



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
August 10, 2010 ♦ 6:30 P.M.

TOWN COUNCIL
REGULAR COUNCIL MEETING

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1. **CALL TO ORDER**

Mayor Pro Tem Childs called the meeting to order at 6:30 PM. Councilmembers Johnson, Blair, Dodge, Smith, Childs and Samples were present. Mayor Deaton was absent due attendance at a funeral. Staff present: Appointed Interim Administrator, Fellner; Clerk Pinnell; Special Events Supervisor, Ellis; Building Director Donevant; and Police Captain, Miller. Attorney Mr. Moss was also present.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.**

Councilman Samples gave the invocation and Mayor Pro Tem Childs led the pledge of allegiance.

3. **AGENDA APPROVAL**

Mr. Smith made a motion to approve the agenda as submitted. Ms. Dodge seconded the motion. **All present voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL** – Mr. Smith made a motion to approve the minutes from the council meeting July 27, 2010. Ms. Dodge seconded the motion. **All present voted in favor. MOTION CARRIED**

5. **PUBLIC COMMENTS**

Joe Zoltak, 414 Pine Drive: “This afternoon I had the pleasure of meeting with Ms. Donevant to go over the library site plans. I want to go on record, again, that I am not opposed to the library. All I ask is that it is done legally and correctly. We are a nation of laws and have a constitution that provides us rights to our every citizen. After the meeting I quickly sent Jackie an e-mail that said thank you very much for taking the time to meet with myself and Mr. Stevens regarding the plans. You showed us the plans dated December 2009. Mr. Stevens and I already had in possession the plans from March 2009. The only difference we noted on the plans was the parking spaces went from 58 down to 56 and these number spaces are determined by sections 17-290. We pointed out that the council had told the public back on September 22nd, 2009 that both Passive Parks would be connected by voting to the resolution to close the street. When I looked at the plan, you know, and that was supposed to improve the flow. When we looked at the plans and I pointed out to Ms. Donevant that instead of increasing the flow the existing concrete paths, and I’m sure everybody is aware of on 1st Avenue, are now going to be replaced with parking spaces. The drawings indicated that the impervious area was to be 50 percent. Section 17-277 states that the impervious area in an R-2 district needs to not exceed 45 percent. The site plan does not show any off street parking for the Passive Parks and the new dog parks for section 17-290. Section 17-292 does permit shared parking but the total number of shared spaces cannot be less than the sum of the spaces required for each individual entity, therefore, at least 3 more spaces are needed for the dog parks plus Passive Park and handicap spaces need to be provided for those entities too. They are not on the drawings. The site plans also indicates that the

52 existing handicap spaces by the library which were shared for Fuller Park have been
53 deleted; this is a violation of the Americans of Disabilities Act. Ms. Donevant and
54 myself then looked at the zoning map in town; we both agreed that in R-2 all lots are
55 residential lots, therefore, the existing lots on both sides of the library are indeed
56 residential lots and she agrees, even though the use is for parks. Use is different than
57 zoning. The drawings then indicated that section 17-28 is a violation because the
58 structure is not 75 feet from these residential property lines. We also discussed the
59 right of way encroachment application that was approved by the Public Works and
60 the application requests the closure of the entire street. I pointed out to her that the
61 Town of Surfside Beach does not have that authority; they can only grant an
62 encroachment permit for the town right-of-way and that's what it was; an
63 encroachment permit for the right-of-way only. At the end of the session she agreed
64 that she was going to address all of my concerns with the architect and get back to me
65 and I would like to then again have another review of these site plans to determine if
66 corrective actions are taken for all of these deficiencies. I see that the Horry County
67 library; the County has already received bids for the construction and the library is
68 closing on August 27th to start construction. How can you guys all do this when
69 there's so many deficiencies in the site plan and violations of ordinances and I trust
70 that Ms. Fellner tonight will address these deficiencies and tell us more about it in her
71 library update. Thank you."

72
73 **Harry Kohlmann, 1610 South Ocean Blvd.:** "Let's talk about the concession stand
74 at Huckabee. I believe there was a decision paper on the agenda before they took it
75 off, it was about eliminating the contract at Huckabee and possibly using a part time
76 worker there. I think it's a good idea to use the concession stand as the town's money
77 maker, you know, sort of for, say, the Dixie championship and things like that. What
78 I'd like you to consider though instead of using a person part time, a part time worker
79 which is going to cost us money to use volunteers, I got 5 kids all the way up to 27
80 years old, played in all different kinds of ball leagues, all different places, all over the
81 country and what you had to do, except for this league, is you had to pay money to
82 play. It was various different amounts but being a parent or a guardian of the child
83 you also had to volunteer a certain amount of time. Either be it field preparation,
84 cutting lawns, cutting bushes or concession stand. I think instead of wasting money
85 on somebody, to pay somebody to do it; we should have volunteers doing it. We also
86 have a lot of senior citizens maybe they'd like to volunteer. Be part of the
87 community follow the ball field atmosphere so before we jump on the bandwagon
88 with hiring another person on staff and taking that money away from the kids we
89 could use for the Dixie League. I wish you would consider it. Thank you."

90
91 **Randle Stevens, 412 1st Avenue North:** "I want to follow up on what Joe Zoltak was
92 speaking to you about and it's going to be spoken about by the Administrator later on
93 today. I noticed that the Public Works Department granted a temporary
94 encroachment permit which showed they wanted to, the County wanted to close the
95 road for construction for the library for staging. I want to address you to section 17-
96 294 parking and storage of vehicles in a residential zoned commercial vehicles which
97 the library is zoned R-2 says storage of commercial vehicles in a residentially zoned
98 district is prohibited. Parking, overnight parking, of one commercial vehicle in a
99 residential zone district is prohibited provided the vehicle is a van or a pickup that
100 does not exceed 21 feet in length or 7 feet 11 inches in height. All other commercial

101 vehicles are prohibited from overnight parking in a residentially zoned district. I
 102 know if you start building the library they're going to have backhoes and bulldozers
 103 and all kinds of other stuff. You cannot put these in a residentially zoned district; it's
 104 in your ordinance. Also you're showing on your site plans about parking; 17-296
 105 addresses this in exceptions but at the last part of it, it says parking shall not be
 106 extended in an R-1 low density residential district nor an R-2 medium density
 107 residential district. This is something that has to go before the Zoning Board of
 108 Appeals to grant a variance if you want parking on both sides of the street. If you're
 109 going to build a library I suggest you do it following the law. It seems like we're,
 110 again, are at another impasse where the city wants to break their own laws again.
 111 Build a library but build it under the law as it reads in your city ordinances. It's time
 112 for people that are elected to stand up and support the laws that you vote on. The
 113 library will be a great thing if it's ever built but the fact is; don't break the law while
 114 you're trying to do it. You can break laws all day long but it doesn't do us any good;
 115 all you're doing is you're filling the belief of elected people. I mean you look over
 116 this land and it hadn't been too long ago, I'm sure all you all thought was somebody,
 117 they had an administrator was paying himself \$700,000 almost \$800,000 three or four
 118 times what the president gets paid in California. Let's keep this council following the
 119 laws; let's make sure our staff follows the law. That's all we want as citizens. We
 120 want you to follow the law; citizens have to do certain things when we build
 121 something and the city should have to do the same thing and I remind you if you
 122 don't already know this that the city council has a duty to make sure these laws are
 123 followed by the staff and it says also that we've had . . . just make sure you follow the
 124 laws please."

