been balanced and reported and that she has just finished May as
 104 well. Ms. Hursey stated that funds are down to date but they expect to catch up in June. Ms. Hursey
 105 stated that she believes that this is due to court cases that had been postponed and there is money
 106 sitting in the payables waiting to be disbursed. Ms. Hursey reported that information has been turned
 107 over to the auditors and they will be working on their draft report. This was the end of the finance
 108 report.

D. Building, Planning & Zoning

111 Ms. Donevant presented the report that was on file. Ms. Donevant stated that 94 permits were
 112 issued for the month of July with a valuation of \$3,536,369.00. There were 124 inspections and
 113 \$21,197.34 was collected in permit fees. Ms. Donevant stated that they were trying to move ahead
 114 with the department and thanked council and Mr. Booth for all of their assistance in working with staff.
 115 Ms. Donevant stated that she is really enjoying being back at Surfside Beach and feels that the Town
 116 is moving in the right direction.

117 Mr. Samples inquired about the new construction where the block wall came down. Ms. Donevant
 118 stated that it was due to the lack of bracing on the contractor's side. Ms. Donevant stated that a
 119 warning was issued on Tuesday to the contractor to put up the bracing they had on site but apparently
 120 he did not. Ms. Donevant stated that Mr. Steve Strickland is the engineer on that project and
 121

122 contacted her to let her know that he is in the process of re-evaluating the project and will be in touch
123 with the Building Department. Ms. Donevant stated that it was lucky that no one was hurt.
124

125 **E. Administrator's Report**

126 Mr. Booth presented his report that was on file along with some photos. Mr. Booth stated that the
127 Myrtle Basin project is currently underway over by the library. Mr. Booth stated that from the library
128 they will go to Mr. Zoltak and Mr. Green's ditch. Mr. Booth stated that they would be putting two pipes
129 in that area along with some catch basins. This part of the project should be completed by the end of
130 September or beginning of October. Mr. Booth stated that they have just paved 4th Street in the last
131 few days and they will be paving Hollywood shortly as well. Mr. Booth stated that he would like to
132 begin working on the north side of town since much of the work already done has been primarily on
133 the south side. Mr. Booth showed a photo of the 3rd Street South crossover and stated that they are
134 currently in the process of repairing that and will be installing a shower there as well. Mr. Booth
135 presented photos of a fire station located in McClellanville that Mr. Samples had recommended Mr.
136 Booth take look at. Mr. Booth stated that although this fire station is a little smaller than what we were
137 looking for, it does fall into one of our design ideas. Mr. Booth stated there was an RFP out for
138 dredging the lakes and these should be in by the end of the month. Once they are in they will be
139 presented to council to vote on. An RFQ is also due in towards the end of the month and council will
140 hear presentations from the architects. Mr. Booth stated that most of these presentations will be on
141 PowerPoint and a better screen system will be ordered for these presentations. Mr. Booth stated that
142 included in the council packets was a description and photo of a machine they are considering for
143 cleaning the beach. Mr. Booth stated that council would be getting these sorts if enclosures at every
144 council meeting up to the time of the Budget Workshop so that council will be aware of the various
145 items staff would like to discuss and have council consider at the Budget Meeting. Mr. Booth stated
146 that they are anticipating additional funds to be available that council can direct staff on utilizing. Mr.
147 Booth stated that the machine presented in the council packets is a machine currently being used in
148 Myrtle Beach. Mr. Booth stated that we currently rake our beach and the rake only takes care of
149 surface debris and does not get items turned under the sand and this machine has the capability of
150 reaching further under and getting much more debris. Mr. Booth stated that this is an item we would
151 like to consider purchasing next year. Mr. Booth stated that a project they are currently working on
152 has to do with the current fire department; it will need to be cleared out in order to get ready for the
153 construction of a new fire department and will take approximately four months to do. Mr. Booth then
154 presented a check from the Surfside Area Rotary Club in the amount of \$3,400 which is to go to the
155 Recreation Department. Mr. Booth stated that the southern Deerfield project has not been totally
156 approved as of yet. It has not gone through the County Stormwater Group yet and Surfside wants to
157 make sure that they get a review on it so that we are assured there will be no impact from this
158 subdivision. Mr. Booth stated that the north Deerfield project was defeated in the Planning & Zoning
159 for the County but it is still set to go before the County Council and Mr. Booth stated that we would
160 monitor this closely. Mr. Booth stated that the Surfside Beach Planning & Zoning Committee has
161 voted to look into continuing with a development plan for Surfside Drive which would include rezoning
162 of the area. Planning and Zoning is considering a mixed-use zoning. Mr. Booth stated that we have
163 just received a \$20,000 grant for beautification and will look into some recommendations from council
164 and the public as to where on Surfside Drive this should best be used. A plan should be coming to
165 council within the next four to six months. Mr. Booth stated that we have received very few
166 submissions for the logo contest for our garbage truck and have decided to promote this contest in the
167 schools for their input for a design.

