

TOWN OF SURFSIDE BEACH ◆ TOWN COUNCIL CHAMBERS June 23, 2009 ◆ 6:30 P.M.

### TOWN COUNCIL REGULAR MEETING MINUTES

## 1. CALL TO ORDER

Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tem Truett and Councilmembers Blair, Johnson, Martin, Samples and Childs were present. A quorum was present. Staff present: Administrator Booth; Clerk Pinnell, Police Chief Christenson, Fire Chief Packard, Public Works Director Taylor, Special Events Coordinator Ellis and Finance Treasurer Hursey. Attorney Mr. Smith was also present.

## 2. INVOCATION and PLEDGE OF ALLEGIANCE.

Pastor Julian Riddle of Surfside Presbyterian Church said the invocation and Mayor Deaton led the pledge of allegiance.

# 3. AGENDA APPROVAL

Mr. Truett made a motion to approve the agenda as submitted. Mr. Childs seconded the motion. Mr. Samples made a motion to amend the motion to amend the agenda to add item 7E discussion of financial transparency to the Town of Surfside Beach website under Business. Mr. Martin seconded the motion. All voted in favor of the amendment. MOTION CARRIED. All voted in favor of the approval of the agenda as amended. MOTION CARRIED.

# 4. MINUTES APPROVAL

Mr. Samples made a motion to approve the minutes from the June 9, 2009 meeting as submitted. Mr. Martin seconded the motion. All voted in favor. MOTION CARRIED.

5. <u>PUBLIC COMMENTS – Agenda Items only</u> – 3 minutes per speaker There were no public comments.

## 6. <u>COMMUNICATIONS</u>

# A. Recognition: Rone Rutledge, 30 years service

Mr. Rone Rutledge was recognized for 30 years of service with a plaque and a check.

## B. Finance Report

Mr. Booth reported on the two months revenues for the year. Tourists are coming in and the town is collecting a little more money from the parking meters and Mr. Booth added that he anticipates meter revenues to increase. This is a dedicated fund which is not tax payer's money; this fund paid for the Yaupon Parking lot. The town will rebuild this fund to pay for additional purchases in the future. The auditors have completed their review and they will bring forward their report to council soon. Mr. Samples stated that he noted that the adjustments made at the last meeting are reflected in the budget; the numbers reflect increases that were rolled over into the next year. Mr. Booth stated that the projects were started in the previous year but not completed until the current year. Mr. Samples stated that he also noted that in the line in the enterprise funds with net change to assets he would like an explanation at the next meeting as to what the balance was in terms of total assets since this is a

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relatively new line. Mr. Booth stated that there is a difference between assets which are the value of the property and or money in reserve. Mr. Samples stated that it looks as if the income statement is mixed with the balance sheet; he spoke with the Finance Director about this and he understands why the town is doing this but feels it would be helpful to explain. Mr. Booth stated that the town is under GASB and many requirements regarding accounting. Mr. Samples stated that the general fund capital equipment line where there are large credits represents out of fund balances. Ms. Hursey stated that this was the enterprise fund. Mr. Booth stated that in the general fund it is not seen except to the extent of a decrease in the fund balance which is not normally reflected on the monthly financial report.

### C. Public Works Report

Mr. Booth reported that underneath the pier is being enclosed so that the police beach vehicles can be stored and so there would be easy access. Electric will be put in; no gasoline will be stored there. Projects are being finished up. The town will go into a planning phase. Mr. Booth stated that he would present the plan at the next council meeting. Mr. Johnson had a question regarding a constant flow of water coming from the pier. Mr. Booth stated that this is ice water from a cooler at the pier and will be diverted away from that area.