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 126 **6. COMMUNICATIONS: Presented by Interim Administrator Micki Fellner**

127 **a. Building Report**

128 Ms. Fellner reported there were 55 permits issued for a total of \$4,521.78; last
 129 year during the same period 87 were issued for a total of \$8,619.31. Year to date
 130 the town is up 78 permits for a total of \$5,224.34. 37 contractor licenses
 131 including new issues and renewals were issued for a total of \$4,861.47; last year
 132 during the same period 47 were issued for a total \$8,276.28. Year to date the
 133 town is up 39 licenses but revenue is down by \$5,948.37. 107 inspections were
 134 conducted; last year during the same period 169 were conducted. Year to date the
 135 town is up 38 inspections. The aggregate total of revenue year to date shows a
 136 negative \$724.03 which is less than the town expected.

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 138 **b. Public Safety Report**

139 **Police**

140 Ms. Fellner reported that the Public Safety will assist with the upcoming Ocean
 141 Expo and Guy Daniels Surf-Off on August 14th and 15th. Additional officers will
 142 be assigned; salaried officers as well as part time officers will be used to increase
 143 staffing while minimizing overtime. In-house training for officers this month will
 144 include dealing with the mentally ill, jail procedures, searches, response resistance
 145 and vehicle pursuit. The department has completed their emergency preparedness
 146 and operations plan and has given it to the Emergency Operations Manager. On
 147 August 13th the police department in conjunction with the 15th circuit law
 148 enforcement network will host a safety checkpoint between 8 and 11 PM on
 149 Glens Bay Road. The meter report for July 2010 took in \$4,420.87 more than

150 the prior year. The aggregate total for March through July 2009 took in
151 \$109,532.41 and 2010 \$143,277.29 was taken in. This is an increase of over
152 \$33,000. Other police statistics are available on-line. Mr. Samples asked if the
153 totals for the parking revenue included the pier parking lot. Ms. Fellner stated
154 that it includes all of the parking lots including the pier. Mr. Johnson asked if
155 there have been any operational problems with the pay station machines this year.
156 Ms. Fellner stated that they are a piece of equipment and occasionally there are
157 problems but the town has had much fewer problems this year than last year. Ms.
158 Fellner stated that she only recalls two occasions this year where there were any
159 significant problems adding that the worst problem the town has had is when a
160 citizen places a \$20 bill in the machine expecting change. The stations state that
161 no change will be issued but there have been some occasions where people have
162 put in incorrect amounts not realizing. Ms. Fellner stated that if citizens come to
163 town hall right away with this problem Ms. Fellner has been accommodating
164 them.

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Fire

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168 Ms. Fellner reported that the fire year runs November 1st through July 31st due to
169 mandatory volunteer reporting they need to provide. Ms. Fellner reported that
170 this is the year that the figures she is reporting on are based on. Ms. Fellner
171 reported that November 1st through July 31st 2010 the fire department responded
172 to 508 calls; last year during the same period they responded to 505 calls. The
173 new fire engine should be at town hall by end of August or early September. The
174 town mechanic is currently completing the paperwork to list the old truck on
175 GovDeals and this should be listed soon and it will be listed for 10 days. The
176 town will be putting it up with a reserve of \$27,500; the town currently has an
177 offer from another municipality, Higgston Georgia, for \$25,000, GovDeals
178 requires an 8 percent commission which would come out to \$27,500 so in order
179 for the town to get the best price it placed a reserve on the truck. It was
180 confirmed that the truck is a pumper truck. Mr. Samples asked if the truck would
181 be taken as is. Ms. Fellner confirmed this to be correct. Mr. Smith asked if
182 Higgston has viewed the truck in person. Ms. Fellner stated that some of the staff
183 have come and looked at the truck; the town also has a letter from them stating
184 that they have the money and that their council has approved the purchase.

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186 Ms. Fellner reported that the grinding and stripping of the base floor has been
187 completed; the VCT has been laid in the offices and there are only a few items
188 that remain on the punch list; grounding of the building, drain in the northwest
189 corner, pooling by employee entrances at northwest corner and bollards on the
190 outside of the bays are a few remaining items to be addressed. Ms. Fellner stated
191 that she plans on releasing a lot of the retainer being held to Mashburn. Open
192 house for the new fire station is in the planning stages; the promised time is
193 October and a date will be released soon. It would be held after the town Family
194 Festival. Mr. Childs asked about the tiling on the fire station floor. Ms. Fellner
195 stated that the floors were prepped and tile was installed according to
196 manufacturer specification. If the tile was applied not following these
197 specifications there is no warrantee or guarantees. Ms. Fellner stated that
198 Mashburn and the manufacturer are standing behind the installation as long as it
199 was done to these specifications.

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c. Administrator's Report

i. *Emergency Beach Access Pilot Project*

Ms. Fellner reported that to alleviate people setting up gear on the beach in the emergency access areas the town is testing a temporary access path area by the Holiday Inn. Public Works has taken white PVC piping and nylon cord to make a path. The fence is put up early in the morning and it is removed at the end of the day. It has been working so far and the plan is to set this up in areas where the town has a problem with emergency beach access areas. Ms. Blair asked for an estimate of problem areas. Ms. Fellner stated that there may be approximately 6 areas. Ms. Fellner stated that the cost is about \$56 for each fencing setup.

ii. *Crosswalks on Ocean Blvd.*

Ms. Fellner reported that the town is getting a second quote on the yield for pedestrians in crosswalk signs. They will be thin signs that will not add to visual clutter and the town is planning on installing approximately 20 signs at every 2nd or 3rd crosswalk. They would be staggered according to safety and to minimize visual clutter. The cost will be under \$1,000 but staff would like to get at least 2 quotes. Mr. Johnson stated that the City of Myrtle Beach businesses on Ocean Blvd. have agreed to contribute funds for Ocean Blvd. safety. Mr. Johnson stated that perhaps the town could look into asking for contributions from some of the local businesses in town since they also have a vested interest. Ms. Fellner stated that every time she asks the businesses they respond that they already pay accommodations tax. Mr. Childs asked about placing stripes in between the crosswalk lines. Ms. Fellner stated that restriping was quite costly; for a few lines the cost was \$1,000 and added that she would take Mr. Johnsons' recommendation and ask for contributions from the businesses in town. Ms. Dodge stated that everywhere she has been the crosswalks have had yellow striping and asked Ms. Fellner if she got a total cost on doing all of the crosswalks. Ms. Fellner stated that she did not adding that this would be a huge cost to the town. Ms. Fellner stated that she had asked the Public Works Director, Mr. Adair, to look into possibly raising the crosswalk area and added that pavers would be quite costly. Ms. Fellner stated that the product needed to stripe the lines is different than regular paint; this material is very expensive and added that she was quite surprised it was so costly. Ms. Dodge stated that she was concerned she had seen people almost get hit trying to walk in the crosswalks. Ms. Fellner stated that she agreed that it was dangerous. Mr. Samples stated that there are two ways to stripe the crosswalks; there is the expensive way and then there is a labor intensive way which is recurring maintenance. Mr. Samples stated that there is paint available that is a better quality and from personal experience has used it to stripe some parking lots with heavy traffic. The high quality paint could probably get two years use before it needed to be redone. Mr. Samples stated that summer will be ending and the town used to perform many projects in-house and feels that striping could be added to the project list. Ms. Fellner stated that the town can do whatever needs to be done but would like to get a better handle on

249 all of the alternatives and the costs involved with each one. Mr. Johnson
250 asked for Ms. Fellner to direct Mr. Adair to investigate this and bring it
251 back to council. Ms. Fellner stated that it would be included in the next
252 council meeting report.

