



TOWN OF SURFSIDE BEACH  
115 US Highway 17 North, Surfside Beach, SC 29575  
Web: [www.surfsidebeach.org](http://www.surfsidebeach.org)  
☎ (843) 913-6111 ☎ (843) 238-5432

**PUBLIC NOTICE:** Town Council Workshop, Tuesday, October 22, 2013 at 5:00 p.m. to meet with the Stormwater Committee to hear a presentation by Dr. Susan Libes, and others, on the storm water retention ponds and suitability for recreational use.

**SURFSIDE BEACH TOWN COUNCIL  
REGULAR MEETING AGENDA  
COUNCIL CHAMBERS  
TUESDAY, OCTOBER 22, 2013 ♦ 6:30 P.M.**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** Pastor Mike King, South Strand Community Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting October 8, 2013
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **COMMUNICATIONS**
  - A. Department Reports
    - i. Finance
    - ii. Public Works
    - iii. Recreation
  - B. Administrator’s Report - Update on Current Events
7. **BUSINESS**
  - A. Second Reading - Ordinance #13-0763 to amend §5-18 Appointment of Poll Workers, Administrator Fellner.
  - B. Municipal Election Commission – Reappointment Ms. Peggy Inman (May be deferred until after executive session.)
8. **DISCUSSION** – Any matters of concern or information to be discussed by Town Council.  
  
Event Prize Drawings at Town Events, Mayor Pro Tempore Mabry
9. **PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
10. **COUNCIL COMMENTS**
11. **EXECUTIVE SESSION**
  - A. Pursuant to FOIA §30-4-70(a)(1) to the appointment of a person or persons to a public body (See 7.B. MEC Reappointment)
  - B. Pursuant to FOIA §30-4-70(a)(2) to discuss multiple proposed contractual arrangements (Per Micki 10/04/2013 )
12. **ADJOURNMENT**

A statement in response to the question regarding the suitability of using the ponds in the Surfside Beach for boating...

It has been presented to me that the Town of Surfside Beach is considering an ordinance to allow residents to use the ponds/lakes within its jurisdiction for boating, with provisions limiting the types of boats allowable. I was asked to participate in this discussion because of my experience in pond/lake management and firm understanding of the complexities of managing surface water systems for multiple uses. Let me be clear, I am an educator and not a regulator. I intend through this statement to provide insight regarding recreational use of municipal waters not to interpret law or regulations. I apologize that I cannot be present at this meeting, but I have prepared this statement to provide my perspective on this situation.

Although the Town's codes refer to the "lakes" in Surfside Beach as stormwater ponds, they were not designed or constructed for this purpose. They are not designed according to the engineered standards used for standard stormwater ponds. They do not hold a predetermined treatment pool nor are they constructed with a predetermined freeboard for capturing and moderating the flow of runoff. Technically speaking, they are (mostly) embankment ponds constructed by damming or embanking natural runs. Essentially, they are modified streams or swashes. Their construction and design is not all that different from embankment ponds across the southeast that were constructed for a wide array of uses such as recreation, irrigation, fire suppression, watering livestock, aquaculture, municipal water supply, and many other uses. Structurally speaking, they are suitable for recreational uses such as boating and fishing, but those uses are limited by the size of each pond. They have adequate depth and access, at least in the case of the larger lakes such as Dogwood and the lake just upstream from Dogwood. The main difference between these ponds and other embankment ponds used for recreation is the degree of development of the watershed.

Surfside is a relatively dense residential community and is almost completely built-out. The watershed has a fairly large percentage of impervious cover and an aging storm water drainage system that has very few structural BMPs to capture sediment and control pollutants. This means that runoff (storm water) flowing from the lots and streets has a significant effect on the water quality in the ponds. Although the ponds are not designed as storm water ponds, they are influenced greatly by runoff and, as a result, may be subject to water quality conditions that exceed the safe limits established by the State for recreational waters. Pathogenic bacteria (indicated by fecal coliforms counts) are the most concerning of these water quality challenges in recreational waters. We know already that Surfside has a history of high bacteria levels in its runoff and in its surf zone, and I think pollutant tracking work has shown that much of this contaminant is originating in runoff draining to the ponds or from the waterfowl using these ponds. (Dr. Libes can speak in more detail regarding water quality conditions in these systems.) This means that the ponds may have bacteria levels that exceed the state's advisory threshold,

especially during the warmer summer months when folks are most likely to be using the ponds.

