



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
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PUBLIC NOTICE: This meeting will be held on MONDAY, February 13th, at 6:30 p.m. in Council Chambers so Town Council may attend the Municipal Elected Officials Institute and the Hometown Legislative Action Day in Columbia on February 14th and 15th.

**TOWN COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
MONDAY, FEBRUARY 13, 2012 ♦ 6:30 P.M.**

A G E N D A

1. **CALL TO ORDER** - Mayor K. Allen Deaton
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
Pastor Jay Thornell, Grand Strand Church of Christ
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting January 24, 2012
5. **PUBLIC COMMENTS – AGENDA ITEMS**
Please address Town Council from the podium; 3-minutes per speaker
6. **COMMUNICATIONS**
 - A. Employee Recognition – Robert Altman, 5 Year Service Award
 - B. Department Reports
 - i. Building & Zoning
 - ii. Police
 - iii. Fire
 - C. Administrator's Report - Update on Current Events
7. **BUSINESS**
 - A. Special Events/Recreation Committee – Membership and Scope of Duties
 - B. Concession Stand Operation – Town Administrator
8. **DISCUSSION**
9. **PUBLIC COMMENTS** - Please address Town Council from the podium; 5-minutes per speaker
10. **COUNCIL COMMENTS**
11. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
FEBRUARY 13, 2012 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.** Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tempore Childs, and Councilmembers Blair, Johnson, and Samples were in attendance; a quorum was present. Councilmembers Dodge and Smith were absent to attend the Municipal Elected Officials Institute. Staff present: Administrator Duckett; Deputy Administrator Fellner; Acting Building Director Morris, Fire Chief Packard, Police Chief Frederick, and Recreation Supervisor Ellis. Others present: Town Attorney Moss and Town Clerk Herrmann.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.** Pastor Jay Thornell, Grand Strand Church of Christ gave the invocation. Mayor Deaton led the Pledge of Allegiance.

3. **AGENDA APPROVAL.** Mr. Samples moved to approve the agenda as presented. Mr. Childs and Mr. Johnson offered seconds. **All voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL.** Mr. Samples moved to approve the minutes for the regular meeting held January 24, 2012 as presented. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

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

“Good evening. Dan Flood, 116 7th Avenue South. I’m here to make a comment on the concession stand. I appreciate the comments we got from council last week [sic.] Obviously, you’re all in agreement with me, but if it doesn’t happen this year, and something changes that it should happen eventually, and hopefully we can make that work. I appreciate it and I appreciate the comments, especially with the good feedback of the recreation department. There is a lot of doubt, or was a lot of doubt that it wasn’t going to happen, it was going to dissolve, and after the comments I heard, I definitely told a lot of people what I heard directly from you that this recreation department going to be a long, long time, and we appreciate that. What will disturb me is if a contract was signed without the council’s knowledge. If it’s binding, it’s binding. If it’s not, it’s not. But, I do think it’s something that should be approved by the council on anything not just this, especially being a town resident here. Any contract signed for the town should at least go through the council for approval. Thank you.”

6. **COMMUNICATIONS.**

A. Employee Recognition – Robert Altman, 5 Year Service Award. Mr. Duckett announced that this recognition was postponed until the next meeting.

B. Department Reports

i. Building & Zoning. Mr. Duckett presented the building and zoning report, a copy of which is on file.

ii. Police. Mr. Duckett presented the police report, a copy of which is on file.

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

C. Administrator’s Report – Update on Current Events. Mr. Duckett presented his report, which is on file. Mr. Samples asked for confirmation that the lease was in place and whether the option to renege is viable. Mr. Duckett confirmed that the contract was duly executed.

55 Mr. Duckett said the Pier Outfitters contract sets out minimum hours of operation, which are
56 posted on site. Beginning this season, every person that purchases a pier season pass will be given a
57 schedule of the pier's minimum hours of operation. The pier will be opened more hours than are
58 required, as business dictates. Mr. Johnson asked whether anyone could open the pier gate for the
59 public when Pier Outfitters was closed. Mr. Duckett was not prepared to discuss that, but there are
60 numerous reasons that would prohibit doing so. Mayor Deaton asked that the matter be brought for
61 discussion at a future time. Mr. Samples believed several members were interested in the matter. Mr.
62 Johnson asked if a discussion could be held at the next meeting. Mayor Deaton said it could be added to
63 the agenda.
64

65 Mr. Duckett said the Shriners cannot participate in the barbeque event on March 10th and asked
66 whether council would concur to allowing the Surfside Area Fire and Emergency Responders (SAFER), a
67 501(3)(c) non-profit corporation, to cook and sell the barbeque. He recommended that SAFER be
68 responsible for all expenditures thereby giving it all rights to any profits. The town paid for all supplies for
69 the last event, but the Shriners received all of the proceeds for its hospital. The alternative options are to
70 cancel the event or to engage a for-profit company to participate. Ms. Blair asked if other vendors and/or
71 expenses were involved. Mr. Duckett said the town paid for bands. Ms. Ellis said there were other
72 vendors. Ms. Blair asked if the vendors preparing barbeque would reimburse utility expenses. Ms. Ellis
73 said that could be required, but it had not been during past events. Ms. Blair had issues with the previous
74 event, because the town paid all expenses; received nominal revenue from vendors and all proceeds
75 benefited the Shriners Club. She said the Shriners are "awesome," but she believed groups should pay
76 expenses when they receive profits, and there should be revenue to benefit the town. Ms. Blair asked if
77 the town could do the festival. Mr. Duckett said he cannot prepare barbeque for 600 people. Ms. Blair
78 said staff manages all other festivals; if no attempts were made to undertake anything new, there would
79 never be any new town festivals. Mayor Deaton suggested an option of vendors cooking barbeque and
80 having a competition. Ms. Blair did not want other non-profit organizations to expect the town to fund
81 events for them and then they benefit from profits.
82