253
254 *iii. Lights on Seaside Drive*
255 Ms. Fellner reported that in accordance to the lighting plan for 14th South
256 Santee Cooper will install lights approximately every 150 feet. The cost is
257 approximately \$28 per unit and they will be installed on Seaside Drive
258 after the season in late September or early to mid October.

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260 *iv. Ocean Expo August 14th & 15th*
261 Ms. Fellner reported that the Ocean Expo is scheduled; the town has radio
262 and press coverage on the event. The second press release was issued
263 today. The ocean kayak races and the surfing clinic have been cancelled
264 due to conflicting dates and lack of interest. The forecast is good and the
265 town expects a good turnout for the event. Ms. Dodge asked if the event
266 needs permits. Ms. Fellner stated that they do not. Ms. Dodge asked who
267 the company was that was handling the expo. Ms. Ellis answered that it
268 was Sail and Ski Connection of Myrtle Beach. Ms. Dodge asked who the
269 particulars were in that business. It was confirmed that the owner is
270 Charlie Belissary. Ms. Dodge asked if this needed to be bid out since
271 there are costs connected to this event. Ms. Fellner stated that Sail and Ski
272 Connection is not costing the town anything adding that they are
273 participating in their insurance costs and the costs involved in the event
274 are town labor. Mr. Samples asked if this event would be downsized. Ms.
275 Fellner stated that this is not one of the events planned on being
276 downsized.

277
278 *v. Library Update*
279 Ms. Fellner reported that the Building Director, Ms. Donevant, met with a
280 few citizens and discussed various items with them and would be getting
281 back to them personally on these items. Ms. Fellner stated that this would
282 not be the proper forum to discuss these items. Ms. Fellner stated that to
283 date the town has issued a notice of intent to DHEC/OCRM who has
284 granted coverage under the 2006 general construction permit which they
285 issued on June 23, 2010. An encroachment for temporary closure of 1st
286 Avenue for lay-down of equipment and materials has been issued to the
287 county. An encroachment for using the town right of way has also been
288 issued. The County received contractor bids last Thursday and they had
289 approximately 10 bidders. The County is currently going through their bid
290 qualification review and in approximately 2 to 3 weeks an award will be
291 made and construction should then commence. The impervious is 45
292 percent which was the last issue the town was reviewing. The County
293 brought the impervious down to 45 percent so it does now comply. They
294 put in additional pavers to do this. It was confirmed that these would be
295 pervious pavers.

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298 Ms. Donevant stated that she had met with Mr. Zoltak and Mr. Stevens;
299 they had questions which Ms. Donevant wrote down and she would be
300 getting back to them the following day to discuss these with them adding
301 that she does not have answers available this evening.

302
303 Ms. Dodge asked about handicap parking. Ms. Dodge stated that there is
304 so much going on in the library area and asked if there was going to be
305 enough room to comply with the handicap parking. Ms. Fellner stated that
306 the town will comply with the handicap parking. Mr. Johnson asked Ms.
307 Donevant if it was correct that when a municipality is doing construction
308 or work within town limits that it was permissible for the town to
309 temporarily break the ordinances in place and do the issues being brought
310 up for years and years not pertain to the municipality itself in certain
311 issues? Ms. Donevant stated that in certain situations things are
312 permissible; it depends on what the issues are. Ms. Donevant stated that
313 she would consult with the attorney on any situation she had a question on.

314
315 Ms. Dodge stated that there were two problems she wanted to address. The
316 first item is illegal signs. It was confirmed that this was not an agenda
317 item and did not pertain to the library. Mr. Samples stated that if there are
318 any issues pertaining to complying with the town building/zoning that
319 staff would consult with legal counsel and if any issues need to be brought
320 forward then they would be brought forward and hopefully the town
321 would have options to consider moving the project along. Ms. Donevant
322 stated that the town has this with every project; there are things that need
323 to be addressed and they are addressed; the town complies with its
324 ordinances and building codes and if there are any issues they would be
325 brought to the Administrator who would bring it to council. Mr. Johnson
326 asked if the final design has been submitted. Ms. Fellner stated that there
327 are always changes even at the last minute and adjustments will always
328 need to be made as the project gets underway. Ms. Fellner stated that the
329 town will, however, absolutely comply with its ordinances. Mr. Johnson
330 asked Ms. Fellner to provide council with an update of the library at every
331 meeting whether there is an issue or not. Ms. Fellner stated that she would
332 provide this. Ms. Fellner stated that the County also had mentioned that
333 once the project begins they would welcome council to come down at
334 various stages and view the progress; they would just need to be notified.

335
336 **7. BUSINESS**

337 *a. Decision Paper: Concession Stand at Huckabee*

338 Ms. Fellner reported that to help fund the All Star team to go to the
339 championships in the future the town staff would like to recommend taking
340 back operating the concession stand. This could mean an additional income
341 source of \$5,000 to \$7,000 a year. Currently the town receives 15 percent of
342 these profits. Profits could also be accrued for future years. Ms. Fellner
343 reported that an additional person would not be added to run the concession
344 stand. Currently the town has a part time person in recreation and this
345 includes 1,040 hours a year. This schedule is a fluctuating one. The
346 proposition is for the part time person be used February through July to work

347 the concession stand as needed. Ms. Fellner stated that she also had to assist
348 in her child's recreation through booster events but there is always the concern
349 of accountability for the money and this had always been a tough issue. Ms.
350 Fellner stated that it would be up to council to decide on how they want to run
351 the concession stand but staff is recommending the use of the part time person
352 just for the money accountability issue; there would be no additional cost for
353 staffing to the town. Mr. Smith asked if the town would still ask volunteers to
354 assist. Ms. Ellis stated that volunteers would be welcome adding that it would
355 take more than one person to run the concession stand. It was confirmed that
356 there currently is no booster club and Ms. Ellis stated that she would not
357 propose starting one. Ms. Ellis stated that the booster clubs usually consist of
358 150 members with the same 5 people who always do all the work. Ms. Blair
359 agreed this was a great idea to take over the stand and that since the part time
360 person is already budgeted the money would not be taken from the kids. Ms.
361 Ellis stated that she feels the town could probably take in more than estimated.
362 Ms. Ellis stated that when the booster club ran the concession stand they were
363 able to purchase uniforms and equipment as well. Ms. Blair stated that she
364 agreed that the town would probably be able to get enough volunteers without
365 the need for a booster club. Mr. Johnson asked what the part time person is
366 currently doing. Ms. Ellis stated that she is used during baseball season and is
367 currently not being used. Mr. Samples asked about insurance coverage. Ms.
368 Ellis stated that the current operator has insurance. Mr. Samples stated that
369 the town will need to check to make sure that it has appropriate coverage. Ms.
370 Fellner stated that she feels the coverage would be negligible but would check
371 into it. Mr. Smith made a motion to have the recreation department take over
372 the concession stand using volunteers with all net profits going to the All Star
373 expenses and other recreational expenses. The motion included the use of the
374 part time employee. Ms. Dodge seconded the motion. Mr. Johnson stated
375 that the town needs a volunteer organization to ensure that the town has
376 volunteers adding that he fears that if it is not organized the volunteers will
377 not show up. Mr. Johnson asked Ms. Ellis to be in charge of organizing
378 volunteers. There was consensus of council. **All present voted in favor.**
379 **MOTION CARRIED.**