168 Mr. Martin, in referring to getting our fire department in order, stated that we might want to hire an
169 archivist to get the archive area in order. Mr. Booth stated that he and the Directors are going to
170 review the archive area with each department determining what they need to keep and what they need
171 to shred and he realizes that there are documents that are very valuable and must be kept. Mr. Booth
172 stated that this would be done very carefully and with great consideration of what we need to keep. It
173 was determined that the items that would be kept would be sent to a controlled storage space. Mr.
174 Martin had a question regarding the north course Deerfield PDD that was turned down and asked what
175 happens next. Mr. Booth stated that it would be going to the County Council with the recommendation
176 of the County Planning & Zoning Board that it be disapproved. Mr. Martin asked that if it were not a
177 PDD then what could be done with that land? Mr. Booth stated that the developer could come in and
178 do a subdivision. Mr. Booth stated that the new laws changed a short time ago and it changed what is
179 a PUD and made it PDD and what that really did was it made it where the developer can come in and
180 get an approval without looking at traffic and stormwater situations. Mr. Booth stated that with a
181 subdivision a developer would need to have all of these items looked at and approved prior to

182 developing. The developer must initiate studies on traffic and stormwater issues prior to consideration
183 for approval. Mayor Hyman stated that the developer can come back with larger lots like an R-1 but
184 he and Mr. Booth made it clear that they would not accept any stormwater in Surfside Beach from any
185 development that goes in there. Mr. Booth stated that they are currently reviewing the agreement that
186 was made seven years ago that took a lot of the stormwater from Deerfield. Mr. Booth stated that
187 agreements were made but very little was done and seven years is too long to go without having taken
188 care of all of these projects. Mr. McKown stated that he has heard that the County Council has the
189 votes for it so he suggests that calls be made to the County Council to let them know that we do not
190 approve of this action. Mayor Hyman stated that two retention ponds were to be dug by the Bi-Lo
191 ditch and it was agreed upon back in 1999 that it would be done and to date they have not been dug.
192 Mr. Samples stated that he had mentioned previously that he would like to see the written agreement
193 being discussed because he has been on council for five years and the only agreement he has seen
194 did not mention anything about retention ponds. Mr. Samples stated that he had also requested that a
195 summary be put together of both the south and north course developments so that council can review
196 it to discuss intelligently when presenting this to the County officials. There was additional discussion
197 regarding the tentative development plans. Mr. Booth stated that he would get together whatever he
198 can and will present it to council at the next meeting. Ms. Tuttle stated that it was her understanding
199 that the drainage from the north course development would go westward towards the Waterway and
200 not impact Surfside Beach. Mr. Booth stated that they indicated that they would retain all of their
201 stormwater in some retention ponds but with a PDD they would not have to design it, they would just
202 have to state their intentions for it to get approved. Mr. Booth stated that if they were to create
203 retention ponds then all of the stormwater would be retained in the north course and where it is
204 situated it would probably not run into Surfside and they indicated that if it did run it would more than
205 likely run into the Lakes property swash, however, the south project definitely has a possibility of
206 running into our Town. Mr. Truett stated that the minutes could be pulled from approximately 1 ½ to 2
207 years ago and there was a discussion with Tom Gerigan and he was asked point blank "where was
208 the water going from the south course development?" and he stated that it would go "across the
209 Bypass". Mr. Truett requested that the minutes be pulled and forwarded to County to refresh their
210 memory. Mr. Booth stated that the traffic is also a concern since this is a huge development being
211 planned for this area. Mr. Booth stated that the north course eluded that they would be willing to
212 purchase some property that would go out on 544. Mr. Booth stated that we have requested the State
213 to do a number of traffic studies on Highway 17 Business and that we had requested a
214 recommendation on how this traffic will be controlled. Mr. McKown stated that Mr. Samples made a
215 good point; this is the district of Mike Ryan and he could assist Surfside in regulating what kind of
216 development goes in there. Mr. McKown stated that the straight zoning is worse than the PDD and we
217 need the facts on both of these developments so that council can meet with Mike Ryan and voice
218 these concerns. Mr. Booth stated that all of the homeowner associations and residents that were at
219 the meeting were against this development going in. Ms. Tuttle stated that in most of these cases the
220 residents are against any development going in. Mr. Booth stated that this is true and the developer
221 has the right to develop and our main concern is the impact of these developments on our Town.
222 Mayor Hyman stated that he does not see how the PDD could be as good as the straight zoning for
223 the simple reason that with straight zoning they would have to address stormwater and a PDD does
224 not have to address stormwater. Ms. Hiatt asked if the PDD was planned for apartments or condos?
225 Mr. Booth stated that it was mixed and they were asked if they would be time-shares and the
226 developer stated that he did not know or was not familiar with what was planned. Ms. Hiatt asked
227 where the fire department presented earlier was located and when it was built. Mr. Booth stated that it
228 is new and it is located in McClellanville. It was determined that they have a department of twenty and
229 we have approximately thirty or forty and it was a small three bay station. Mr. Booth stated that these
230 photos were taken to show design not size. Mr. Booth stated that staff will meet and decide on the
231 size needed and just wants direction on style and look from council at this time. Mr. Samples clarified
232 that Myrtle Basin would be completed through Phase II and asked about the bulkheads in the Phase I
233 that has not been contracted. Mr. Samples stated that they are in disrepair and need to be addressed.
234 Mr. Samples asked at what point do we anticipate on addressing at least a design. Mr. Booth stated
235 that we are currently going out for a grant, which would be used for the one outfall that will include
236 moving 5th Street over to 4th Street. Mr. Booth stated that he is concerned about that bulkhead
237 because he does not feel that it will sustain any kind of a storm nevertheless a large storm. Mr.
238 Samples asked if the plan was to wait until we had grant approval to move on this. Mr. Booth stated
239 that this was the plan at this time. Mr. Samples stated that he wanted all of council to know that the
240 work we have done is going to move water faster. Mr. Booth stated that if it were destroyed in a
241 hurricane we would get 95% of the repair costs back from FEMA. Mr. Booth stated that under an