83 Mr. Childs believed any group that came for an in-town event should pay a fair share of
84 expenses. Mr. Samples asked for information about SAFER. Chief Packard said the group consisted of
85 the town's volunteer firemen that cooked and sold hamburgers and hot dogs at the July 4th event. As fire
86 chief, he chose not to be a member. Mayor Deaton said there are 30 volunteers. Other fire departments
87 are envious of the town's ability to keep that number of volunteers, which speaks highly of the fire
88 department. Chief Packard said most of the members live in-town. SAFER members will discuss this
89 possibility of cooking for the event at its drill scheduled tonight. They believe they can purchase about
90 \$3,000 worth of barbeque, drinks, paper supplies, etc. and sell until it is all gone. Ms. Blair said she had
91 no intention of staff cooking barbeque; she wanted local groups to participate, and this was more in line
92 with what she believed was acceptable for a town event. Mayor Deaton agreed and also believed that
93 the group benefiting from the event should cover expenses. He also preferred a local non-profit agency
94 that would benefit the local area. Mayor Deaton said this seemed "11th hour" and suggested that future
95 events include options. The goal is not to make money; it is to benefit the community and not spend
96 public funds unnecessarily. Mr. Johnson he had no problem requiring that SAFER purchase its own
97 supplies and reaping the benefit of sales.
98

99 Mayor Deaton asked whether council wanted to have a barbeque cook off, and would the
100 administrative branch be allowed to move forward with clear council direction as to whether to hold the
101 event and whether the town would fund expenses. Mr. Samples said this issue is a perfect segue into the
102 special event/recreation committee business item that will be addressed during this meeting. Too often
103 issues arise at the 11th hour with similar events. Mr. Samples asked for a copy of SAFER's tax reports for
104 last year, because the town is considering providing support in one way or another. Mayor Deaton said
105 that could be done individually. Mayor Deaton called for concurrence to move forward with the barbeque
106 event. **COUNCIL CONCURRED.**
107

108 Mr. Duckett noted that this request came before council because the Shriners backed out of its
109 commitment to participate. Mr. Childs said a similar situation occurred during the car show last year; at
110 the 11th hour the clubs dropped out. Mr. Samples suggested that the administrator contact the attorney to

111 draft some type formal agreement for organizations to sign to ensure follow through with town events to
112 help prevent this from happening in the future. Mr. Childs agreed with Mr. Samples. He said there are
113 expectations of a holding a good festival, but through no fault of the town the events are cancelled when
114 groups cancel at the last minute.

115
116 Mr. Duckett asked for council consensus to prepare the documents for submission to the
117 Waccamaw Regional Council of Governments (COG) by the March 21st deadline to request that the
118 widening of Highway 17 and demise of the frontage roads be moved from the 2030-2035 plan to the
119 2016-2018 plan. Mayor Deaton said a letter was received from the Department of Transportation (DOT)
120 denying the town's request to replace yield signs with stop signs. Its engineers consider yield signs as
121 stop signs, if people obey the law. The cost to do the project ranges from \$2.6- to \$16.8-million per mile.
122 Mayor Deaton believes the project should move forward.

123
124 Mr. Samples believed there is a meeting scheduled February 21st to begin the process, and
125 understood that it was imperative that council act. Mayor Deaton said that meeting was a study
126 committee composed of staff. Mr. Samples said Mr. Childs and he were advised in a meeting some time
127 ago that unless the town became actively involved at the technical committee level, i.e. staff, it would
128 never see improvements on Highway 17. In his opinion, the policy committee is a "rubber stamp" body for
129 the technical committee recommendations. Mr. Samples said it is imperative that senior staff attend
130 technical committee meetings along with planners and DOT to sell the town's needs along Highway 17.
131 He identified the specific projects currently in the long range plan that should be moved into the current
132 budget as (1) close the US 17 median breaks, modify intersections for U-turns, and coordinate signals,
133 and (2) to install additional travel lanes on US 17 Business eliminating the frontage roads. Mr. Samples
134 moved to direct staff to pursue acceleration of the stated projects into the budget with GSATS (Grand
135 Strand Area Transportation Study). Mr. Johnson seconded.

136
137 Mr. Childs completely agreed with Mr. Samples, saying this was like "a dog with a sock." If you
138 are not persistent, they think you really don't care. When another group places more pressure on the
139 committee, that group gets the attention. He believed the town could stay on top of the list and everything
140 that possibly can be done should be to work with GSATS and establish relationships.