### D. Recreation Report

Mr. Booth reported that the Sun Fun Super Saturday was a great event and the town is getting ready for the 4<sup>th</sup> of July celebration. There would be a planning meeting the following week to go over details for the day. Parking would be a problem. It was confirmed by Ms. Ellis that the pier parking lot would be closed and Mr. Booth stated that Yaupon parking lot would be open. Mr. Booth stated that the town would need to see if the fireworks display would slow individuals from lighting their own. Mr. Booth stated that there are concerns regarding the cost of the fireworks but he feels that it is important for the town to have these types of events; they bring in tourists. Mr. Johnson asked if the town received some sponsorship and Mr. Booth answered that it did receive some monetary sponsorship. Mr. Johnson asked about the concession trailer set up at Martin Park and asked if it was run by the town. Ms. Ellis stated that the concession stand at Huckabee is leased out and this trailer belongs to the leasees; there is no actual concession stand set up at Martin Field so they are using the trailer as a stand. Mr. Booth stated that the County will be assisting to pay to build a concession stand at Martin Park. It was confirmed that the town receives funds for the concession lease.

#### E. Administrator's Report

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### Town Planning Studies

Mr. Booth reported that the council will receive a proposal from DDC to perform a number of town studies. One needed study to be paid for out of the parking meter funds would be a parking study. The town has great beaches and facilities but the parking is something that needs to be addressed. The paid parking areas help to pay for the facilities and beach cleaning. There is also a need for a study on the downtown area of Surfside along with the pier area. The studies will bring the town to its next phase. Mr. Booth stated that there is a grant that the town is applying for to pay for the fire station; it is part of the stimulus funds. Mr. Johnson asked how much funding was available. Mr. Booth stated that the town would be looking for 2.2 million for its shovel ready project.

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## *ii.* Stormwater Education

Mr. Booth reported that he will need to inform the public one by one regarding the town ditches. There has been a change in maintenance of the ditches over the past few years. The town used to take a backhoe and clear them and now per stormwater requirements the town has allowed the vegetation to grow. The town realizes that there is much of the public that is unaware of the stormwater permit requirements. Mr. Booth reported that he received a petition from some residents to remove vegetation from a ditch which made him realize that many people were uninformed. The town will allow the middle of the ditches to grow vegetation; this helps filter the water. Mayor Deaton stated that this is a federally unfunded mandate and is part of the best management practices for stormwater. The town is required by federal law to maintain best management practices; this is part of the stormwater and clean water act. Mr. Childs stated that he attended conferences at Clemson University four years ago and at that time they were informing the public to allow the vegetation to grow to help filter the water and he brought this back to the town at that time and he is glad to see that the town is now following this procedure. Mayor Deaton stated that the town is ahead of the curve regarding stormwater. The stormwater plan was implemented in 2001 and the town is a model for other beachside communities. The town is now in the education phase. Mayor Deaton instructed the public in attendance to get informed and to call the town hall for additional information.

### iii. Mosquito Spraying

Mr. Booth reported that the town is spraying twice a week for mosquitoes. The chemical being used is not as strong as what was used 20 or 10 years ago. The town needs to use a safer chemical and it is not as affective towards the ridding of mosquitoes. The town places donut tablets in the water to kill the larvae. Mr. Booth stated that rainy seasons bring many of the mosquitoes and suggested that the public spray themselves as well. Mr. Samples stated that when the town sprays they should make sure that they go at the regulated speed for spraying; if they are going over 25 miles per hour the spraying does not work. Mr. Samples stated that it takes approximately 2 days and 2 nights to cover the entire town. Ms. Blair stated that Ms. Donevant is taking complaints of foreclosure properties with pools where stagnant water would be the perfect breeding ground for mosquitoes. The State is working with the municipalities to put mosquito dunks in these pools without trespassing. This is a public health issue and needs to be taken care of and staff is taking these complaints and is stocking up on the donuts to rid the mosquito larvae. Ms. Blair stated that she has been assigned a testing on mosquitoes and will inform the public on any findings of West Nile virus if ever found.

146147Mr. Booth reported that a few years ago there were very few frogs and now148the frog population has increased which shows that the ecology is coming149back.

*iv. Beaches* Mr. Booth reported that the beaches are looking good. They are being cleaned and they attract many visitors. Mr. Booth stated that the town is taking care of any tents left by individuals overnight on the beach; they become a danger during high tide. It was confirmed that the canopies/tents are being tagged if left behind. Ms. Blair asked if the beaches have received any damage due to high tides with the new moon. Mr. Booth stated that the town has seen a little erosion but no damage. There have also been a few Loggerhead turtle nests reported in the beaches in town.