242 emergency they would need to go in there and cut a channel. Mr. Booth stated that they would do
243 whatever they needed to do to try to prevent flooding. Mr. Samples wanted to clarify that the audit
244 report would be done within two months and Ms. Hursey stated that we would have it by September
245 30th. Mr. Samples stated that he had pointed out a property to Mr. Booth on Dogwood that was being
246 developed next to a channel and had a question of liability concerning a deck that had been
247 constructed. Ms. Donevant stated that an engineer had inspected the foundation and certified its
248 construction. Ms. Donevant stated that we have no easement and it is the property owner's property
249 that it was constructed on. Mr. Samples stated that he would like this looked into and Ms. Donevant
250 stated that she and Mr. Kirk would take a look at it. There was additional discussion regarding the
251 setbacks, which could be in violation of certain codes, and that there was a zoning issue in regards to
252 what was in place at the time the property lines were established. Mr. Booth stated that we might
253 have to change the ordinance once this is reviewed.

254 Communications section was then closed.

255 256 **6. BUSINESS**

257 **A. Issue Paper – Mandatory Direct Deposit for Employees**

258 Mr. Booth presented the issue paper that was on file to change direct deposit to be a mandatory
259 procedure. Agreement on this issue paper would officially change the Personnel Manual to state as
260 such. Mr. Martin moved to approve this action as recommended. Ms. Hiatt seconded the motion. **All**
261 **voted in favor. MOTION CARRIED.**