141
142 Mayor Deaton said the administrator asked for direction and he believed the motion addresses
143 the question. He respectfully disagreed that the policy committee rubber stamps recommendations.
144 During the past four years, he had not missed a single GSATS policy committee meeting. The Harrelson
145 Boulevard and Backgate projects moved forward because of Myrtle Beach's, Conway's, and Horry
146 County's efforts and cooperation created between GSATS and Myrtle Beach to move a multi-million dollar
147 project forward. The town lost \$365,000 for a greenway bike path, because there was not enough
148 attention garnered for it.

149
150 Mr. Samples said the town had a half-million dollars in the budget to deal with the 5th Avenue
151 North intersection. The proposal by engineers was to close frontage roads at 5th Avenue North. His
152 recollection is that town council opposed using blockades. His question was where the half-million dollars
153 went that was earmarked for the town, and why the proposal was to just put up blockades. Mr. Samples
154 acknowledged the mayor's comments about the policy level, and that other cities have been very
155 successful getting projects completed. He asked, "When is our turn?" Mr. Samples said the town's turn
156 would occur when there is a commitment on the part of staff and the elected officials to stay on the ball
157 and on top of the process. The process is very competitive, which is why this motion is very important to
158 give clear direction to staff that they will follow. Mayor Deaton believed everyone agreed. Mr. Samples
159 called for the vote. All voted in favor. **MOTION CARRIED.**

160
161 **7. BUSINESS.**

162
163 A. Special Events/Recreation Committee – Membership and Scope of Duties. Mr. Childs moved
164 that the special events and recreation committee issue on the business agenda, number 7-A be set aside
165 at this time. Ms. Blair seconded. Mr. Childs explained that he is not against committees, but every time a
166 problem is perceived, a residents committee cannot be established to solve the problem. In his opinion,

167 that is why council is elected; to solve the problems. The chairman of the recently formed parking
168 committee said in a newspaper article, "I feel that we are here to alleviate the burden on the town council
169 candidates who are running for re-election who can't talk about the parking issue, because it is a no win
170 issue." Mr. Childs said that is not the truth at all. The council not only hit the issue dead-on, it
171 appropriated in excess of \$40,000 for a parking study from which phase two is currently being
172 implemented. There are several committees on which residents may serve, including stormwater,
173 planning and zoning, accommodations tax, and zoning board of appeals. Mr. Childs preferred to see a
174 committee of elected officials before whom residents could present their ideas; the elected officials would
175 decide on the recommendations. A recreation committee comprised of councilmembers is long overdue
176 that would meet in a workshop forum so residents would be able to voice their opinions. Mr. Childs asked
177 council to consider this seriously, reiterating that he believes this is what council is paid to do.
178

179 Ms. Blair supported a recreation committee, and said she had served on several committees.
180 Her husband served on the previous recreation committee, and was very disappointed when things didn't
181 work out. Ms. Blair was quite disappointed with the direction that the parking committee has taken. Most
182 councilmembers stated concerns about the challenge of a committee developing new parking ideas.
183 Council was criticized for appropriating \$40,000 for a parking study, and probably rightfully so. Phases of
184 the study are being initiated, but criticism continues that nothing is being done, even though phase two is
185 being implemented. Many residents are very passionate about problems they see, and continue to
186 approach council asking for committees to be formed. In spite of concerns that new ideas might be
187 identified that were not in the \$40,000 study, town council, out of respect for residents; listening and
188 hearing your passion and intent, and in response to residents' request, formed the parking committee.
189 Ms. Blair said all she saw from the committee recently is that members are using it as a political sounding
190 board against town council. Whether committee members like or dislike councilmembers, there should be
191 respect for the office and the responsibility that councilmembers accept when they are elected to office.
192 She had seen none of that from the parking committee's work. There were attempts to undermine town
193 council by spreading rumors with the business owners on Surfside Drive; there were newspaper reports
194 that council was not willing to work with the committee; there has been no team effort whatsoever from
195 the parking committee. Ms. Blair said the "anger cloud" that has prevailed lately needs to stop. The
196 attitude of controversy and the lack of respect between residents and council, and vice versa, will create
197 an environment in which Surfside Beach will never move forward and will not progress. The town is
198 great, but can be much better. More can be offered to residents, and more can be done in town, but it
199 must be a team effort. She said there are many volunteer positions and committee membership is not
200 necessary to participate. Ms. Blair said her reluctance to form another resident committee was that it
201 might also turn against town council; there is no assurance of teamwork to work on problems to make the
202 town better.
203

204 Mr. Johnson respected the stated opinions, but would like to postpone until a full council was
205 present to act. He also supported a subcommittee of some councilmembers and some town residents.
206 He believed it was imperative, because residents offer good ideas. Mr. Johnson did not believe it was
207 appropriate to judge other committees based on one committee's action.
208