 7. <u>BUSINESS</u>
 A. *First Reading #09-0675: Amendment to Parking/Meter Ordinance* Mr. Booth reported that once the parking study is performed a more comprehensive parking ordinance will be presented to council. This ordinance is being changed to

address the infractions issue previously passed. <u>Mr. Childs made a motion to adopt</u> <u>first reading of ordinance 09-0675 amendment to parking/meter infraction</u>. Ms. Blair seconded the motion. It was confirmed that the times of operation would be posted on all of the pay areas. **All voted in favor. MOTION CARRIED**.

### B. Proclamation #09-68: Public Safety Awareness Day

Clerk Pinnell read the proclamation. <u>Mr. Samples made a motion to approve</u> <u>proclamation 09-68.</u> Mr. Martin seconded the motion. **All voted in favor. MOTION CARRIED.** 

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### C. Decision Paper: Town Engineer

Mr. Booth stated that he needs to draw up contracts with two engineers. The town already has a contract with Earthworks and now he would like approval from council to enter into a contract with DDC Engineers. Mr. Martin made a motion to approve the administrator to initiate a contract with DDC Engineering. Mr. Truett seconded the motion. Mr. Samples stated that DDC rates are much higher than Earthworks and asked if the town has adequately budgeted for the work that the administrator anticipates going to DDC. Mr. Booth agreed that the rates are different. Earthworks would be used for stormwater and other projects and the town would be using DDC for planning and grant writing. Mr. Booth stated that the scope of work and planning studies will be brought to council since these projects are not budgeted. All voted in favor. MOTION CARRIED.

### D. Discussion on 1 Percent Sales Tax

Mr. Samples initiated the discussion. Mr. Samples stated that the City of Myrtle Beach adopted the local option tourism development fee also known as the 1 penny sales tax. The Town of Surfside Beach is not Myrtle Beach and Myrtle Beach has come a long way and while doing so has accumulated a lot of debt. Mr. Samples stated that the benefit to vote on the sales tax is that if the town was ever to elect to have a local option tourism development fee it would have to go to the voters to approve. Mr. Samples stated that "until we don't pass it, seven people can decide one way or another whether a sales tax, one penny sales tax, would go into effect in

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194 the Surfside Beach municipality". Mr. Samples stated that he is not in favor of the 195 sales tax adding that he would like the council to go on the record regarding this 196 issue. Mr. Martin stated that sometimes it is better to not do anything, if some future 197 council decides they need this tax then that would be their decision and this council has not requested that this be brought up except for tonight as a discussion item and 198 no one has put forward to propose implementing such a tax. Mr. Truett stated that 199 200 Surfside is not Myrtle Beach; the town has three motels and its demographics are not 201 the same and he does not feel that this burden should be placed on the citizens of 202 Surfside Beach adding that this is nothing against the Chamber. The stimulus money 203 has been accepted and has come to SC from Washington; the Chamber now has received appropriated funds which they originally thought they would not receive. 204 205 Mr. Truett stated that he does not feel this sales tax is appropriate for Surfside Beach. 206 Mr. Johnson stated that he agrees and does not feel that the one percent sales tax is 207 something the town needs at this point in time nor does he feel that the town council 208 should vote on it; it should go to the voters if the subject was brought up but at this 209 time there is no need. Mr. Childs stated that he agrees that any time there is a tax 210 like this the citizens should vote on it; not council. Ms. Blair stated that she does not 211 support the sales tax; it would need to come to a vote with the citizens.