262 263 **B. Issue paper- Bid for Sidewalks**

264 Mr. Booth presented the issue paper that was on file. Mr. Booth thanked Mr. Samples for bringing
265 to his attention that we had a \$38,000 grant last year that we failed to execute. Mr. Booth stated that
266 executing grants is very important because if you do not then you will not be granted another one. Mr.
267 Booth stated that once he found out about this he made a call to the State and they have allowed him
268 to put that project back in with some revisions. These revisions will include the extension of the
269 sidewalk down Hollywood and then it would go from Hollywood and 5th to the east to Ocean
270 Boulevard. Mr. Booth stated that there is less objection to the sidewalk going east than to the west
271 and they want to put the sidewalks where people want them. Ms. Tuttle moved to accept this item as
272 presented. Mr. Martin seconded the motion. Mr. McKown stated that he believes that sidewalks are
273 beneficial and stated that being that the sidewalks were going to be six feet wide he asked if a survey
274 was taken; how did we come to this decision? Mr. Booth stated that those that were opposed to the
275 bike path were from Hollywood going west and there was much less opposition going east. **All voted**
276 **in favor. MOTION CARRIED.**

277 278 **C. Issue Paper-Stormwater Plan – NPDES Revision**

279 Mr. Booth stated that the ordinance presented has been dictated to us by the State. Mr. Booth
280 stated that we took the County ordinance with many changes being made towards the end and we
281 need to implement it as required by the State. Ms. Donevant apologized for getting the ordinance to
282 council so late but she wanted to make sure it got in for a first reading. Ms. Donevant noted that some
283 changes need to be made; some of them Mr. Martin noted and others that Ms. Donevant has noted.
284 Ms. Donevant asked if council has any concerns to please contact her or Mr. Booth. Ms. Donevant
285 stated that they would like to get it into effect prior to the September 1st deadline. It was decided that
286 changes would be made and presented back to council at the next meeting. Mr. McKown moved to
287 adopt the first phase of the stormwater project. Mr. Martin seconded the motion. Mr. Samples stated
288 that a revised fee schedule was included in their package to consider. Mr. Samples stated that he has
289 not had time to read over the ten to fifteen page ordinance that was just delivered to them today and
290 had a question regarding the fee schedule as it related to stormwater plan review. Mr. Samples asked
291 for confirmation that when we do stormwater management plan reviews we contract it out. Ms.
292 Donevant stated that we do at this time. Mr. Samples stated that the current fee schedule, in the
293 existing ordinance, reads that for site one acre or less the fee would be a \$350 flat fee and then if
294 there were an additional four acres the charge would be \$168 more. Mr. Samples questioned how
295 many of those large pieces of property in such a small town actually exist and stated that perhaps the
296 engineering review, in order to be thorough, should be more complex on a larger development and
297 since we contract it out, shouldn't we be charging more. Mr. Samples asked if our fee schedule is
298 contrary to what it should be. Ms. Donevant stated that those were the fees in the existing ordinance
299 and that they are now increasing the commercial to \$750 and there will be changes made with
300 Earthworks where some of the inspections are going to be done in-house rather than have Earthworks
301 do them. Ms. Donevant stated that we are still going to contract with them because they are certified

302 to perform calculations and to check plan reviews but staff will do the actual inspections. Ms.
303 Donevant stated that the Engineer of Records who designs the system is also going to have to provide
304 us with a certification that it was installed according to his plans and he will certify it so this should
305 save money with Earthworks. Mr. Samples stated that he was concerned with the fee for particular
306 areas and stated for example someone could build on a lot and the fee would be \$350 and then if
307 someone came in for a PDD, which would have to be one acre, the fee would be \$390. Mr. Samples
308 stated that technically it just seems that it has to be more complex. Ms. Donevant stated that it is
309 because in a subdivision they would charge \$350 per house, although it is based on the acreage but
310 they do go back to single family, each lot as they are subdivided. Ms. Donevant stated that she would
311 look into all of this and present it to council at the next meeting. Mr. Booth stated that once the Myrtle
312 Basin is finished he will be requesting an RFQ for engineering. **Mayor Hyman, Councilmembers,**
313 **Hiatt, Tuttle, Martin, Truett and McKown voted in favor. Councilmember Samples voted**
314 **against. MOTION CARRIED.**
315

316 **7. PUBLIC COMMENTS – General. – 5 Minutes**

317 Janet Gainey, 8th Avenue South: "I wanted to speak again tonight to keep up the awareness on
318 the Surfside Drive discussions and for the mixed use and possibly an urban village concept. As Mr.
319 Booth mentioned earlier tonight, last week staff brought the issue up on the Planning and Zoning
320 meeting agenda that was discussed, there were some concerns, I think the same concerns that we
321 ended up with back in 2003 but overall I'm excited that there was positive interest shown and I think
322 it's coming your way, so, thank you staff, Planning and Zoning, there's a couple of those guys here, for
323 working towards further discussions on this issue and I want to thank you in advance because it is
324 coming your way, so it's going to be up for discussion. Staff, I think is getting some thoughts and
325 photos together so they're going to be showing some of those at the Planning and Zoning meeting. I
326 invite Mr. Mayor, Councilmembers, public, come and let's discuss it and see what we can, what
327 positive change we can make for Surfside Drive. Thank you."