209 Mr. Samples didn't believe there was any doubt about his feelings on government. He believed
210 government operated best when as many people as possible were involved. In his experience, council
211 could do much more work. To assume that town council will deal with these issues in a thorough,
212 comprehensive, effective manner is ludicrous. The town paid \$46- or \$48-thousand for the parking study;
213 many of those recommendations will never "see the light of day," or if they do, it won't be by the majority
214 of people. No one wants a parking garage in town; they don't want parking meters around Martin Park.
215 Mr. Samples said after living here 20-years, he knows the greatest asset the town has, except the beach,
216 is the people who live here. Individuals do not become super-smart when they are seated on council. He
217 had no fear of taking a committee recommendation. If he did not agree with it, he would say so and suffer
218 the consequences, if there are any, for his decision. Mr. Samples said the town needs to proactively
219 involve as many people as possible in order to retain the community. There is talk of making the town
220 better, bigger, a greater place. He said, "Let me tell you something, I love it just the way it is!" That is
221 why he lives here, and why he serves on council, and has chosen to run again.
222

223 Mayor Deaton was concerned about hearing "oversight" during a previous meeting. Under the
224 town's form of government, oversight should be in administration through the town administrator and the
225 department directors. Council's role is to address policy, expenditures, and procedures. This discussion
226 is about a recreation department that is operated, controlled, and staffed by administration, not by this
227 council. Mayor Deaton did not like big government. He thought this represented more government
228 involvement on issues that the appointed town administrator and department director should handle on a
229 day-to-day basis. He was a firm believer that this council should not be involved in day-to-day operations
230 of the town. Mayor Deaton said that is why the town is as successful as it is to date; a really good job is
231 being done. The town is running like a "well-oiled machine," at this point in time. Mayor Deaton said he
232 was extremely proud of it. More oversight and more government concerned him. He believed council
233 could form a committee before which anyone that wanted to comment could do so without restrictions that
234 allowed them to be involved. Mr. Samples asked how that would be accomplished. Mayor Deaton said
235 residents would have to attend the meetings.
236

237 Mr. Childs said with all respect to Mr. Johnson and Mr. Samples, residents would not be
238 excluded. Committee membership is not necessary to offer an opinion. He believed that workshops and
239 committees were worthwhile, but in his opinion, town council was elected to do this work and should do
240 so in open workshops so residents could offer opinions. Mr. Childs agreed with Mr. Samples; residents
241 have a lot of good ideas. Council does not operate behind closed doors; he supported a committee
242 comprised of councilmembers held in open workshops to hear from all residents. He did not want the
243 perception created that a committee was formed every time a problem presented, because the council
244 could not solve its own problems. There are four committees completely staffed by residents. Special
245 committees should be kept within the council with advice and input of residents. He believed the number
246 of committees would expand exponentially if council does not stop creating them now.
247

248 Mr. Samples said all but one of the committees mentioned is mandated by state law. What was
249 really being discussed was "less than precise comments" made by the chairman of a parking committee
250 who is unaccustomed to speaking with reporters, which has some people "up-in-arms." Mr. Samples
251 hopes a lesson was learned and that more care would be taken when speaking with the press. There is
252 only one ad hoc committee.
253

254 Ms. Blair said there were committees formed to consider separating public safety and for planning
255 Surfside Drive that were council based. Mayor Deaton said there was also a transportation committee.
256 Ms. Blair said those committees were very successful; workshops were held and public input was
257 received in all three committees. Ms. Samples said the motion is to defer the decision, but asked whether
258 an alternative would be offered. Mayor Deaton said the motion on the floor needs to be addressed. Mr.
259 Johnson called for the motion to be restated. Mr. Childs said that his motion was that the special events
260 and recreation committee issue on the business agenda, number 7-A be set aside at this time. Mayor
261 Deaton, Mayor Pro Tem Childs, and Councilmembers Blair, and Johnson voted in favor. Councilmember
262 Samples voted against. **MOTION CARRIED.** Mayor Deaton asked Mr. Childs whether he had another
263 motion to offer. Mr. Childs had another motion that he felt would resolve the matter, but wished to have a
264 discussion prior to moving, and deferred at this time.
265

266 B. Concession Stand Operation – Town Administrator. Mr. Duckett said the issue was discussed
267 at length during the last meeting as documented in the meeting minutes. The majority of council wanted
268 further discussion at this meeting. He had no new information to offer, and could only restate what has
269 already been said. Mr. Duckett reiterated that the decision was made because he believed it was within
270 his purview to do so; if council believes otherwise, it could be handled differently next year. Only one
271 public speaker tonight discussed the issue. Pursuant to council's direction at the last meeting, the letter
272 was given to the town attorney for an opinion. Mr. Moss was available to comment if council desired.
273 Several members asked to hear the attorney's opinion.
274

275 Mr. Moss said that he was convinced the letter is not a lease of any fashion. It would be
276 troublesome if it were, because state law requires that leases be approved by ordinance. There was no
277 particular legal description or term stated in the letter; basically, it is a concession agreement. He was
278 concerned that the individual that was awarded the agreement has relied upon it and already expended

279 funds in reliance upon the agreement. Mr. Moss was also very aware that this council is enabled by its
280 form of government to get involved in the details in any of these types of agreements. He believed there
281 was a policy issue that needs to be made clear by the council. Mr. Moss believed Mr. Duckett was right in
282 believing it was within his purview to execute the concession agreement, and he believed that until town
283 council makes a clear statement of policy, Mr. Duckett should be allowed that. Mr. Moss also believed
284 the gentleman with whom Mr. Duckett negotiated could reasonably have the expectation that he had the
285 authority to enter into the letter of agreement. If he were representing the gentleman, Mr. Moss believed
286 he could fashion a claim against the town if it decided to change its position. He said the reality is that
287 this is merely a ten week concession agreement and the dollars probably do not justify a claim; he would
288 be surprised if a suit were filed. Mr. Moss said there were pros and cons on both sides.
289