380
381 *b. Decision Paper: Appoint Member to Stormwater Committee*

382 Mr. Samples made a motion to appoint Ken Harth to the Stormwater
383 Committee. Mr. Smith seconded the motion. **All present voted in favor.**
384 **MOTION CARRIED.**

385
386 *c. Formation of Transportation & Parking Study Subcommittee*

387 Mr. Smith made a motion for the council to appoint a three person
388 transportation subcommittee comprised of Councilman Samples, Smith and
389 Childs and this committee would interact with and aggressively pursue a
390 direct dialogue with any agency that can assist the town in implementing any
391 and all transportation components contained in the transportation
392 comprehensive plan thereafter reporting and recommending to the full council
393 the options immediately available for improving our transportation needs with
394 emphasis on US Business 17. Mr. Samples seconded the motion. Mr.
395 Johnson asked if there was a time frame element involved or was this an

396 ongoing subcommittee. Mr. Childs stated that there currently is no time limit;
397 with the amount of time required to do this it will include a study and some
398 work on Business 17 and the committee will address frontage roads and will
399 also assist in dealing with the parking study. Mr. Samples stated that the
400 Grand Strand Transportation Study Groups have a policy committee and a
401 technical committee primarily made up of staff and that this is essential to
402 getting the town projects programmed. The town needs to schedule projects 4
403 to 5 years prior to them getting done and the town has missed this in the past.
404 Mr. Samples stated that while the town is represented well by Mayor Deaton
405 on the policy committee the real work is done with the technical committee
406 and he wants to make sure that the town has proper representation. Mr.
407 Samples reminded council that the transportation plan has yet to be adopted
408 by council and it needs to come back to council. **All present voted in favor.**
409 **MOTION CARRIED.**

410 8. DISCUSSION ITEMS

- 411 • *Committee Ordinance: Review of suggestions from councilmembers*

412 Mr. Samples stated that he reviewed the drafted ordinance prepared for discussion
413 and feels that the ordinance that the town currently has in place is effective.
414 There are few issues which need to be modified. Mr. Samples stated that the
415 town has had trouble filling positions on committees. There is an appeals board
416 that still has no appointments. Mr. Samples stated that the changes he would
417 suggest making are to eliminate the restriction dealing with appointments to only
418 one committee. Term limits was another item he would recommend repealing. It
419 was confirmed his intent was to eliminate the proposed drafted ordinance and
420 modify the towns' current ordinance. There was some additional discussion
421 regarding the various other committees which have already been established by
422 ordinance. Mr. Smith stated that he also feels the 13 page ordinance is confusing
423 and agrees to have a person serve on more than one committee and that
424 individuals should be appointed for 4 years and every 4 years they would need to
425 be reappointed by council. Mr. Smith stated that he would request that the Town
426 Administrator request from the chairmen of the committees each year to verify
427 members that want to keep serving so that council is always aware of openings.
428 Ms. Blair stated that she agrees with Mr. Samples and it has become harder and
429 harder to fill positions. Ms. Blair stated that many times individuals want to
430 serve more than one term and council should be able to consider this. Ms. Blair
431 stated that she supports removing term limits and appointments to just one
432 committee from the ordinance. Mr. Johnson stated that there was a previous
433 reason that term limits were instituted adding that many people know why they
434 were put into place but he feels that as long as the council has the "intestinal
435 fortitude" to remove people from certain committees if there is a problem then he
436 is willing to do away with term limits but if council does not have this power than
437 he feels that term limits should remain in place. Ms. Blair stated that she agrees
438 but would like to believe that this council is strong enough to look at the job that
439 is being done by appointed committee members but would also, on the flip side,
440 not want to force someone out that is doing a great job and is willing to serve
441 again. Ms. Blair stated that council would need to weigh out the good and the bad
442 and make the best decision for the committees. Mr. Samples agreed with Ms.
443 Blair adding that times have changed; the government is much more transparent
444

445 and there is new technology available to make things easier. Mr. Smith stated that
446 there are certain committees required by state law and these should be the
447 committees referenced in the ordinance and all other committees should be
448 referred to as adhoc committees and should be appointed by council when council
449 has the desire to appoint them. Mr. Samples stated that he agrees with Mr. Smiths
450 points and added that the town has a current ordinance and he would just like to
451 see this ordinance with suggested deletions applied. Mr. Samples made a motion
452 requesting the attorney to prepare a revised ordinance as he suggested in his notes
453 given to Ms. Fellner; taking the current ordinance and deleting some portions.
454 Mr. Smith seconded the motion. **Ms. Blair, Mr. Johnson, Mr. Smith, Ms.**
455 **Dodge Mayor Pro Tem Childs and Mr. Samples voted for. Mr. Johnson**
456 **voted against. MOTION CARRIED.**
457

- 458 • *Conflict of Interest: Review and discuss ordinance and form draft*

459 Attorney Mr. Moss presented his draft of a conflict of interest ordinance and form
460 to council. Mr. Moss stated that he would appreciate comments in his submittal.
461 Mr. Moss reported that the idea was to “adopt and incorporate by way of
462 reference all of the opinion letters and rules of conduct as promulgated by the
463 State Ethics Commission and in addition to that there was some request for a form
464 that employees might sign on an annual basis confirming that they are aware of
465 the towns commitment to comply with the State Ethics Acts for department heads
466 and above; they would have an obligation to require or to submit the same form or
467 similar form that you all submit to the State Ethics Commission at every election
468 term.” Mr. Moss reported to council that the State Ethics does not accept paper
469 forms any longer; all forms must be submitted on-line with the State Ethic
470 Commission. The required form would need to be drafted by the town or the
471 town could copy the State Ethics form and use that. Mr. Moss stated that at times
472 employee evaluations do not happen exactly every 12 months but he thought by
473 adding the conflict of interest agreement to the evaluation form it would be a
474 relevant time period for an employee to acknowledge the policy. Mr. Moss stated
475 that he brought copies of the rules of conduct along with the State Ethics form.
476 Mr. Moss stated that the town could also print the rules of conduct from the State
477 Ethics website and post it in various departments at town hall.
478

479 Mr. Samples stated that he is pleased with the documents Mr. Moss prepared.
480 Ms. Dodge thanked Mr. Moss for providing the information council requested.
481 Mr. Johnson stated that his only concern is Section 11-6 referring to future town
482 administrators; it states that ‘no town employee shall accept employment from
483 another employer in addition to that of the town except with the prior written
484 consent of the town administrator which consent shall be subject to such
485 reasonable restrictions as the town administrator shall determine from time to
486 time serve the interest of the town’. Mr. Johnson asked if there should be another
487 layer added. Mr. Samples stated that section 11-7 headed incorporation by
488 reference of the town personnel policy manual; item number 2 talks about ‘the
489 terms and conditions of the town personnel policy manual as amended from time
490 to time by the town administrator or adopted by reference into the ordinance of
491 the town’. Mr. Samples informed Mr. Moss to clarify to him that the town
492 council are the ones that amend the town personnel policy; council has always
493 voted on changes to this policy manual. Mr. Samples asked Mr. Moss if there

494 was anything that would prohibit town council annually, in executive session, to
495 meet with the administrator to review and insure that disclosure is actually
496 incurring.