328 Mary Mikolajczak 415 3rd Avenue South: "First of all I want to thank everybody here for the
329 drainage pipes. I think that I can speak collectively for the residents, we'll all sleep better when it
330 rains, because you remember Mayor what it was like when we called you one time, so I hope this is
331 not repeated and we pray that it's not. That's my one comment and the other comment is about our
332 emergency service department, I don't know who they are, but I happened to be very sick in January
333 and they came to pick me up and take me to Grand Strand and I don't remember what all went on but
334 a couple of days later the doctor came in and said that he wants to congratulate our EMS because of
335 the kind of intervention they did along the way, so will you please thank them for me? Thank you."

336 Lisa Turner, Directs Public Policy for South Carolina for the American Heart Association: "I'm here
337 to thank you for your passage of the smoke-free laws here and also for, I guess, keeping your
338 standing on the beach issue. You won't know how, sometimes we operate in a vacuum and you won't
339 know how you impact others, I should say, I can be found at 520 Gervais Street, Suite 300, in
340 Columbia, is my office, but I'm from right up the road, I grew up in Marion and so I'm very familiar
341 about small places with ties to tobacco, it's hard but I want to encourage you, to tell you that, you won't
342 know how many phone calls I've fielded from all over the State and from all over the Nation, from my
343 peers in North Carolina and Georgia from California to New York, Chicago, which just passed laws
344 and I want to tell you that many times we focus on passing these smoke-free laws, they're very hard
345 and so I commend you for what you've gone through and for, you know, standing firm thus far, but I
346 want to let you know that we are also here, the Heart Association, the Cancer Society, the Lung
347 Association; we work in partnership with our local coalitions and this is the first time you've seen me
348 because there is only one of me to cover the State for the Heart Association, so we tend to work in
349 partnership with the local coalitions, I know you've met Diane Wilson and Dan Carrigan from the Low-
350 Country Coalition and then the Breath Coalition which covers Conway and Myrtle Beach, Horry
351 County, but I'm here tonight to say, following passage there's also implementation and enforcement,
352 which is no small issue and I would not be the one to make light of it because it is very serious and
353 can get very complicated. We want to let you know that we are here with resources to facilitate you
354 getting technical assistance from peers, other local governments who have done this, even local
355 governments who have passed smoke-free beaches if that's necessary. We worked very closely, I
356 worked on the Charleston campaign since the beginning, I don't remember how many years that was
357 when we had that first very contemptuous meeting in the Dock Street Theater and so it can take a very
358 long time, but we worked very closely with the Mayor and Councilmembers on implementation through
359 things like public education, things like working with the business community there to answer their
360 questions and to get them the information they would need, even having a celebration party for the
361 public and so, whatever is needed, I wanted to let you know that we are there. Because I am in

362 Columbia, I do a lot of work with the Legislature, work very closely with all of the smoke-free bills there
363 and I want you to know that we're working very hard to protect what you do on a local level. I'm sure
364 you follow this but it's been a very difficult journey and we've had a very close vote to the fact that the
365 last thing that happened was the Judiciary Committee, some members just walked out, so we could
366 lose a quorum, so we wouldn't even have to continue on the issue, that's how heated this becomes.
367 One thing that I know you're aware of, is that there's a Supreme Court case, two Supreme Court
368 cases looming Sullivan's Island and Greenville. Sullivan's Island is up to be, the decision for that
369 should come out in the Fall. I want you to know that Heart and the other public health organizations
370 that I've named, we've joined together to file a Mecas Brief and, in support of having local control so
371 that what you do here is just not overturned willy-nilly, we can't make any promises on that, of course,
372 you know how that goes, but we just, I just wanted to come and represent Heart and all of our public
373 health partners to let you that we are a resource and don't, you know, don't work in a silo, we are out
374 there, if I may, pass my card and I thank you."