290 Mayor Deaton asked if there was objection to opening discussion. There was no objection. Mr.
291 Samples said for the record, "I asked you and it's recorded in the minutes at the last meeting, if you knew
292 anything about Mr. Esposito. Is that... you [meaning Mr. Duckett] indicated, I think in a response, 'no, you
293 didn't.' But, I came and I saw you this morning, because I learned something, not; that is not; doesn't
294 violate a policy, doesn't violate an ordinance, as far as I can tell. But, it does create a perception
295 problem, and I shared that with you, didn't I?" Mr. Duckett said he did. Mr. Samples, "I just want to make
296 sure, certain that all councilmembers and the way I operate, the public, hear it from the council rather
297 than hearing it on the street, okay, because that's the way I operate. There is a relationship by marriage
298 with one of our employees, isn't that correct?" Mr. Duckett said that was correct. Mayor Deaton, "Is he
299 married to one of our employees?" Mr. Samples, "No, there's a rela [sic]... I believe a, a, a, step-son-in-
300 law, step-son-in-law to be more specific and that's all I want to say." Mayor Deaton, "Okay, I think this is
301 really on a personal level that, that's way beyond the scope of this council. If it's not a violation of policy
302 matters, sir, then we probably do not need to be discussing it, because it sounds like it's awful personal to
303 me." Mr. Samples, "Well, and the reason that I bring it up, because perhaps again it's, it's, it's the
304 standard that, that I adhere to, okay, and it's a personal standard. And, the personal standard that I
305 adhere to is if there is an appearance of a potential for a conflict of interest that it should be a, a, it should
306 be made public that way..." Mayor Deaton, "Sir, that's an accusation or innuendo..." (Two speaking at
307 once.) Mayor Deaton, "No, no it's not. It is not a violation of policy, so, therefore, I think you are out of
308 line, because you're accusing someone of something..." Mr. Samples, "I'm not accusing anybody of
309 anything. I'm not accusing anybody of anything. It's information that certainly somebody shared." Mayor
310 Deaton, "So, it doesn't violate any policy?" Mr. Samples, "I, I guess not." Mayor Deaton, "Okay, thank
311 you very much." Mr. Samples, "Well, that's what Mr. Duckett told me. Is that correct?" Mr. Duckett,
312 "That's correct. I don't mind dealing with it any way you want to, cause..." (Two speaking at once.)
313 Mayor Deaton, "There is no reason to spend our time on this, sir." (**) Mayor Deaton, "No, sir. This
314 discussion is over."
315

316 Mr. Childs commended Mr. Flood for the gentlemanly-like manner in which he handled this
317 situation. He understands the quagmire that council is in. Mr. Child said he was sure that Mr. Flood
318 would be number one the list next year. He wished it had turned out differently, but he commended Mr.
319 Flood for his comments. Mr. Childs said the town certainly did not want to incur any other lawsuits.
320

321 Mayor Deaton said the word "surprised" that the town attorney used was appropriate in this
322 situation. He was surprised that council was even discussing a small detail like this that was handled
323 through a department and administration. The town has a very capable administrator, deputy
324 administrator, and department directors. He was shocked that this matter even came before council. The
325 discussion is about a ten week program for a baseball concession stand. The discussion did not include
326 capital expenditures, building a \$20,000 concession stand, or expending capital funds or public dollars for
327 the operation of the concession area. The topic was staffing, and in his opinion, council's scope did not
328 include staffing, except for a department director or higher level. Staff is generally handled by the
329 department director under the town administrator's direction.
330

331 8. **DISCUSSION.** There was no discussion to come before this meeting.
332

333 9. **PUBLIC COMMENTS.**
334

335 "Bob Hanson, 15th Avenue South. I'm very pleased that the council approved the DOT
336 improvement plan for Business 17. It was the right thing to do, and I don't understand, this is the 1999
337 plan which has been kicked down the road by every council since then, so I give you credit for voting for
338 it. I know some of you have worked on it for eight or ten years trying to get it approved, and I've seen the
339 plan. It's very good, and it would be an asset to our town. Please remember, you bought the plan, the
340 whole plan and everything that's in it. If you start nit-picking it, it'll be pushed down the road another 20
341 years. So, you bought it, it's yours, it's ours, and there was a workshop as recently as September 29th on
342 this subject, 16 single spaced pages. I read it all today, and at that time it was a lot of questions and (**)
343 and nit-picking, and they all got turned down. So, you bought the plan. It's yours, it's ours. I'm behind
344 you, we're behind you, and it'll be a great thing for our town. And, thank you for voting for it tonight.
345 Thank you very much."
346