213 Mayor Deaton stated that Surfside Beach has changed a lot; density and excessive 214 building has been addressed, many homes were built and now the town needs to fill 215 those homes and revenue streams are few and far between. Accommodations tax and hospitality fees are what the town depends upon, the 100 to 120 day window of 216 217 opportunity is there for the town to fill the houses and bring the tourists into Surfside 218 Beach and the town is aggressively marketing Surfside and feels that the town would 219 be premature to make any decisions on this sales tax issue at this time. The council 220 has not been presented any research to see what the effect the sales tax would have on the community and there may be opportunity in the future for a revenue stream 221 that the town may need badly since the town does depend upon tourism. The Mayor 222 223 stated that he would hate to shut any doors at this point in time since no information or numbers has been presented to council to decide whether it could be a wash, a 224 225 windfall or a lose/lose situation. Mayor Deaton stated that he feels that it is premature to ask council to vote on anything concerning the sales tax and that he 226 227 agrees that a referendum would probably be the best way to go with the sales tax 228 issue and would not want to see council vote on this issue tonight. Mr. Samples 229 stated that he appreciates all of the comments. Mr. Samples stated that many people 230 are on fixed incomes and there is already an 8 percent sales tax in Horry County; the 231 rest of South Carolina is at 5 percent and he feels that it is presumptuous of town 232 council to levy another 1 percent sales tax that would hurt the retailers. Mayor 233 Deaton stressed that no one on council has proposed a one percent sales tax.

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### E. Discussion on Financial Transparency

Mr. Samples stated that there are approximately 6 cities in South Carolina that use their website to post transaction registers. These registers are made available to the public to show where their money is going; payroll is not included. Mr. Samples stated that this is government transparency and he feels the town can provide this especially with all of the technology now available. Mr. Martin stated that it is his understanding that this would not be a difficult thing to implement and asked for staffs' opinion. Ms. Hursey stated that most of the websites she went on that

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242 provided this service downloaded their data from their financial software and created 243 a PDF (portable data file) which is the most basic; one town had an internet fiche 244 system which was very involved. Ms. Hursey stated that it would not be difficult for 245 the town to post PDF files to its website. Mr. Booth stated that when citizens request 246 information with the Freedom of Information Act that takes time to research the public will need to pay for the staff members' time. Mr. Booth agreed with having 247 248 transparency adding that the town and staff has nothing to hide. The budget is often 249 changed but items are brought to council; the budget is a projection and many things 250 come up during a year that cannot be anticipated. There was a question regarding 251 whether this should be in the form of an ordinance and the attorney recommended that this should be implemented by ordinance. Mr. Martin made a motion to direct 252 253 staff to bring forth an ordinance providing the capability to provide posting of check 254 Mr. Truett seconded the motion. Mr. Samples questioned the need transactions. 255 for an ordinance. Mr. Smith stated that the town would need to look into the level of 256 information that would be delivered via posting on the website. There are many other issues to consider such as refunds in the criminal court system; the town would 257 258 be dealing with some sensitive information. There was a further discussion 259 regarding needs for ordinances and why one was not needed for a contract for the engineer. Mr. Samples stated that he feels that the town is making it more difficult 260 261 than it needs to be and added that he has full confidence in the Finance Director in 262 printing acceptable information. Mr. Truett stated that checks are key coded and if an individual wanted to pull up a check they could check the key code to receive more 263 information on how money was spent. All voted in favor. MOTION CARRIED. 264

## 8. <u>PUBLIC COMMENTS</u>

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Trudy Elliot, 1411 Highway 17: "I try to come to all of the council meetings as it is the only public forum that the people who live in Surfside have. I just wanted to say that I feel like that I represent a lot of people that I know on what they wanted me to say. First of all Surfside has a golden opportunity with the way that things are going on now down in Myrtle Beach and I really feel like you all are missing the boat. First and foremost I know personally of four businesses that are looking elsewhere to move away from Surfside. This is without a doubt the most unfriendly and uncooperative town as far as business is concerned that I've ever dealt with and I've had stores in other states but I've never received the attitude that I get from Surfside which is probably why a lot of the stores are moving away and going down to Garden City. If you ride to Surfside pier on Friday night or even on Saturday night, it is dead. If you go down to Garden City it is very busy. You will see people walking and walking down to Garden City and nobody is walking to Surfside, the two weekends I have personally checked it myself. Why? You need to rethink lots of your rules and regulations. You also need to have some very family friendly places to visit. You all were much more concerned with banning smoking than helping the businesses make money and having customers. This council has the power and the money to do almost anything they want to do. Where are benches for old folks like myself to sit on near or around the pier at night? Where are kiosks for people just to browse through? Where are some kids rides? There's absolutely nothing to draw families to the pier in Surfside at night. You have very little attendance at your council meetings. Why? Nobody feels they can get anywhere. That's kind of how I feel too. I talked to a couple of business owners on and around the pier. They all said the same thing, it's a waste of time going to council; they don't do anything and we have repercussions if we go stand up and have something to say. Nobody really cares and