375 Pam Stapleton, 511 6th Avenue South, Neal & Pam's: "That's hard to follow because I'm here on
376 the opposite side of that. I'm a non-smoker, I've never smoked. My mother was a MASH nurse in
377 World War II, she came back after the war and worked and she smoked and she died of cancer but it
378 was colon cancer, and I'm just saying that I don't think you should put everything on the smokers; it's
379 not fair because you have people out there, you were just saying earlier about how you have
380 jurisdiction about, in the, people building a deck out there, how can you take the beach and say what
381 you can do with it? The only other thing I have to say is, I've been here since 1981, I've seen this
382 beach change drastically, I've been here since Hugo, and I'm sorry to say that I haven't been here as
383 much as I should be to give you my opinion because I love this Town, I just think that too much is
384 being, on money issues and if you're talking about money as far as wanting to save the Town money
385 and everything else, my husband's 68 and I'm 51, this is our livelihood and if we go out of business I
386 don't know what, I don't know what you all do for your livelihood, but it means a lot and if we could just
387 post a sign and let the public know what our establishment is, they can choose to come in. We've got
388 people who've been coming in for twenty-five years that don't smoke but still choose to come in and
389 I'm just asking for your help for the small business owners and the voters of this town to just please
390 help us out on this one thing. If it passes through the State, that's one thing, but don't isolate us just
391 because of a few people and I understand the whole business about the health issues and the rights
392 and I understand that, but you have to understand my rights also; to make a living and pay for my
393 house and pay taxes in this Town and I appreciate it. Thank you."

394 Jonathan Staton, owner of Dagwood's Deli: "Obviously I'm here to back up what she said. The
395 lady who spoke with respect for the Heart Association and everything else, her calls from Chicago,
396 Miami, New York, etcetera, since Thursday, we started a petition of over 600 people that have signed
397 this document here, or for this petition here, 600 people that have been spending money within a mile
398 of this building right here. I feel exactly the same way she does, I'm extremely nervous about my
399 livelihood down here. I've put a lot of money in that corner, knowing, not knowing a year ago, this time
400 last year that this was going to be an issue. I don't know if you guys want a copy of these 600
401 signatures here, a lot of them, are residents of Surfside, a lot of them are voters, a lot of them are not
402 from Surfside but they are down here in your area, spending money, your tax money that's coming in
403 here. It's not a matter of saying that we can smoke or we can't smoke, it's a matter of please giving us
404 a choice, like she said, these people have been coming in for twenty-five years, know that they're
405 going to a place where they can smoke or they, they're going to a place where smoking is allowed. It's
406 their choice to go to this establishment. As a business owner, I'm asking you, if it's not too late, please
407 rethink the issue, I mean, give us a choice, give us some options, give us something, don't just isolate
408 us and tell us that we can't, what we can and cannot do, when, I wouldn't be standing here in front of
409 you if I had known this a year ago. I would not have opened my next business down here. Not to
410 disrespect anybody in the room or this Town, we've done a very good job with what we've had to work
411 with down here, I'm very proud of it. I'm very, very nervous about what's to go on, what's to come.
412 Nobody likes change. Twenty-five years, what is she going to do? You're in the business twenty-five
413 years, doing what she does, and she's up here speaking passionately, last time I was shaking like a
414 leaf when I was in here because I don't like speaking in front of people but I have no other choice but
415 to be here in front of you, in front of the Council and the Mayor, addressing this issue. It's something
416 that we're all passionate about and I'll be willing to bet that every single one of the business owners
417 that are against this issue are going to welcome, one day, when the entire State goes to non-smoking,
418 I welcome it because my business will increase, that doesn't give the option for the smoker to go one
419 mile south of here, one mile north of here or west of here because they, whether it's hot outside, cold
420 outside, or rainy outside, they're going to have to go outside to smoke. If they know that they can go
421 enjoy a game at Spencer's right across your border, or they can go enjoy a game down in Wild Wings

422 and not miss a play of a game or go out to Island Bar and Grill and not have to go outside in the rain
423 or not miss a play in the big NCAA Tournament or you know, for whatever reason, not have to go
424 outside. You're giving people this option to leave your Town and they will and they're going to leave
425 our establishments. I've been in the business, owning my own business for ten years now and I'm
426 telling you, it's a fact, it's a fact, that they're going to be leaving these building and those restaurants.
427 I'm sorry, I'll wrap it up, ladies and gentlemen just please give us a choice, please rethink it. Give us a
428 choice, please. I mean we're all passionate about it. I welcome it one day." The Mayor asked Mr.
429 Staton to make a copy of the petition and submit it to the Administrator.