347 "Harry Kohlmann, 1610 South Ocean Boulevard. I just want to set the record straight here. I'm
348 all confused. Two years ago, you hired DDC to do a parking study. They basically gave you back the
349 same parking study you had in 2003. One of the councilmen, because the residents were complaining
350 that the parking study, which you never voted on, I'll tell that because I read the meetings, minutes of the
351 meetings, never voted on to have it done, one councilman asked about it at the next meeting, could we
352 ask you more questions, and it was dropped like everything, most of the things in this town is done. But
353 you never really decided you were going to move on it. Now, you're saying you're on phase two. You put
354 up ten, count them, ten palm trees. You had a streetscape going on Surfside Drive, which already was in
355 the process. There wasn't much you've done with that parking study. A councilman decided to have,
356 made a motion to have a resident-slash-council person [sic] committee. Only one councilman, only one
357 council person volunteered to be on this committee. Why? You tell us why. A council person that said
358 have an open mind, and in the same breath said, well, we probably won't take your recommendations.
359 And now, we have a parking committee with one council person and five residents who spent a lot of
360 time, a lot of thought, and I don't, I don't remember ever seeing any of you at these meetings. How do
361 you know what was discussed? You take a one, for one person said it and now all the residents in this
362 town are terrible. God forbid we have residents who decide what's going on here in their town. We know
363 what's best for you. This is insanity! I, I just don't get this. Yes, it's insanity. You can stare me down as
364 much as you want, I don't care. And, I was a little upset that you said 90-days and you have to give a
365 report. Well, I'm glad it's going to be 90-days, because most of these faces are going to be different, and
366 thank God."
367

368 "Beth Kohlmann, 1610 South Ocean Boulevard. I've been thrown out of here before, so if it has
369 to be, it has to be. I'm being respectful, and I'm not mentioning any names. I do, however, find it very,
370 very upsetting of what just happened here tonight. You guys, I can't say you, I was thrown out of this
371 meeting and I believe the words that somebody said was, 'are you on stage?' I think that was what was
372 said to me, and then I was told to leave during public comments, which I did. But, tonight, you guys are
373 on stage. I know it's an election year. I understand that. But, you actually sit up there, some of you that
374 used to be on the rec [sic] committee that said all these wonderful things up until now. All of a sudden,
375 it's no good anymore. You've got to be kidding me. You are joking. Tell me something bad about the
376 recreation committee. Can any of you? No! I know you can't, and I know you can't answer questions, so
377 what a ridiculous statement to say. You're going to make a subcommittee; there was a parking
378 committee with two members of council, one of them not being here tonight, and they made a
379 recommendation for this town and it was turned down. You know what they did? They took their balls
380 and went home. They quit your committee. Members of our council quit a committee because they didn't
381 get what they wanted. Well then you know what, I don't even care about what you have to say. You
382 don't make any sense. You talk out of both sides of your mouth. You don't think people listen? Well you
383 know what, we are going to go out there and campaign just as hard as you're going to campaign, and
384 they're going to hear about all the comments, and all the people getting thrown out of meetings, and all
385 the other little things that you and I both know that have happened over the years, and it, it has
386 happened. You know it, too. I know you're smirking at me, so I got to just say it. I don't understand
387 where this comes from, and you're smirking again. You talk about respect, sir, please. Do not do that to
388 the people that are here. I, I spend a lot of time and energy..." Mayor Deaton, "Ma'am, please don't
389 single me out." Ms. Kohlmann, "No, then don't smirk at me like I don't matter." Mayor Deaton, "Ma'am,
390 one more warning." Ms. Kohlmann, "And then what, I get thrown out again?" Mayor Deaton, "Yes,

391 ma'am, you will." Ms. Kohlmann, "For what? Because you're laughing at a public citizen?" Mayor
392 Deaton, "I was not laughing at you." Ms. Kohlmann, "That's disrespectful, sir. That's disrespectful. I, I, I
393 will stop getting excited, if you will stop rolling your eyes and smirking. A little respect goes a long way.
394 But with that said, why, you get up there and you're all talking and for your own campaign. You just all
395 did a flip-flop. You all did. You sold us out once again. The recreation committee has nothing to do with
396 the parking committee. It's a different thing. We are a tourist community. We need to have input, and I
397 don't think that recreation department without naming any names there ever had a problem with any of us
398 either, and a lot of people do volunteer, you're absolutely correct, when events happen, and that should
399 happen more. But really, you've got to work on that respect thing."
400

401 "Tom Dodge, 15th Avenue North. That's a tough act to follow. I, too, was thrown out of a meeting
402 here. I want to thank the fire chief for bringing home the bacon and covering us when we lost. Thank
403 you, Butch. I came upon this information two or three weeks ago and thought people might be interested
404 in it. Taxpayers spent \$2,235 for the state's environmental protection board's two staffers to hold an
405 over-night out-of-town retreat that few members of the public attended. The cost of the Greenville
406 session isn't a huge expense in the context of the Department of Health and Environmental Control's \$80-
407 million state budget, but critics questioned why the state needed to spend the money for meetings away
408 from the agency's main office. Critics say it is important to insure that most people have easy ways to
409 attend meetings. It's not a smart time to be conducting the public's business in a place that that does not
410 facilitate full participation, said a lawyer from Columbia. This sounds familiar, doesn't it? Almost all of you
411 voted to have our budget retreat in Wampee, instead of right here in Surfside Beach. We have a budget
412 of about \$8-million and will spend about the same. This is a willful wasteful use of taxpayer money.
413 Certainly not something I would have voted for, if I were running for re-election. You people who voted
414 for this are about as non-transparent as you can get. Council people that voted to stay in town are Mr.
415 Samples and Mrs. Dodge. I think it's terrible when people sit up in front here having been on a citizen
416 committee, having run for town council using the fact that they were on a citizen committee, and then not
417 want to have citizen committees anymore. We might as well paint the windows in town hall black so
418 nobody can see in."
419