497
498 Mr. Moss stated that this submission was driven towards forms and as the
499 administrator begins to implement the form it may need to be revised. Mr. Moss
500 stated that this town chose to be governed by a council form of government which
501 means that council runs the town, not the administrator, so because of the form of
502 government what Mr. Samples proposed would be appropriate to make sure
503 disclosures were being updated and filed. Mr. Smith asked if this would need to
504 be in the ordinance or could council request this. Mr. Moss stated that this
505 pertains to personnel issues and council could just request this be done. Mr. Moss
506 stated that he agrees that it would be important to follow up from time to time
507 since the town council is responsible for the management of the town. Mr. Moss
508 stated that he would need to gather additional information to give a qualified
509 opinion on this. Ms. Blair asked for clarification from Mr. Johnson as to what
510 second layer he was referring to and if it pertained to what Mr. Samples just spoke
511 of. The governance of outside employment is to make sure that a second job
512 would not directly conflict with responsibilities of the town. Ms. Blair stated that
513 she assumes that the town administrator would set forth the guidelines and added
514 that she would not want to place strict restrictions on individuals' adding that it is
515 a tough economy and people need to support their families and she would not
516 want to place restrictions on lower earners from having to take a second job to
517 provide for their family. Ms. Blair stated that she is all for knowing what that job
518 is but would not like to place strict restrictions. Ms. Blair added that she has had
519 to work other jobs before and understands the need. Ms. Dodge stated that she
520 agrees with Ms. Blair but added that there are instances where there is an
521 employer who employs a number of the town employees adding that she knows of
522 an instance where there are 8 people being employed by the same employers and
523 asked if this would not give this employer some type of advantage with the town.
524 Mr. Moss stated that this certainly would invite an inquiry but does not know how
525 to respond not knowing the details. Mr. Johnson stated that his only concern is
526 employees that are employed by businesses within the town of Surfside Beach.
527 Ms. Dodge stated that she was speaking of such a business adding that there was
528 an instance that she would rather not speak about that occurred with a single
529 employer. Mr. Samples stated that he feels that Mr. Moss has crafted language
530 which includes reasonable restrictions that would be adequate in applying to other
531 employment. Mr. Samples stated that "we live in a free market capitalist system;
532 I support it; I think that's great, but there are instances where, I'll just pause at
533 this, I believe that there are certain positions, senior positions, of town employees
534 who I would prefer that they were not principals in certain types of business and
535 I'll give you an example. For example, I don't think the chief law enforcement
536 official and I'm not suggesting this ever was, chief law enforcement officials
537 should have an ownership in a local drinking establishment. I just think, I know
538 for me it would be hard to balance both financial interests."

539
540 Mr. Moss stated that this is a council managed form of government and what the
541 council wants to do as a whole would become the policy of the town subject to the
542 limitations of State law. Mr. Moss stated that the frustration he foresees in

543 adopting something is the unknown adding that the town does not know what
544 circumstances could develop and there needs to be some ability in the written
545 policy to react to these in a reasonable fashion. Mr. Moss stated that someone
546 will need to be the decision maker and that would either have to come back to the
547 council in every instance, which may be burdensome, or possibly a committee of
548 council that could deal with employee matters or it would be designated to the
549 town administrator. Ms. Blair stated that the way the document is written if the
550 administrator felt uncomfortable making a decision it could always be brought
551 forth to council. Ms. Blair stated that if this option was left open it would be
552 handled as a team effort. Ms. Blair asked if the State Ethics policy could be
553 inserted into each employees file with a form they sign to verify that they read it.
554 Mr. Moss stated that this could be done and added that the difficulty with ethics,
555 which he has learned with various conversations with the State Ethic Commission
556 employees, is that they change not so infrequently; their website is updated from
557 time to time. Mr. Moss stated that he feels it would be appropriate for an
558 employee to sign a form at each evaluation but to also acknowledge that they have
559 the responsibility to apply to the code as adopted from time to time. Ms. Blair
560 stated that this statement could also be included. Posting a form in offices would
561 not guarantee that people would read it but if the town had the employees sign to
562 confirm that they have read it they have more of a responsibility to comply. Mr.
563 Moss stated that the form he provided would be modified based on the feedback
564 of council. Mr. Moss stated that he also needs to make an amendment under
565 section 11-3; all persons subject to this policy and in the second line it states that
566 they will be subject to the jurisdiction and advisory opinions; Mr. Moss stated that
567 he needs to add the rules of conduct as promulgated by the State Ethics
568 Commission adding that it currently is not in there. Mr. Moss stated that the town
569 can add to rules that are currently not listed in the State Ethics rules and included
570 as an example that the fraternization and nepotism provisions are not included in
571 the State Ethics codes but they could be added to the town rules. Ms. Dodge
572 asked Mr. Moss about his previous proposal to set up a training session for
573 employees on conflict of interest. Mr. Moss stated that he would be pleased to set
574 something up adding that he is here to serve at the pleasure of council adding that
575 he feels it may be more helpful as an initial effort rather than an ongoing effort.
576 Ms. Dodge stated that she feels this would be valuable to the town and also feels
577 that it would be important for the administrator or someone designated at town to
578 have that training then perhaps they could have an ongoing training so that each
579 year all employees would review conflicts of interest. Mr. Moss reported to
580 council that if the town requires department heads or above to file State Ethics
581 forms or Statement of Economic Interest forms, the State does not accept these;
582 the town would need to keep them on file. The State Ethics will only take forms
583 from individuals that the State requires them from. Mr. Moss stated that perhaps
584 council would want to exclude those individuals who are required to file from
585 having to file with the town as well. Mr. Moss stated that he would appreciate
586 any comments by e-mail from council. Mr. Samples stated that he would like to
587 see a first reading by next meeting adding that if Mr. Moss does not hear from
588 anyone then this means they accept his submission. Mr. Johnson had a question
589 regarding 1st reading and Mr. Samples confirmed that council will receive a 1st
590 reading at the next meeting based on information received on this document. Mr.