291 nobody will listen. How many have you been out and talk to the people who helped vote 292 you into the council? Do you really care? There is time to do something. Starting at the 293 top and working down. You're running people away but then you don't know because 294 you all aren't out there asking around, talking to the people. Believe it or not I really do 295 care about this beach. I want it to be great; I want it to be known throughout the east 296 coast as the best beach to go to. I have a business here and I want the tourists' dollars, 297 that's why I'm in business. Nobody works for just the fun of it. Many of the customers 298 that I had tell me all the time, next time they come here they will be staying in Garden 299 City because there's things to do. You may be planting flowers, putting utilities 300 underground, making lots of unfair rules, stopping tourists unfairly, providing no 301 entertainment for our guests and locals. There's no wonder that people will go to 302 Garden City to live and stay on vacation and you will lose more and more businesses. 303 Please change. Please. I've had a business for 3 years and not a single person on this 304 council has been to my business to thank me for choosing Surfside to open a business, 305 you know, they just want me to pay my taxes, keep my mouth shut and just keep paying the permit for whatever I need. You have no idea what I'm doing and obviously no one 306 307 seems to care. Tonight we heard loud and clear from the council 'sometimes it's best to 308 do nothing at all', I guess that kind of sums up the way the council feels. Thank you very much. " 309 310

## 9. <u>COUNCIL COMMENTS</u>

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Mr. Childs: "I really disagree with the young lady that was just up here. This Mayor and council is really trying hard to get a lot of activities going in town. We just recently formed a special events committee along with the Chamber who is with us in that committee and we're meeting often and we're coming up with ideas. I want to give the Mayor a lot of credit for our last Sun Fun. It was the first time we ever had any Sun Fun Festival as big as it was on Saturday and I talked with the Mayor and there's a few things we can change next year to make it bigger and better and I expect to see a lot of things going on in town and we're going just as fast as we can, the administrator is doing things as fast as he can, sometimes he's going too fast, but he's really doing what he can and this council is behind him 100 percent and I think you're going to see a lot of changes and we are business friendly. There's going to be things that fall through the cracks but if you bring them up to us I really, honestly, believe that we can work those problems out and talking about seeing people around town and talking to them. I'm on the street all of the time and you'd be surprised how few people you see outside of your house, unless you go knock on a door, so I do try to talk to the people in town and see what their complaints are as I'm sure the rest of this council does too. I see them at events, talking with people; the Mayor's always getting input and we really are trying very hard and I expect in the next few years you'll be very pleased at the number of events and the tourist friendly things that we have planned, so give us a little time, we'll get it."

*Mr. Samples*: "Well, thanks for coming out. I just say there's always room for improvement."

*Mr. Truett:* "We have, starting Sunday, an event at the pier which will be on the west side if any of you were at the car show, there was a stage set up as you walk up the ramp to the pier, right on the left, there will be three gentlemen playing acoustic guitars. There will be a stage set up, tents from 2 to 4 every Sunday through Labor Day and like Mr. 349

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340 Childs said we have this new committee; we've asked for ideas on the website and on 341 Facebook; we're meeting every two weeks trying to promote new events on the beach; 342 just trying to gather information so I urge you guys, we have a meeting Thursday, please 343 come, if you've got any ideas contact myself and Mr. Childs or anyone on this 344 committee because we are just thriving for information. What do you want to see? 345 What kind of entertainment can this town provide and I agree with Mr. Childs, we are 346 going in a different direction and we are trying very hard and please be patient with us. 347 Thank you." 348

*Mr. Johnson*: "Good evening ladies and gentlemen. Thank you for coming out. Thank you for staff in attendance. We are Surfside Beach, a family beach and we are trying to improve all aspects of the town and I will see you out on the golf cart, every night, just as usual. Thank you."