420 "John Ard, Cypress Drive, Surfside. Well, you know what? This has been a pretty interesting
421 meeting that's happening. We've had a little bit of everything; kind of hard to make out some of it. We
422 went from one extreme to the other. We even had politics in it. Yes, if you listen real closely, you can
423 see [sic] the politics in it, and from what I understand somebody was called out a while ago for trying to
424 get into politics, they said. (**) But, I got a couple of things I want to say, and I'm going to say them
425 before I sit down or get thrown [sic] the (*expletive*) out of here. Number one: each and every person in
426 this room and in this town has an opinion. They are entitled to that opinion. I'm going to give you the
427 good version of an opinion. The good version of it is an opinion is like the nose on your face.
428 Everybody's got one. Now, if you've got a problem with that and you want a bad version, I can handle
429 that, too. I'm on that ad hoc parking committee. I don't think you can take, take what one person says,
430 which is their opinion, and lay [sic] it on everybody that's on that committee. We're out there right now
431 trying our level best to do something that y'all screwed up to start with. Forty-something, \$46,000 I
432 believe was spent on it, two or three years ago, and you ain't got no more done than what you've got
433 done, and they ain't gone be no more done [sic.] You think what we got to say and what we got to
434 present to y'all is going to make any difference? No, it's not and that, my friend, came straight from the
435 town administrator. We can give you an opinion..." Ms. Herrmann interrupted to turn the tape over; the
436 clock was stopped. Mr. Ard, "What have I got, about ten more minutes (laughter.?) Ms. Herrmann,
437 "About three." Mr. Ard, "I believe it's ten! Y'all had all y'all wanted to say, why can't I? I'm a citizen, (**)
438 but anyway, you can't hold what one person says against the whole, entire committee, and like I said,
439 we're up there working our butt off out here. Whether you want to believe it or not, I could care less. It
440 don't make no [sic] difference to me, because in the end, in the end of 90-days no matter what we present
441 to you, you don't have to accept it. We already know that; it's done been laid out in terms to us, so we
442 know what it is, almost to the point of a waste of time; somebody trying to make a scapegoat out of a
443 committee, now. I'd be very careful with that if I was y'all. I'd be very careful with it, because you might
444 want to know where you're going. Now, sarcasm, innuendo, I've seen it all in one here tonight, and as
445 you know, I, I, I don't appreciate none of that. I don't appreciate none of it at all, especially when it's
446 coming from up here. I don't, in fact, appreciate the comment at all that was made to Councilwoman

447 Blair. I think that was totally uncalled for. That was almost a sarcastic remark, and with some people it's
448 pretty dog-gone good giving sarcastic remarks. So, ladies and gentlemen, council, I think all of you need
449 to take a step back, and think about what you're saying. Think about other people's feelings for a change
450 besides your own, because you don't know who is going to be sitting up there after April, or after May.
451 You don't know. Well, I tell you one thing, the Good Lord willing, and the good people in this town, I'm
452 going to have my time sitting up there, and I promise you one thing, I guarantee it, that some of this mess
453 in this town going to come to a confounded halt; it's going to come to a stop. I want to see the people
454 start getting along. Quit downgrading the citizens. Quit downgrading the business people. I mean, who
455 do you think you are, anyway? I don't care how much money you make. So go home tonight and take a
456 good look at yourself in the mirror and think about what you see, okay."
457

458 "My name is Mary Beth Mabry. I live at 517 15th Avenue North. I went to the parking committee.
459 I wanted to see what it was about, and all I saw was a group of people, citizens of the town, working very
460 hard to come up with solutions. You were never mentioned. I'm sorry if you're offended, but they didn't
461 bring you up. They were so concerned with the job at hand. I thought that's what you wanted them to do.
462 That's what I saw them do. As far as the citizens or the business people being concerned about some
463 aspects of parking in front of them, they have every right to get together to talk about what's best for them
464 to bring it to a committee. You said that you want to hear; well, you don't want to hear. You don't even
465 want them to gather together to discuss what they have concerns about, and bring it to an ad hoc
466 committee, much less bring it before you. You read your handbook. You get on that third chapter where
467 it tells you about citizen involvement. How you are supposed to grab hold of your asset, which is your
468 citizens, and have them serve on committees, and make them a part. They are the government, not you,
469 and I'm sorry that you have missed that. I am so disappointed. I love every one of you. I know you
470 personally. I've known you for years. There's nothing in this world I wouldn't do for each and every one
471 of you out here. But you have disappointed me to my soul, because you're better than what you're
472 acting. To act like you can be every committee; all a committee does is your leg work. All they do is bring
473 suggestions to you. Why wouldn't you embrace that? Why wouldn't you make your biggest asset your
474 best team? Why would you not want to do that? I can't understand the mentality. I really don't. You're
475 better than what you're acting like. Your comments tonight were offensive. They were just wrong on
476 every level. You know the rules. You know what a councilman is supposed to do, and it's supposed to
477 embrace the citizens. They are the government. That's all they are, they are the government. Not you,
478 and until...you have missed it somehow. And again on a personal level, there's nothing I wouldn't do for
479 each and every one of you. I've known you for many, many years, but, as a friend, I'm extremely
480 disappointed tonight, because I know you can do better, and I thank you for allowing me to talk."
481