591 Moss stated that the amount of information he receives would determine if the
592 document would be ready or not for the next council meeting.
593

594 **9. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**

595 ***Beth Kohlmann, 1610 S. Ocean Blvd.***: “First I just want to say, listen I know I’m
596 going out on a limb starting with this, but a lot of us have noticed over these past few
597 weeks and I promise this isn’t going to be all negative, we just noticed sometimes
598 over the last few weeks that some of the staff members when they respond are kind of
599 disrespectful to you all and it’s disturbing and unsettling to us as a community so we
600 would just like to remind them to please respect all of you. I think we all try to do
601 that; we do have confrontations at times but it’s just unsettling to see the rolling of the
602 eyes when certain council are speaking by staff and a little disrespectful to you all.
603 Moving on from that and I didn’t make it personal so, they can figure it out. With the
604 Ocean Expo, I may be incorrect but, I believe last year the town had a little bit more
605 than the labor involved and not just the cost of the police officers. I believe according
606 to the check registry there was a check written to Surfwater Productions and this
607 could also go into your conflict of interest; it’s one of those (***) that I happened to
608 bring in my pocket for you all and it was over \$5,000 that was spent on those t-shirts.
609 It was different amounts of money but now, again, I am not 100 percent sure so I am
610 just planting that seed to see and if it is; are they going to have t-shirts this year and
611 who’s paying that cost? Is the town paying that cost? Because I know last year on
612 the committee that we were on they had talked about insurance and different things
613 about parking and all that kind of thing and I know it did come up. It’s just one of
614 those things. The other thing is with the ordinances, I’m really happy to see that you
615 guys are thrilled with that conflict of interest thing; that gives us a little bit of hope
616 and sounds like he did a really good job on it and that’s really good. The thing that’s
617 concerning is to write the ordinance on the committees and stuff; how much is that
618 costing us? We’re talking about crosswalks and not having money for something
619 that’s really important and safety wise but we’re spending an awful lot of money on
620 paperwork. I might go back to law school and hope to get a job here I think because
621 it seems like a lot of our money might be going that way and a lot of it is needed I
622 understand that and I’m not saying it in a bad way, you worked hard to get where you
623 are and I’m sure you do a good job and last but not least I want to really, really make
624 this positive because I know that a lot of people think I’ve been critical of the police
625 department and I am not critical of the police department; they have been outstanding.
626 There have been some times in the past few weeks where the south end of town has
627 been having a little bit of problem and when we called up Arron took a lot of time to
628 come over because a lot of the homeowners there do not live here and they come
629 through me and they took a lot of time to go over some things and straighten some
630 stuff out; they’re out there and as of last night they made an arrest right next to my
631 house last night at 1:30 in the morning, so they are there and they’re getting the job
632 done and I just want to thank you very much for that and it’s really starting to
633 improve. Thank you.”

634
635 ***Ron Saunders, 6th Avenue South***: “And I’m part of that same continuous group of
636 people who come up and always complain. I think a couple of you councilmembers
637 have made comments to that effect so I just want to make sure you understood I know
638 that. The reason that I’m here is not to complain tonight but it is to commend Captain
639 Miller for what he has done in the last few weeks. Our police department now wears

640 uniforms; they are there on the job and they're looking good and we appreciate that.
641 It is a definite change and it was needed. Thank you."
642

643 **Mr. Haselden, grew up in Surfside Beach, former SC Academy Instructor currently**
644 **working as a catastrophic adjuster for a major insurance company (Allstate Ins.)**
645 **dealing with major storms and catastrophes' all over the country-took a year leave**
646 **of absence to visit Surfside Beach and also spent almost a year in New Orleans**
647 **dealing with Katrina:** "My qualifications are much more extensive but since I only
648 have a few minutes I'll just go over a few things with you. I'll get straight to the
649 point. My concerns and qualifications were e-mailed to the town council and mayor
650 twice. I have received no response from any of you folks about my concerns and
651 about what I went through. I offered my services for free to this town without one bit
652 of charge. I want to make sure all of you got my e-mail. I offered my services (***)
653 in several capacities. My main concern is my witness of the fire on Surfside Drive a
654 few weeks ago of which, in my opinion, several major mistakes were made. This
655 small fire could have been put out with three firemen and one trip with only the water
656 it contained on the truck, in my opinion, if handled properly. I am very concerned for
657 my safety and the safety of others in this community. I would love to share these e-
658 mails and my concerns with all of you and I just found out there's a way to do that on
659 your facebook website and I will do that. It's (***) since I have not been contacted
660 by any of you leaders concerning my (***) I honestly believe that we're all in danger
661 if proper training is not implemented. I will be outside after this meeting to e-mail
662 you these letters to any of you town members who'd like to hear it and discuss and
663 give you my personal phone number to contact me if you want to talk about these
664 situations and what I can do to improve this town and, again, my only concern is to
665 make this town a better place to live. I have in detail listed in my separate e-mail
666 some of the concerns that I had and the things that I witnessed and I have a great deal
667 of experience in these areas and nowhere I saw . . . and I have pictures and I have a
668 couple that I brought with me if you'd allow me to approach and show you." Mr.
669 Haselden showed council two photos of the gulf.
670

671 **Mr. Haselden:** "You realize that also you cannot even touch this stuff without BP's
672 hazmat course. I offered to take that; use my money to take it without any expense to
673 you. To learn to teach it in this area; I have gotten no response. The other picture I
674 have here is just one picture of the fire and if you look real closely and I'll walk up
675 and show it. This fireman inside of this thing; I'm showing the firefighters that's
676 inside a structure that he never should have been inside. Very, very, very dangerous.
677 I noticed many, many mistakes and again each one of you had my e-mail where I
678 went into detail about what I saw and there again my full concern is the safety of the
679 people of the town of Surfside and to make it a better place to live and if you'd like
680 my help I'd certainly be glad to give it to you. As far as any other committees that
681 you're talking about; I played baseball in this town; I played on the All Star team; I'll
682 be glad to help in any capacity you want and will not charge you a dime. I have a
683 year's worth of absence to be able to do that and thank you very much for you time."
684

685 **Ron Ott, 7th Avenue North:** "I really believe that looking into conflicts of interest
686 really creates a lot of problems here. You're going to build some hate groups; you're
687 going to build some vigilante groups, people are going to be looking at people. Mr.
688 Samples brought out to the floor that he wouldn't want a police officer involved in a

689 drinking establishment. How about their brother, how about their mother, how about
690 their cousin, we'll point fingers at them, we're going to go after them. The Huckabee
691 concession stand, there's going to be a conflict of interest there. Who sold them the
692 coke? Where did the coke come from? Maybe it was this person's brother-in-law.
693 We're going to be looking and digging and people are going to be going out after
694 people and I think you're going to open up a can of worms. You're trying to hang
695 people and what you need to do, don't shake your head, this is my time. What you
696 need to do is let people be at fault. They're innocent until proven guilty in this
697 country but if you want to make them guilty right from the onset well, that's what
698 you're doing, you're going to say 'you cannot enter into any business or anything into
699 this town because you're guilty, you're going to use that as a way to be deceiving'
700 and that's not right, it's not right. People need to be able to express themselves, they
701 need to be able to just (***) and then you collect them, that's all but don't start
702 throwing a rope around people because you think they may do things. That's what
703 you're entering in. That's all I have to say to that. Thank you."