The question then is, "Should the Town restrict access to the ponds over concerns that users of the ponds may become exposed to water that may contain elevated levels of harmful bacteria?" Of course this is a similar concern to the beach and surf zone, which is already being used as a recreational resource and is known to have water quality problems. It seems inconsistent to restrict boating in the lakes based on this reasoning but not restrict folks from going swimming at the beach too, because the conditions of the two systems are linked and bacteria levels may occasionally exceed acceptable levels in either system.

Setting water quality aside, there are several pros and cons to opening the ponds to boating access:

Pros:

- Improved Quality of Life for visitors/residents by adding a recreational opportunity
- Increased appreciation for the condition of the ponds as more folks interact with these aquatic ecosystems
- Potential revenue source if town allows for boat rentals/access fees or requires permits for access (Dogwood Lake is probably the only lake suitable for this type of use)

Cons:

- Increased liability for illness if waters exceed maximum allowable water quality conditions
- Increased liability for drowning or injury
- Increased potential for trespass or invasion of privacy
- Potential overfishing or impacts to wildlife
- Increased potential for introduction of invasive weeds

I take a different approach in my concern for allowing residents to use the Town's ponds for recreation. I think the ponds are suitable for boating and other recreational uses, but the town needs to know that it is assuming liability when it allows residents to access its property. If the town chooses to open the ponds up for recreational use, then it is very similar to opening a new recreational or athletic park, and the town would need to take precautions to prevent death, injury, or illicit activities on its ponds just as it would for a town park or athletic facility. This means the town would have to protect users by conducting such activities as maintaining clean, safe access points, monitoring water quality, maintaining healthy water or restricting access when water quality conditions exceed the state's allowable thresholds, managing or eliminating waterfowl and other human-wildlife conflicts, providing instructional signage, removing hazardous obstacles/debris, restricting access to dams or water control structures, protecting against trespass from the water onto private property, enforce litter laws and conduct litter clean-ups, assess

and maintain the fishery (if fishing is allowed), and so forth. Essentially, this means that the Town will need to assume maintenance activities on the ponds that are as intense as in a recreational or athletic park in order to avoid being negligent. This is especially true if the Town charges for access or for rental equipment used for boating. A lawyer familiar with public access laws could help inform the town of what it would need to do to avoid negligence and lawsuits in the event of an incident.

Many large cities allow these types of uses of the lakes and rivers within their limits, and they have similar or worse water quality challenges. It can be a real benefit to the town and residents alike to allow boating; however, the assumption of liability for the well being of users of its property as well as for the condition of the lakes is something the Town must not take lightly. As a result, most municipalities that have considered this type of use have been very explicit and detailed about the rules and expectations regarding boating. If the Town of Surfside Beach chooses to allow boating on its lakes, then it needs to understand the level of liability it is assuming, prepare to maintain the lakes to minimize health concerns and accidents, and consult with other regulatory authorities such as the Department of Natural Resources regarding boating and fishing regulations and the Department of Health and Environmental Control regarding monitoring and mitigating water quality conditions for recreational uses. The Town also should review thoroughly the rules, regulations and penalties established by other townships that allow boating on municipal lakes.

This decision should not be taken lightly. If an accident or mishap happens on land, people fall down. If it happens on water, people may drown. My final word is "Do your homework." I suggest you speak with a lawyer regarding public access law and liability, speak with the state agencies with authority over boating laws and water quality standards, and review similar ordinances of other townships in order to craft an ordinance that increases opportunity to residents while providing ample protections to the town.

