



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
www.surfsidebeach.org
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WORKSHOP & PUBLIC HEARING

Town Council will conduct a workshop and public hearing at 6:00 p.m. on Tuesday, May 22, 2012 to hear comments on Ordinance #12-0714 to Require 15-Foot Vegetative Buffer on Waterfronts.

PUBLIC NOTICE

First regular meeting in June will be *MONDAY*, June 11, due to Primary Election Day on June 12.

TOWN COUNCIL REGULAR MEETING COUNCIL CHAMBERS TUESDAY, MAY 22, 2012 ♦ 6:30 P.M.

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Rev. Kirk Lawton, Ocean Lakes Campground Ministry
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** – May 8, 2012
5. **PUBLIC COMMENTS** – 3-minutes per speaker
6. **COMMUNICATIONS**
 - A. Employee Recognition -
 - i. Valerie Wentz 5-Year Service Award
 - ii. Angie Holland 5-Year Service Award
 - iii. Joe Linen 10-Year Service Award
 - B. Department Reports
 - i. Finance
 - ii. Recreation
 - iii. Public Works
 - C. Administrator's Report – Update on Current Events
7. **BUSINESS**
 - A. Second Reading Ordinance #12-0712, Adopt FY2012-2013 Tax Millage
 - B. Second Reading Ordinance #12-0713, Add §17-634 Existing and Nonconforming Signs
 - C. First Reading Ordinance #12-0711, FY2012-2013 Municipal Budget
 - D. First Reading Ordinance #12-0714, Amend §17-007 Definitions, and §17-607 to Require 15-Foot Vegetative Buffer on Waterfronts
 - E. First Reading Ordinance #12-0715, Mayor Pro Tempore Election
 - F. Resolution #12-115 Authorizing Signers on Town of Surfside Beach Bank Accounts
 - G. 5-K Race Request, Patrick Witzigman

**Town of Surfside Beach Regular Town Council Meeting
Town Council Chambers ♦ Tuesday, May 22, 2012
Agenda, Continued**

8. **DISCUSSION**

- A. Proposal to Create Recreation & Beautification Committee, Councilmember Stevens
- B. Ordinances - amend various to comply with State Law, Mayor Samples
 - 1. §5-16(b) Municipal Election Commission - Six Year Terms
 - 2. §5-32 Statements of Economic Interest and §5-33 Campaign Disclosure Form
 - 3. §5-58 Boundary Lines for Precincts
 - 3. §9-16(a) and (b). Decals and exemptions (correct placement and clarify parking permitted free *when space is available.*)
 - 4. Other suggestions for amendment and/or review by Councilmembers

9. **PUBLIC COMMENTS** – 5-minutes per speaker

10. **COUNCIL COMMENTS**

11. **ADJOURNMENT**

SURFSIDE BEACH BUSINESS OWNERS: Town Council will hold a drop-in on Sunday, July 15th, from 3:00 p.m. till 5:00 p.m. Don't miss this opportunity to share your concerns with your town council. Please RSVP by calling 843.913.6333 or send an email to dherrmann@surfsidebeach.org



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
MAY 8, 2012 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.**

Mayor Pro Tempore Childs called the meeting to order at 6:30 p.m. Mayor Pro Tempore Childs, and Councilmembers Dodge, Johnson, Samples, and Smith were in attendance. Mayor Deaton was absent. Councilmember Blair was absent because of an out-of-town work conference. A quorum was present. Councilmembers-elect Mabry and Stevens were present. Staff present: Administrator Duckett; Deputy Administrator Fellner; Treasurer Hursey, Acting Building Director Morris, Fire Chief Packard, Police Chief Frederick, and Public Works Director Adair. Others present: Town Attorney Moss and Town Clerk Herrmann.

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

Reverend Shane Johnson from Solid Rock Baptist Church gave the invocation. Mayor Pro Tempore Childs led the Pledge of Allegiance.

St. James High School Chorale members Taylor Patry, Patrick Kohlmann, Meagan Penninger and Jessica O'Rourke, led by Director Sandra Bass, sang a beautiful rendition of "My Country 'tis of Thee."

3. **AGENDA APPROVAL.**

Mr. Samples moved to approve the agenda as presented. Mr. Smith seconded. **All voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL.**

Mr. Smith moved to approve the April 24, 2012 regular meeting minutes as presented. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

5. **ELECTED OFFICIALS INAUGURATION**

A. **Mayor-Elect – Douglas F. Samples**

i. Resignation from Town Council. Councilmember Samples' resignation letter was read into the record by the town clerk. The original letter is attached to these minutes and made a part hereof.

ii. Oath of Office, Charge by Ms. Kathryn (Katie) Hope Samples. Mayor-elect Samples accepted the charge of office given by his daughter. Mayor Pro Tempore Childs congratulated Mayor Samples, and passed the gavel. A duplicate original of the oath of office is attached to these minutes and made a part hereof.