704
705 **Joe Zoltak, 414 Pine Drive:** "Earlier on Ms. Fellner referred to this document as a
706 right of way encroachment permit and she is correct and I hope that she further looks
707 into it because what has been approved here is actually a road closure encroachment
708 if you look at the diagram so if you could look into see if that would be amended or
709 revised or resubmitted to be in accordance with the ordinance and the authority of the
710 town. With respect to Mr. Johnson, couldn't the town have special privileges and
711 yeah that's very admirable but I think some of that could get out of hand and if you
712 look, the fire station was built without closing Poplar, only when there was utility
713 work done or actually repairs to the street done so I just have trouble why this special
714 privilege has to be granted to the County. I mean, go again, look at the fire station,
715 was built without closing a street and if this type of thing was permitted then you'll
716 have the private sector wanting the same privilege and if that was granted we would
717 never be able to go up Ocean Blvd. in Myrtle Beach with that construction. Those
718 people managed to do it without road closures except . . . even the major cities, they
719 don't even close the sidewalks, they put the scaffold with the (***) so they don't even
720 close sidewalks. Streets belong to the public and that's why these laws are in place.
721 The other thing is Mr. Samples asked Ms. Donevant if any issues come up with the
722 library to come forward to council and address that and that's perfectly all right,
723 however, council needs to be aware that issues involving ordinances it requires
724 changes to ordinances or special exceptions to ordinances call it what you want but
725 that's all up to the Zoning Board of Appeals to decide if something doesn't comply
726 with an ordinance and with respect to the library the County can very well come in
727 with requests for variances and take it to the Board of Appeals. They already came in
728 with a request for a right of way permit so they all know the procedures so we're just
729 asking that the ordinances and the laws of the state and the County and the country be
730 followed. Thank you."

731
732 **Randle Stevens, 412 1st Avenue North:** "I found it very laughable when you all said
733 you couldn't find anybody to volunteer for committees. I want to go on record before
734 this council and all these folks in attendance that I have applied for every committee
735 that there is perhaps council is afraid that somebody will obey the ordinances.
736 Perhaps council doesn't want anybody that will look at the law and follow it. If that's
737 the case then you want to get people and put them on different councils at your

738 meetings, maybe you want to hand pick your own people so you can get a bunch of
739 'yes' men. Look what the democratic congress got us, 14 trillion dollars in debt,
740 cronyism doesn't work. As far as the conflict of interest by importance, I have a
741 document at my house where a former high ranking official in the town faxed a real
742 estate document to a bank from a town telephone fax number, very interesting. I say
743 if you want to do away with conflict of interest you have a two mile long half mile
744 wide town, not everybody who wants to go in business that has anything to do with
745 doing business with the city or has to follow any kind of guidelines, let them go
746 outside of the town, this County is 40 square miles, we're only one mile square town,
747 right? So let them go outside of town to go into business. Mr. Johnson follows the
748 law, obeying the law; nobody should be above the law, including me. Anytime the
749 government went over the law or just did whatever they wanted to, I can think of
750 things in the past; Nazi Germany and Hitler comes to mind. Communist China and
751 the Soviet Union. Right now we have Iran and Venezuela, dictatorships, we don't
752 need that in Surfside Beach, we need a council that follows the law. For example, the
753 administrator talks about the application for encroachment; it says temporary road
754 closure of 1st Avenue. It still says in your ordinances that you can't park dump trucks
755 or any type of commercial vehicle except a pickup truck or a van in and R-2 district,
756 that's the law. If you've got a problem with following the law, I got a problem with
757 the council. I got to follow the law; I'm a builder, if I decide to build a house you all
758 are going to make me follow the law to the letter and I guarantee you Jackie will
759 make sure I do it, if I build in Surfside. When I'm out of Surfside that's a different
760 story, so, all I can say is we've got a lot of things here that you all talked about. If
761 you're looking for a committee member, I'm available. Put me on a committee; I'll
762 follow the law and you can bet your bottom dollar I'll research everything and I
763 won't be a rebel rouser, I'll follow the laws and the ordinances exactly how they
764 stand and if I'm on a committee I won't do anything conflict of interest with my
765 business and whatever I do and the only thing I ask the town council is to just, if
766 you're going to build a library since you're not putting parking around my house, a
767 lighted parking lot, which you all wanted to a few years ago I'm kind of all right with
768 the library now, I just want you to build it legally and lawfully and going back to
769 committees just for a minute; seems like I remember a few years back Joe Zoltak and
770 Ronnie Hopkins were on a committee and they were very good at what they did; that
771 committee was abolished because somebody on council didn't like their stand on
772 what they were doing because they said to do it right, not do it wrong because they
773 wanted to do it right the committee was abolished, that's a shame and a disgrace, it's
774 two good people that could still be serving this town as citizens. We all want to work
775 with the town, you know I want to work for the town, I've run for office twice and
776 believe me if I ever get on council you can bet everybody in this town will know that
777 I will follow the letter of the law. I won't bend any rules and I won't do anything,
778 nobody can buy me, nobody can do anything for that so just obey the law, that's all I
779 ask of this council and all I ask of the town staff. We've had a bunch of mess in the
780 past and you all are facing a lot of it now because of what's happened in the past and,
781 oh, by the way, the crosswalks you all do have pavers on that \$214,000 parking lot
782 you could use on those crosswalks. Thank you."

783

784

785 **Shelby Smith, Cedar Drive North:** “I just have just a couple of sentences to say
786 about the committees. I believe in the committees and I would just like to request
787 that whatever you do with regard to the committees that at least one councilmember
788 be on each committee. I think that’s very important; it will elevate the importance of
789 the committee; it will improve the communication tremendously of the committee
790 and as far as specificity of accomplishment it will greatly enhance what is
791 accomplished and what is done by staff through that involvement. Thank you very
792 much.”

793
794 **P.L. Mabry, 15th Avenue N.:** “I only want to talk about probably one thing here
795 tonight and that was about the crosswalks on Ocean Blvd. Now it’s not that anybody
796 is against safety or anything. I’m certainly not against safety and neither is anybody
797 here but let me bring one point to your attention, there’s, if I’m not mistaken, 32
798 crosswalks down there. Now we’re going to have some of them we’re going to mark
799 properly and some of them that we’re not, some of them that people can see and some
800 they can’t. Which ones do you want them to stop for? Which ones are the public
801 going to say ‘they’re going to stop for this one or the one that’s marked or the one
802 that doesn’t have a sign up’. Signage is supposed to be at every one of those things
803 not every other one and I just wondered what you were going to do when it comes to
804 when you get served by the law, when someone gets run over down there by not
805 having proper signage on each and every one of them. If you look in the Horry
806 telephone book tonight when you get home, page 28 to 139 are attorneys, I’m quite
807 sure that if someone gets run over they can find one of those people that will take
808 their case. Now, I’m not saying that as a joke, that is an absolute fact. There are 10
809 things that can happen down there in the crosswalk, not on the (***) , I suggest that if
810 you’re going to protect the citizens of the town and the town itself that’s part of what
811 your job is, is to protect the town. Please take a chance and look at that carefully
812 before we half do it. I can’t use a proper adverb on that but I think you know what I
813 mean by that. Thank you very much for your time. I appreciate your efforts. It’s just
814 a point that I wanted you to look at before we jumped and forgot about all the other
815 little things that go with it. You have to look at both sides of it. I appreciate your
816 time. Thank you.”