482 "Glen Curtis, 257 Palladium Drive. When I was president of the Vietnam Veterans, when
483 elections came up we, I allowed each person that was going to run for an office to come up and have
484 three minutes. I was just wondering if you were going to allow that, and when you would do that." Mayor
485 Deaton, "I can answer that. We don't allow the political events in here. We can allow forums, such as a
486 debate or something like that, that's sponsored by the town. But as far as individuals coming up and
487 speaking politically, that's not allowed in these chambers." Mr. Samples, "But maybe we could do
488 introductions as we have in the past. That's been a tradition here." Mayor Deaton, "Okay."
489

490 "Just for information sake, sorry, Carolyn Raines-Harbin, I just moved, 144 Harbor Lights Drive."
491 Mayor Deaton, "Oh, you've got one of those new houses!" Ms. Harbin, "I'm trying to remember where I
492 live (laughter.) We are as the realtors, Coastal Carolina Association, is working on a forum on a Sunday
493 afternoon before the election, and we'll let you know, should know sometime in the next week or so
494 exactly what day."
495

496 10. COUNCIL COMMENTS.
497

498 Mr. Childs, "No comment."
499

500 Mr. Samples, "I want to clarify the, the earlier discussion because I certainly did not want to
501 impune [sic] Mr. Esposito nor the unnamed staff member. The reason that I brought it up, okay, is the,
502 there is a public, could be a public perception. I know, I get telephone calls from people and I wanted to

503 make certain that all of us, all of councilmembers have the same information that I have. I had only
504 learned of it, confirmed it, this weekend. I was certainly not down in the weeds, but I was verifying a
505 concern that had been expressed to me, and frankly, I view that as an obligation that I have. That's all I
506 have to say."

507
508 Mr. Johnson, "Thank you, ladies and gentlemen, for coming out. It's been a very informative and
509 good meeting, because of you guys. Have a good week, and we will see you next time. Thank you."

510
511 Ms. Blair, "Thank you, Mr. Mayor. Thank you for all your comments. You've a, many of you
512 made very good comments, and, and things that all of us should, should think about, and adhere to. Mr.
513 Ard and Mrs. Mabry, some of the things you said certainly hit home, and it's very, quiet easy to know how,
514 who many of you are referring to. I served on a committee, and as a councilman was quick to point out
515 that it was a committee that is required by the state. But, I learned a lot there and enjoyed it, which is,
516 was my reason for wanting to serve further and for getting into the foray of running for council. So thank
517 you for listening to us, and thank you for coming forward and sharing your thoughts with us and giving us
518 some things to think about. And you know, maybe all that the media has reported on the parking
519 committee is not quite to par as, you know, many of us are probably not surprised by, by that possibility.
520 So it was, it was hurtful to read some of the things that were reported, but I stand, if, if, if needed, if due, I
521 stand chastised for believing everything that was in there, and not having more faith in some of the
522 people that are, or all the people that are on that committee. They are working hard. But, I've heard
523 several people mention whether any of the suggestions would be utilized. I don't know that, and I don't
524 know who, who you suggest laid that out for you, but I do recall stating at the very beginning of the
525 formation of that committee that each and every one of you that did give up your time and volunteered,
526 and it probably would be a lengthy process, to be aware that all may be accepted, some may be
527 incorporated, and there might be none. So that was pointed out from the very beginning, and I, I, I have
528 yet to hear your suggestions, and we'll see where that goes. But, I just wanted to remind that that was
529 something that was on record as being said at the planning meeting for that committee. Thank you all for
530 coming, and travel safely home. Thank you."

531
532 11. **ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 8:04 p.m. Mr. Childs
533 seconded. All voted in favor. **MOTION CARRIED.**

534
535 Respectfully submitted,

536
537
538 _____
Debra E. Herrmann, CMC, Town Clerk

539 Approved: February 28, 2012

540
541
542 _____
K. Allen Deaton, Mayor

543
544 _____
Vicki W. Blair, Town Council

545
546 _____
Ann Dodge, Town Council

547
548 _____
Douglas F. Samples, Town Council

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550 _____
Robert F. Childs, III, Mayor Pro Tempore

551
552 _____
Mark L Johnson, Town Council

553
554 _____
Roderick E. Smith, Town Council

555
556 **Clerk's Notes:** This regular meeting was held on Monday, February 13, 2012 so Town Council could attend the Municipal Association of South
557 Carolina Municipal Elected Officials Institute on February 14th and Hometown Legislative Action Day on February 15th in Columbia. This document
558 constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In accordance with FOIA, meeting
559 notice and the agenda were distributed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on
560 bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on the Town marquee. When (****) is
561 used a section of the transcription is inaudible.