B. **Town Councilmembers-Elect Oath of Office**

i. Mark L. Johnson, Charge by Ms. Hilary Johnson. Incumbent Councilmember Johnson accepted the charge of office for his second term given by his daughter. A duplicate original of the oath of office is attached to these minutes and made a part hereof.

54 ii. Mary Elizabeth Martin Mabry, Charge by The Hon. P. L. Mabry. Councilmember-elect Mabry
55 accepted the charge of office from her husband, a former town councilmember. A duplicate original of the
56 oath of office is attached to these minutes and made a part hereof.

57
58 iii. Randle M. Stevens, Charge by Ms. Ashley Stevens. Councilmember-elect Stevens was given
59 the charge of office by his daughter. A duplicate original of the oath of office is attached to these minutes
60 and made a part hereof.

61
62 Mayor Samples thanked former-Mayor Deaton and former-Councilmembers Blair and Childs for
63 their service and expressed appreciation for their efforts on behalf of council.

64
65 Mayor Samples called for motion to recess at 6:45 p.m. Ms. Dodge moved to recess for five
66 minutes. Mr. Smith seconded. All voted in favor. **MOTION CARRIED.** Mayor Samples ended recess
67 and called the meeting back to order at 6:50 p.m.

68
69 **6. MAYOR PRO TEM BALLOT READING & ANNOUNCEMENT.**

70
71 The town clerk read the ballots for mayor pro tempore: 5 ballots for Mary Mabry; 1 ballot for Mark
72 Johnson. Mayor Samples congratulated Mayor Pro Tempore Mabry on her election.

73
74 **7. PUBLIC HEARING – FY2012-2013 Municipal Budget.**

75
76 Mayor Samples declared the public hearing open at 6:51 p.m. Ms. Hursey said estimated
77 revenue for all funds total \$8,630,535 and estimated expenditures for all funds total \$9,264,909. There
78 were no public comments offered. Mayor Samples believed a motion would be offered to schedule a
79 budget workshop to which the public would be welcome, and closed the public hearing at 6:53 p.m.

80
81 **8. PUBLIC COMMENTS – AGENDA ITEMS.**

82
83 There were no public comments on agenda items.

84
85 **9. COMMUNICATIONS.**

86
87 A. Emergency Management for Senior and Elected Officials – Fire Chief Packard. Chief Packard
88 explained that training to help council understand its responsibilities in the event of an emergency event
89 would be provided by Bethany Sandefur of the South Carolina Emergency Management Division.
90 **COUNCIL CONCURRED** to attend training on June 19, 2012. Mayor Samples asked members to notify
91 Chief Packard if they could attend. Chief Packard was instructed to include others as he deemed
92 appropriate up to a total of 15.

93
94 B. Department Reports

95
96 i. Building & Zoning. Mr. Duckett presented the building and zoning report, a copy of which is on
97 file.

98
99 ii. Police. Mr. Duckett presented the police report, a copy of which is on file. The department
100 recently was awarded the South Carolina Department of Public Safety DUI Incentive Enforcement
101 Agency of the Year.

102
103 iii. Fire. Mr. Duckett presented the fire report, a copy of which is on file.

104
105 C. Administrator's Report – Update on Current Events. Mr. Duckett presented the report, which
106 is on file. Mr. Duckett asked for consensus to allow bidding exceptions for emergency appropriations of
107 \$10,866 to treat mold found in council chambers, or for authorization to let bids. Two employees have
108 complained of health issues specifically mold related. Mayor Samples asked if Serve-Pro conducted
109 tests. Mr. Duckett said Serve-Pro did remediation in town hall. Mr. Smith asked if Serve-Pro had worked

110 in chambers before. Ms. Fellner said no. Mr. Johnson said there were numerous competent companies
111 that treated mold issues and he believed bids should be let unless the situation is an emergency. Based
112 on current market conditions, the town might get a better price. Mr. Stevens concurred with Mr. Johnson.
113 Ms. Dodge also agreed. Mayor Samples said it was clear the consensus was to let bids on the project,
114 but there were no clear specifications. He suggested that staff contact several qualified mold remediation
115 companies for estimates that could be compared and presented to town council for consideration.
116

117 Mayor Samples announced that Mr. Duckett had offered a resignation as town administrator that
118 would be discussed during executive session. He offered a personal thank you to Mr. Duckett for his
119 good work and said he was appointed during a very difficult time and helped the town move forward.
120

121 **7. BUSINESS.**

122
123 A. First Reading Ordinance #12-0711, FY2012-2013 Municipal Budget.