817
818 **Harry Kohlmann, 1610 S. Ocean Blvd.:** “I just want to, again, thank Captain Miller
819 for the great work they’ve been doing and what happened in the south end, there was
820 a lot of burglaries going on. Some of them weren’t reported because people come and
821 they’re tourists and they get robbed and they go ‘what the heck’ but you know what
822 happens is that maybe they don’t come back again and that’s a bad thing. My wife
823 and I, we got the names of people, we contacted the police department and they did
824 what they were supposed to do. They actually, proactively, went out there and used
825 different techniques and they arrested at least 2 or 3 mopes, that’s what we call them
826 in New York, a guy who steals from people. They caught these guys and these
827 people live either in the community or very close to this community so he’s doing a
828 great job on that kind of stuff. I’m not going to tell you their tactics because that’s a
829 secret but I’m telling you they’re doing a great job and I see them out there all the
830 time. With the police report, and I said this a year ago, I don’t know if any of you
831 really care about that they’re getting self defense training, I really don’t care, they do
832 that, they shoot their guns, they get self defense training, they go for evac training, I
833 really don’t care about that stuff. What I do care about is crime patterns and arrests,

834 that would have been a great story for the Police Captain to come or the
835 Administrator and tell us about, 'listen there was a crime pattern here, we took care of
836 it'. This is Mayberry by the Sea, I believe it, but there is crime here and people have
837 to realize there is crime and the only way to get rid of crime is by acknowledging it
838 and fighting it, so, I'm not crazy about that, but that's my opinion. You also talked
839 about the Surf-Off and they talked about using salaried and part time officers, are
840 they using overtime? How much salaried officers? How many overtime officers?
841 None of you asked that. That's important. Are we using more than last year? How
842 many hours in overtime last, how many hours are we projecting this year? This is
843 stuff that that people should be asking. It's important; it's our money and it should be
844 asked. Crosswalks, we talked about ex amount of dollars to pave the crosswalks.
845 What's the price of a life? You've all acknowledged that it's dangerous to go across
846 Ocean Blvd.; it's in the minutes of the last few meetings and I'm glad, I mean I
847 brought this up last week and I'm glad you're going to do something about it but now
848 that it's on the record you have to do something. You have to do it the right way; you
849 just can't do it half like he said. You have to do it the right way. Now you talked
850 about \$34,000 in extra parking fees so far this year. Where does that money go?
851 Wouldn't it be a good thing to put it back into pedestrian safety? The people who
852 come here; the tourists. Throw that money back, \$34,000, I'm sure you can pave it
853 and, being a New Yorker, I want everything done tomorrow but let's slow down with
854 this. We're ordering signs already, are we getting the right signs? Have we decided
855 where we're going to put these signs? The seasons almost over; we don't need the
856 crosswalks and the signs tomorrow. We need them for the next season and I think
857 that we should look at other signs. There are signs you can put in the middle of the
858 street that state 'stop for pedestrians', it's a State law. Look at this stuff, don't just
859 throw something half, what he said, and get it right the first time, please, and I think
860 this is all part of the subcommittee, you just put a subcommittee in for transportation
861 and parking; this is something the subcommittee should look at before we start
862 spending money and I also want to talk quickly about transparency. It's a great thing,
863 I signed onto the computer, got onto the town website, pulled up the agenda and it
864 was not 1 page of the agenda there were multiple pages and I was like 'wow, this is
865 great, I'm actually finding out what all these decision papers are and these ordinances
866 are' and I saw a couple of things Mr. Samples what he was writing about. I thought
867 this was great, one thing maybe I shouldn't know is the guys resume who was going
868 for the stormwater committee but everything else should be public knowledge. I
869 mean if I get here the first one in the door I can get the same package, basically, you
870 get, so why isn't that on the website because the next day, today, I went up and it's
871 gone. Why are we not allowed to know what you're talking about. We get up here
872 and you say we're going to ordinance such and such I have no idea what you're
873 talking about. Decision paper such and such, I have no idea what you're talking
874 about. So please, in the future, transparency, if there is nothing confidential we
875 should all know about it. Thank you."

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10. COUNCIL COMMENTS

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Mr. Samples: "Conflict of interest policies is all about disclosure. We're not adding anything that doesn't already exist, Mr. Ott. The law is what the law is but what we're trying to do is to ensure, in our effort to be more transparent and open, that information is made available, transparent disclosure. Anyway, thanks for coming

882 out. I think we're making some progress and I want to congratulate Mayor pro Tem
883 Bob Childs for an outstanding job tonight.”

884
885 *Ms. Dodge:* “Well, I always have closing remarks. This past week my husband and I
886 were down at the pier parking lot. There was a little bit of a commotion and the
887 reason there was a commotion was that there was a swimmer who had gotten out too
888 far and he could get back in. It was a life threatening situation and two of our
889 officers, Corporal Christopher King and Officer Alberto Sanabria, I'm sorry if I
890 mispronounced his name. They rescued this man or this person and their efforts saved
891 a life and I think they should be commended; our police force should be commended.
892 Also wanted to say thanks for the efforts to all of our employees in the town.
893 Everybody in the town does work hard, we know it, we don't tell them that but we do
894 appreciate it and thank you. Also to the people in the audience, keep on speaking out
895 on the issues that are important to you because they are important to us. Your voice
896 is being heard; it will be acted on and we thank you.”

897
898 *Mr. Johnson:* ‘I just would like to congratulate our Dixie All Star teams who went to
899 the Work Series, one won the World Series Championship but in my mind and in all
900 of our minds they're all champions and I would just like to congratulate them. Thank
901 you ladies and gentlemen for coming out.”

902
903 *Ms. Blair:* “Also congratulations to the ball teams. They've represented us very well
904 over the last two years and Debbie has always done a great job with that program and
905 we're very proud of them. I've had a difficult week with a family emergency; I've
906 been away; it's good to be home and I just want to thank any of you who have called
907 or e-mailed your concerns and prayers for my family. I appreciate that and a belated
908 happy birthday to Mr. Childs who celebrated in fine fashion a week or so ago. Thank
909 you all for coming and I hope you have a great week and we'll see you soon and
910 thank you.”

911
912 *Mr. Childs:* ‘I, too, would like to congratulate our ball team and associate myself
913 with Mr. Johnson's remarks and I just have one other thing, thank you Mr. Samples
914 for your remarks and thanks to council for your patience and courtesy for me on my
915 first time out. I really appreciate it. Thank you, again, very much.”

916
917 Mr. Smith made a motion to go into executive session. Ms. Dodge seconded the
918 motion. **All present voted in favor. MOTION CARRIED.**

919
920 **11. EXECUTIVE SESSION**

921 FOIA 30-4-70(a) (1) Personnel matters including applications for Town
922 Administrator and Interim Administrator contract.

923
924 Mr. Smith made a motion to come out of executive session and reenter regular
925 session. Ms. Blair seconded the motion. **All present voted in favor. MOTION**
926 **CARRIED.**

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12. ADJOURNMENT

Mr. Johnson made a motion to adjourn. Mr. Smith seconded the motion. **All present voted in favor. MOTION CARRIED.** The meeting was adjourned at 9:07 PM.

Approved: August 24, 2010

Sharon Pinnell, Town Clerk

K. Allen Deaton, Mayor

Roderick E. Smith, Town Council

Vicki W. Blair, Town Council

Ann Dodge, Town Council

Douglas F. Samples, Town Council

Mark L Johnson, Town Council

Robert F. Childs, III, Mayor Pro Tempore

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Clerk Pinnell. 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. When (***) is used a section of the transcription is inaudible.