Sincerely,  
Ben Powell  
Clemson Extension



## Surfside Beach Stormwater Ponds

October 22, 2013  
Surfside Beach Town Hall  
5 – 6pm



**Participants:** Elected and appointed officials, staff, and community leaders

**Participants will:**

- 1) Understand the purpose and function of stormwater ponds
- 2) Understand maintenance of properly functioning ponds
- 3) Learn about the status of current research and monitoring of the ponds
- 4) Obtain an understanding of current state of knowledge and how that pertains to question at hand (public use and access to the ponds)

Time	Activity	
5:00-5:05 (5 min)	<b>Introductions: Michelle LaRocco, CTP Coordinator, North Inlet-Winyah Bay NERR</b> <ul style="list-style-type: none"> <li>- Review Agenda and Purpose of Workshop                             <ul style="list-style-type: none"> <li>o “What is really in our ponds?”</li> <li>o Will there be a human health risk by allowing boating in the ponds?</li> <li>o Will allowing boating in the ponds interfere with the function of the ponds by increasing erosion or sedimentation?</li> <li>o Will allowing boating in the ponds interfere with the town’s responsibility to provide water quality protection?</li> </ul> </li> <li>- Allow Participants to Introduce themselves</li> <li>- Thank Town of Surfside Beach for hosting the workshop</li> </ul>	<b>Refer to Packets</b>
5:05-5:15 (10min)	<b>Overview of Stormwater Ponds: Ben Powell, Clemson Extension</b> <ul style="list-style-type: none"> <li>- Stormwater pond design, function, and maintenance</li> <li>- Regulatory context: the town’s responsibility under the NPDES Phase II program</li> <li>- Current recommendations for pond usage from Clemson</li> </ul>	<b>Powerpoint</b>
5:15-5:25 (10min)	<b>Local Pond Biogeochemical Performance: Dr. Erik Smith, North Inlet-Winyah Bay NERR</b> <ul style="list-style-type: none"> <li>- Maps of sampling points</li> <li>- What is being sampled, why, and frequency</li> <li>- Results, and what they can speak to regarding question at hand</li> </ul>	<b>Powerpoint</b>
5:25-5:35 (10min)	<b>Volunteer Monitoring Program: Dr. Susan Libes, CCU</b> <ul style="list-style-type: none"> <li>- Maps of sampling points</li> <li>- What is being sampled, why, and frequency</li> <li>- Results, and what they can speak to regarding question at hand</li> </ul>	<b>Powerpoint</b>
5:35-5:40 (5 min)	<b>Wrap-up: Michelle LaRocco</b> <ul style="list-style-type: none"> <li>- Any unifying themes</li> </ul>	

	<ul style="list-style-type: none"> <li>- Areas of disagreement</li> <li>- Areas lacking clarity or Unknowns</li> <li>- These experts can only speak to a portion of the information needed for this decision. There are other factors to this decision like liability, amount of risk the Town is willing to accept, community issues, rules/enforcement, etc, that will contribute to the decision, but we can't speak to that.</li> </ul>	
5:40-6:55 (15 min)	<b>Panel Q &amp; A</b>	
5:55-6:00 (5 min)	<b>Evaluations</b>	<b>Evaluation forms</b>

Partners- Town of Surfside Beach, CWSEC, Clemson Extension

# **“What do we know about our ponds?” and can we boat in them**

**A PROGRAM FOR THE TOWN OF SURFSIDE BEACH**

**Tuesday, October 22nd 2013 5:00 - 6:00 pm**

**Surfside Beach Town Hall**

**115 Highway 17 North**

**Surfside Beach, SC**

**Featured Speakers:**

**Ben Powell, Natural Resource Extension Agent  
Clemson University**

**Dr. Erik Smith, Research Coordinator  
North Inlet-Winyah Bay National Estuarine Research Reserve**

**Dr. Susan Libes, Professor of Marine Science and Chemistry  
Coastal Carolina University**

**Facilitated by: Michelle LaRocco  
Coastal Training Program Coordinator  
North Inlet-Winyah Bay National Estuarine Research Reserve**

**Learn about the purpose of and proper maintenance for functioning stormwater ponds and what the current research says about potential human health risks from recreational use.**



**EVALUATION FORM**  
**Stormwater Ponds Workshop**  
October 22, 2013

**1. How would you best characterize your affiliation? (*Please choose one*)**

- |   |   |
|---|---|
| <input type="checkbox"/> Federal Agency       | <input type="checkbox"/> Business: Type _____ |
| <input type="checkbox"/> State Agency         | <input type="checkbox"/> Non-profit Group     |
| <input type="checkbox"/> Regional Agency      | <input type="checkbox"/> University/Academia  |
| <input type="checkbox"/> County Government    | <input type="checkbox"/> Concerned Citizen    |
| <input type="checkbox"/> City/Town Government | <input type="checkbox"/> Other _____          |