124
125 Ms. Dodge moved to defer first reading until the next regular town council meeting and that a
126 workshop to discuss the budget be scheduled on May 10th at 10:00 a.m. in council chambers. Mr.
127 Stevens seconded. Mayor Samples explained that the town has until June 30th to adopt the budget for
128 the upcoming fiscal year. He believed the new councilmembers were entitled to an opportunity to study
129 the budget in greater detail. All voted in favor. **MOTION CARRIED.**
130

131 B. First Reading Ordinance #12-0712, Adopt FY2012-2013 Tax Millage.

132
133 Mayor Samples asked whether any change was proposed in the tax millage. Ms. Hursey said the
134 millage remained unchanged at 40 mils.
135

136 Mr. Smith moved to adopt first reading of Ordinance #12-0712. Ms. Dodge seconded. All voted
137 in favor. **MOTION CARRIED.**
138

139 C. First Reading Ordinance #12-0713, Add §17-634 Existing and Nonconforming Signs.

140
141 Ms. Morris presented the amendment and explained the zoning ordinance adopted in March 2011
142 required that all free standing signs be a minimum of 10-feet from the public rights-of-way or the road.
143 Staff could only identify one sign in town that met that requirement. The ordinance states that any feature
144 or change in the existing sign creates a nonconforming structure that would have to meet the current
145 code. Three variance appeals have been heard by the board of zoning appeals who requested that the
146 planning commission review options to address existing signage. Several municipalities were contacted
147 regarding their sign ordinances. Most cities with a 10-foot requirement said it was to address monument
148 type signs because of line of sight issues; some said it was purely aesthetics. Staff presented options to
149 the planning commission; a public hearing was held, and the commission chose to recommend the
150 ordinance as presented to town council.
151

152 Mr. Stevens asked whether this would apply when signage was destroyed due to hurricanes or
153 storms. Ms. Morris said that was actually discussed by the planning commission, and it decided that
154 anytime more than 50-percent of the sign is changed or replaced, it must then comply with current code.
155 Mr. Stevens asked whether that could create a hardship for a business. Ms. Morris said that would
156 depend on the type of sign, i.e. electrical signs, parking, or no other place to locate the sign. If that
157 occurs, the owner has the right to appeal to the board of zoning appeals for a variance.
158

159 Ms. Dodge said there are several buildings without 10-feet of space. The appeals process could
160 be used by those businesses. Ms. Morris said that was correct.
161

162 Mr. Smith moved to adopt first reading of Ordinance #12-0713 Add §17-634 Existing and
163 Nonconforming Signs. Ms. Mabry and Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**
164

165 D. First reading Ordinance #12-7014, Amend §17-007 Definitions, and §17-607 to Require 15-
166 foot Vegetative Buffer on Waterfronts.

167
168 Ms. Morris presented the ordinance explaining that Mr. Adair made a recommendation to the
169 planning commission for a 15-foot easement around bodies of water that was adopted in the Land
170 Development Regulations; however, the easement does insure a buffer of natural vegetation will be
171 maintained to prevent erosion, enhance infiltration, and help manage water fowl. The stormwater
172 committee and the planning commission met jointly to discuss the impact of buffers, which resulted in the
173 proposed ordinance. Staff recommended placing the requirement in the zoning code since both
174 ordinances are enforced by the building and planning department. R-1 lots do not require a stormwater
175 plan, but the zoning ordinance applies to every parcel in town. Staff recommends adding this to the
176 zoning ordinance and referencing the code in the stormwater section, which would insure that those
177 researching code would be directed to the proper sections and that future amendments would not
178 inadvertently leave out a change to either section.

179
180 Mr. Stevens moved to suspend the rules to allow discussion. Ms. Dodge seconded. All voted in
181 favor. **MOTION CARRIED.**

182
183 Mr. Stevens asked what the legal ramifications were to the town, and how a 15-foot buffer was
184 determined. Having served as a water tester, he understood that controlling runoff and using best
185 management practices were important, but did not want to create the potential for suits. Mr. Stevens
186 asked whether the town would be required to comply, if the ordinance was adopted, as he believed the
187 town should set the example.

188
189 Ms. Mabry said most lake front homes are developed. The town does not actually own much
190 water-front property; however, it did spend a great deal of money dredging the lakes in the past.
191 Personal enjoyment of the citizens has to be considered. Ms. Mabry suggested a workshop to discuss
192 the topic in depth to consider such items as the actual number of properties involved, what the impact will
193 be to homeowners, and to the town.

194
195 Ms. Dodge asked how high the vegetation would be. Ms. Morris said the vegetation cannot be
196 cut any lower than 3-feet. Ms. Dodge believed that would usurp some citizens' rights by doing this, and
197 agreed with Ms. Mabry that a workshop would be beneficial during which citizens could comment.

198
199 Mayor Samples said there seemed to be a consensus that more information was desired.

200
201 Mr. Johnson had much to offer on the issue, but agreed to wait if Mayor Samples preferred a
202 workshop. He thought the number of lots that would be affected was minimal. The planning commission
203 and town council requested a similar ordinance years ago; everyone believed it was an ordinance, so no
204 action was ever taken to formalize the requirement.