430 Fred Madden, owner Surfside Freddy's: "I've heard it from both sides. There's only one side I
431 didn't know, I had four new partners. There's four people sitting there that's voting against the
432 smoking, I mean for the smoking, against it, for it, whatever. The only thing I'm looking at is I own the
433 business but I don't run it and I think it's about time people grew up, wised up, became reasonable.
434 Let the State run it. Don't have a township that where they're going to fall apart on it. People are
435 already calling down, canceling vacations. A fellow called me the other day at the bar, says 'I hear
436 you're having a little problem in Surfside', I said 'yeah', he says 'you carry insurance?', I says 'yeah',
437 he says 'who with?', I said 'with Moores', he said 'I can beat their price', I said 'well if this passes, you
438 got my business', and I asked two people in the bar, I said 'you have anything with Moore's?' I said,
439 well now they're starting to back up, and what it is, is, when you dig into my pocket, I'm going to dig
440 into yours and that's about what it's amounting to and I don't like to see it get that way, it shouldn't
441 have to get that way, but that's the way it's getting. My son has a place down there, he's worrying
442 about the insurance jumped so high, he's going to lose customers, renting this place, now all of a
443 sudden, he's got to raise his rent to try to compensate for the insurance. Once he does that, he's
444 going to lose more customers, they're going to go elsewhere, it's just a domino effect, that don't have
445 to be. Let the State do it. Thank you very much."

446 Buck Ricks, 4th Avenue South: "I spoke to you all last week about the, or at the last meeting about
447 Wrightsville Beach, their program with the cigarette butts, came to find out that we have a program in
448 North Myrtle Beach *We Keep America Beautiful*, I attended one of those meetings this afternoon, I got
449 some of the materials, I gave them to Mr. Booth, over there, the Administrator. They already have a
450 cigarette butt rake, I got the rag on Mr. Booth, I just found out today, theirs cost \$60,000, he found out
451 we could get one for \$30,000 so he's moving pretty fast. This, like I said this smoking ban like these
452 other people said, you know, I think the gist of it, you all were all, everybody was saying for worker's
453 rights, we have a report here on these restaurants where these workers can work and people
454 concerned about the safety and health of workers, look at those people in that mine, I mean, we're all
455 burning electricity right now and that's why they had to go down that mine to get that coal and, you
456 know, it's like we care about the rights of the people in the restaurants that have choices to go to other
457 restaurants but other people, in West Virginia, that coal mine and do other hazardous things, we don't
458 seem to care that much about them. These people here in Surfside, Pam and Neal and other ones, I
459 frequent their place because it's two blocks from my house and some of the other places I feel, on 17,
460 well they do a good business, a lot of people drive up there back and forth, but there are a lot of
461 people that come to Surfside, they stay in that Days Inn, if they do responsible alcohol behavior, they'll
462 just walk right across the street, that's, this is going to get more people on the road and different
463 things, so I think you all should try to consider to do something beforehand. That not withstanding, I
464 just want everybody to know that I'm not for the ban but I'm for let's do something about these
465 cigarette butts. I brought you a little flyer and laid it out with you all. It's a thing they have in
466 Wrightsville Beach, now, you all, going to do the ban, but even without the ban we should attack the
467 cigarette butts. This is one of the little flyers, and we can modify it if we have to, whatever. One of the
468 things they do is they pass out these pocket ashtrays and I gave you all a couple of the ones I got
469 from North Myrtle Beach. These are not really the ones that I think would be good, the ones they use
470 in Wrightsville, they're permanent ashtrays, they're plastic, you can put a logo on it, some of the
471 businesses around there bought them. They got like the Holiday Inn SunSpree in Wrightsville bought
472 500, the Surfriider Foundation bought 500. The City, you all talk about your logo, you can put your
473 logo on them. These here, these are, you know, temporary ones so you wouldn't get much advertising
474 value out of it but I can tell you personally from fifty years rental experience down here at the beach,
475 people do smoke, back when I was a child, my mother would pick up big shells off the beach and
476 people would use those, mama kind of liked them, because she could wash them back out with
477 Clorox, but, people that stayed liked them a lot too because they all went back to wherever they
478 stayed, so I know these things will be leaving, the ashtrays will be leaving the area so it's potential to
479 get marketing there. I mean, when people go back to Ohio, New York, somebody comes over the
480 house they smoke, they have an ashtray, they say 'hey, where did you get this from? Whoa, Surfside
481 Beach, what, I thought they just cut the head off of all the smokers, you mean they actually care about