**2. Participating in this event was a good use of my time:**

- |                          |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Strongly Agree           | Agree                    | Neutral                  | Disagree                 | Strongly Disagree        | Prefer Not to Answer/Not Applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**3. How much did this workshop increase your knowledge of stormwater pond management and science?**

- |                          |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| A Great Deal             | A Lot                    | Some                     | A Little                 | Not at all               | Prefer Not to Answer/Not Applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**4. Did you learn something that you will apply in your work or future decisions?**

- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Yes                      | No                       | Maybe                    | Prefer Not to Answer/Not Applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**5. What other training topics would be of value to you and your colleagues?**

**THANK YOU FOR PARTICIPATING! PLEASE PROVIDE ANY ADDITIONAL COMMENTS BELOW:**



# **“What do we know about our ponds?” – Stormwater ponds workshop**

## **Town of Surfside Beach**

### **Speaker Information**

**Susan Libes, Ph.D.** is a professor of marine science and chemistry at Coastal Carolina University, Conway, SC. She is the founding Director of CCU’s Waccamaw Watershed Academy (WWA) which houses a state-certified Environmental Quality Laboratory. She is also a founding member of the Coastal Waccamaw Stormwater Education Consortium. Her professional activities focus on eutrophication and hypoxia in fresh and marine waters and the use of watershed planning to improve water quality. Dr. Libes is the author of a textbook, “An Introduction to Marine Biogeochemistry”. A second edition was published in 2009 by Elsevier. The WWA has been overseeing a volunteer water quality monitoring program in Surfside since 2010.

Dr. Susan Libes  
Director, Waccamaw Watershed Academy  
Professor of Marine Science and Chemistry  
290 Allied Drive  
Burroughs & Chapin Center for Marine & Wetland Studies  
Coastal Carolina University  
Conway, SC 29526  
(843) 349-4028  
[susan@coastal.edu](mailto:susan@coastal.edu)  
<http://www.coastal.edu/wwa/>

**Ben Powell** brings his training in entomology and water resource management to the people of Georgetown and Horry Counties to assist with wise management of the county's natural resources. From homeowners to elected officials, youth to adults, he provides a variety of continuing education programs to all county residents to improve awareness of the value of water, land, wildlife and forest products for the county's economy and quality of life.

Ben Powell  
Assistant Forestry & Natural Resources  
Clemson University Extension  
731 Prince Street  
P.O. Box 1100  
Georgetown, SC 29442  
(843) 546-4481  
[bpowel2@clemson.edu](mailto:bpowel2@clemson.edu)

**Erik Smith, Ph.D.**, is the Research Coordinator for the NIWB NERR and an Assistant Research Professor at the University of South Carolina’s Baruch Institute for Coastal and Marine Science. His professional expertise is in aquatic microbial ecology and biogeochemistry, with recent research focused on the impacts of development and stormwater management practices on coastal eutrophication and hypoxia. His research on water quality conditions in stormwater detention ponds has included sampling in several of the lakes in the Town of Surfside Beach.

Erik M. Smith, Ph. D.  
Research Assistant Professor  
Research Coordinator, North Inlet - Winyah Bay NERR Baruch Marine Field Laboratory  
University of South Carolina  
PO Box 1630 Georgetown, SC 29442  
(843) 904-8035  
[erik@belle.baruch.sc.edu](mailto:erik@belle.baruch.sc.edu)  
<http://northinlet.sc.edu/>



powered by:  
[ PHP ] + [ MySQL ]

- phplist
- logout
- main page
- help
- about

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- lists
- send a message
- manage users
- messages

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- process queue

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- hello world
- mozilla sidebar

## phplist - list of messages

good morning Surfside Beach Info

English

You can use "Requeue" to resend a message. This will cause the message to be sent to users who have subscribed after you sent the message. It will not be sent to users who have already received the message.

If you view a message, you will be able to resend it to a different list

- **sent**
- **draft**
- **queued**

174 Messages

Listing message 1 to 5			
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Message info	Status	Action										
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