Ms. Blair: "Are you ready for some fireworks? It's hard to believe it's almost July 4<sup>th</sup> 354 355 already but it will be a big event and I just wanted to restate what my colleagues have 356 We've heard these complaints and we've heard these issues and the said. encouragement from a lot of you that you want more activities and you want more 357 358 friendly events going on, that we can gather as a town and welcome our visitors to join 359 us and enjoy those summer events and this committee is working very hard, but things 360 don't happen overnight; it takes time to develop those contacts and time to plan and time to gel as a committee and come together and work together and they are throwing around 361 all sorts of ideas from jazz festivals to blue grass and barbeque and all sorts of things that 362 363 they're hoping to pull together, now, they may not all happen this season but we need them to be year round; we want gatherings all the time and I can tell you that the music 364 to accompany the fireworks is being done and recorded at my home and so if you need 365 366 to get into the spirit of things, once again, you can come on by and listen because I have it going there all the time with getting ready for the 4<sup>th</sup> of July, so everybody come out 367 and enjoy what we are putting together and what is offered to you now and send in those 368 369 ideas and come to the meetings and help us plan. Help us work to get these events going and if you're out and about and you see any of our public safety officers, hopefully 370 371 they're not stopping you for doing anything wrong or answering any calls at your home but if you see them outside, it is public safety day, remember what they do and 372 373 remember that they're there for us all the time and we put a lot of dependence in them 374 and take them for granted and we know that when we need them they'll be there, so just 375 remember to give them a good thank you and lift up a praver for them on Friday for putting their lives on the line all the time. Thank you for coming out. Have a great week 376 and a great 4<sup>th</sup>. I hope to see you all on the beach for the fireworks." 377

379Mr. Childs: "Mr. Rutledge I want to congratulate you on your years of service with the380town. Thank you again but one more thing Mr. Mayor. I want to point out a thank you381for making our festivities last week such a success by working with the Chamber. It was382a great success and I just want to give you credit for self organizing that."383

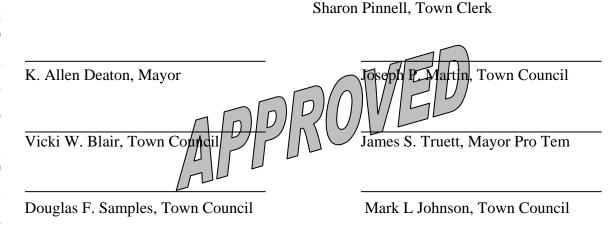
*Mr. Martin*: "I noticed Mr. Rutledge you did stay for the whole meeting. Thank you very much. We really do appreciate your years of service to the town and I know I've seen you many times going past the house and I always give you a wave. I appreciate your friendliness as well as your professionalism. Thank you."

389 Mayor Deaton: "Well, it is a new day in Surfside and we have changed gears and we're 390 moving forward on a lot of fronts. I alluded earlier, to the fact that we have all of these 391 beautiful homes on the beachfront as opposed to hotels or motels or concrete boxes. We 392 are truly a family beach. We have these houses that will hold maybe three families with 393 seven bedrooms, five bathrooms and our tourists are only here about 100 days, 120 days 394 so we enjoy this community for 200 plus days as residents with no tourism and because 395 of this tourism income we have the perfect infra-structure. We have the ability to come 396 here and spend millions of dollars on stormwater improvements; we have the ability to create an environment that's very unusual on the South Carolina coast. Mr. Booth mentioned earlier our Blue Wave designation which we just received and we're one of only two beaches on the entire coast of South Carolina that has that designation. It has to do with habitat and it has to do with water quality, it has to do with beach access, it has to do with a lot of components that makes this a special place and so thank you for coming. Thank you for what you do, committees are very important, please get involved with our committees because this council, we actually utilize our committees as far as major work goes. When it gets to us the works already been done, we're decision makers and so these committees are out there doing all this work; they're out there biweekly or weekly and they produce some great things. The mural is one example of that, the beautification committee came up with that idea and has implemented that; that's just one example of what residents can do if they get involved so thank you for being here; thank you for coming and you all have a good evening."

### 10. ADJOURNMENT

Mr. Truett made a motion to adjourn. Mr. Johnson seconded the motion. All voted in favor. MOTION CARRIED. The meeting was adjourned at 7:35 PM.

Approved: July 14, 2009



Robert F. Childs, III, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda 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.