482 them a little bit?' I think it might be a good message, also with law enforcement here, it's going to be
483 mighty hard for them to enforce, people will be very adamant about this, it would be nice when you
484 give them their warning if you could actually give them a gift, something for nothing, rather than just
485 smacking the cuffs on and take them away, if they have another option, I think it would be better, so
486 anyway, this, like I said this packet here I gave to Mr. Booth, it shows about these pocket ashtrays, I
487 didn't get it completed by the numbers and the shipping, I will get back to, with him, with you all on
488 that. I just ask most earnestly if you would all perhaps get Mr. Booth to get involved in this and see if
489 he would support it, see if we can get a program going picking up the cigarette butts and that rakes
490 nice but it's not going to get every one of them and they've got a good group in North Myrtle Beach
491 and we've got some good people down here, maybe we can work together to do this, so I appreciate
492 your patience and understanding in that and by the way, if you flip over those little things I showed you
493 last week, I just want to say for some of the people in the audience, there is a menu of Neal and Pam's
494 on the back of that, and like I said you all, it's one thing to sit up here and administrate, you really, you
495 all should take time and get in their world, get in and see these people, they're not bad people at all
496 and I'll tell you one thing when a hurricane hits and you need carpenters, you need roofers, you go to
497 Neal and Pam's you don't go to the employment office, that's where those boys are, so see if you can
498 support them any way you can, now I have a little bit more time left, I'll probably get cut off but, if I do,
499 I'll catch you next time. I want to brag on Surfside Beach, Brian Kirk, Mr. Booth, you know, I'm the
500 pervious concrete nut, every time they open up the doors I (inaudible) and I've seen them down there
501 with stormwater things and pervious and thank the good Lord you all are finally doing something with
502 pervious concrete in Surfside. If you all watched anything on the news lately about the air quality in
503 Atlanta, you will see why they use pervious concrete or encouraging it because not only does it allow
504 the water through, but it allows the cool temperature from the ground to come back up, actually it
505 approaches ground temperature, it sort of mimics nature in a lot of ways and I just hope and pray that
506 we get a good job, there's a fellow John Cobb (time was up). Thank you so very much."

507 Jenine Skiavo 9th Avenue South: "I'm here with concerns and I just wanted to tell you, I miss the
508 trees. I think it's sad when you ride down our highway and you see the trees going, you know, I've
509 been here since '87 and it's sad to me and I just had to tell you all that I felt that way. That's it."

510 There were no other public comments.

511
512 **8. COUNCIL COMMENTS**

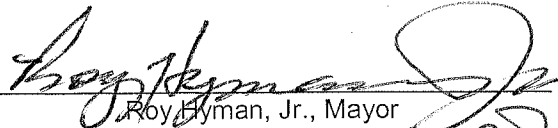
513 There were no Council comments.

514
515 **9. ADJOURNMENT**

516 Mr. McKown moved to adjourn the meeting at 7:56 p.m. Mr. Truett seconded. **All present voted**
517 **in favor. MOTION CARRIED.**

518
519
520 
521 Sharon Pinnell, Town Clerk

522
523 Approved: August 28, 2007

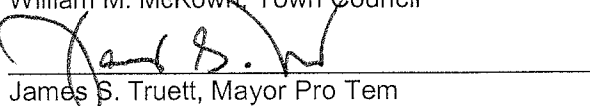
524 
525 Roy Hyman, Jr., Mayor

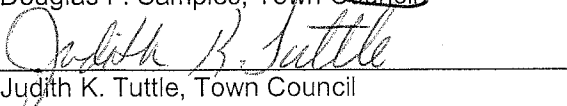
526 
527 Rebecca J. Hiatt, Town Council

528 
529 Joseph P. Martin, Town Council

530 
531 William M. McKown, Town Council

532 
533 Douglas F. Samples, Town Council

534 
535 James S. Truett, Mayor Pro Tem

536 
537 Judith K. Tuttle, Town Council

538 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda
539 were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin
boards outside council chambers and in the town hall reception area. Meeting notice was also posted on the town marquee.