205
206 Mr. Stevens moved to hold a workshop. Ms. Dodged seconded, saying it would give the citizens
207 an opportunity to speak, particularly those whom might be affected. Mr. Stevens said the spirit of the
208 ordinance is for clean water and to stop erosion into the lakes, however, the citizens' legal rights should
209 be protected. All voted in favor. **MOTION CARRIED.**

210
211 E. Board, Commission and Committee Appointments.

212
213 Ms. Herrmann explained that there are several appointments expiring on various boards,
214 commissions, and committees, in addition to one resignation. She requested permission to contact those
215 members with expiring terms to determine interest in serving another term, and advertising the openings.

216
217 Mr. Smith suggested determining whether current members wish to continue serving, and then
218 advertise the positions.
219

220 Mayor Samples said there was a resignation, so an advertisement will be necessary. He
221 suggested that as a matter of routine that the clerk take necessary action to contact affected members,
222 and advertise open positions. **COUNCIL CONCURRED.**
223

224 **8. DISCUSSION.**
225

226 Mr. Stevens presented a draft resolution, a copy of which is on file, to create a "Pro-Business
227 Development Committee," saying he believed it was important to help in-town businesses succeed, to
228 improve business relationships with town businesses and to encourage new businesses to move into
229 town. The goal is to make Surfside Beach more business friendly. Council should look to the future to
230 make Surfside Beach better and more positive.
231

232 Ms. Dodge agreed and believed that in the past the town has not enthusiastically supported its
233 businesses. She believed the town should help businesses in every way possible, because their success
234 would insure money in the town coffers that is needed to operate the town. She believed the committee
235 should consist of five members, and she offered to serve as a council representative since she and her
236 husband have a business in town. The town has many talented people that would have good input.
237

238 Mr. Johnson agreed with the concept, but believed the proposal should be "tweaked" and agreed
239 that the committee should not be over staffed. During the recent election there were some "bold-faced
240 lies" told about the Town of Surfside Beach running businesses out of town. The town is pro-business,
241 but it can be better. He would like to offer incentives, but didn't want to damage the town in doing so. Mr.
242 Johnson reiterated that he supported the concept, but believed the resolution needed some work.
243

244 Ms. Mabry also liked the idea and agreed with Mr. Johnson that the resolution needs some work.
245 She suggested that this committee be expanded to include economic and tourism development. One of
246 the town staff members served on an economic and tourism development board for nine years and that
247 expertise would greatly benefit the town. Ms. Mabry said the resolution is a good start and she would
248 support it.
249

250 Mr. Smith also believed it was a good idea, but believed the resolution should state that the
251 committee should make quarterly reports to town council to keep it informed of the committee's actions
252 and positions. Mr. Stevens wholeheartedly agreed.
253

254 Mr. Stevens believed that seven business owners could be identified that would be willing to
255 serve. Several individuals have actually told him they would serve if the committee were formed.
256 Citizens are eager to make Surfside Beach a very business friendly town. As businesses generate more
257 revenue, it will lessen the burden on the taxpayers. He believes the perception at this time is that the
258 town is not business friendly.
259

260 Mayor Samples agreed with Mr. Johnson's point that the town has not chased its businesses out
261 of town. He also had spoken with several business owners who expressed a interest in serving. He
262 believed there was a lack of communication, and the suggestion for a formal committee in which business
263 owners have a voice would be beneficial. The town has a wide range of business types with varying
264 interest. He supported a committee, but agreed with Mr. Smith that the concept needed additional work.
265 Mayor Samples applauded Mr. Stevens' effort and suggested a workshop to which the business owners
266 could attend to let council know how they believe the committee should be structured. He believed
267 council liaisons would be helpful, but input from the business owners was important before moving
268 forward. He believed the best incentives the town could offer includes customer service to the
269 businesses, and to work with them to insure they understand what is required the first time an inquiry was
270 made.
271

272 Mr. Johnson asked whether the business community should be consulted prior to forming the
273 committee. Mayor Samples said that businesses were invited to meet with council at the civic center in
274 the past and suggested that council meet with the businesses owners before formulating the committee.
275

276 Mr. Stevens asked business owners in attendance at the meeting whether they were interested in
277 serving on this committee. Four business owners in the audience raised their hands.
278

279 Mayor Samples said unless there were objections that an informal drop-in for the town
280 businesses be scheduled in mid-June or when the civic center was available. **THERE WERE NO**
281 **OBJECTIONS.**
282

283 **9. PUBLIC COMMENTS.**
284

285 "I'm Marty Hardwick, 713 Cedar Drive North. Your business deal sounds good, but I'm curious,
286 why would you have so many people, you're saying who own businesses in the town of Surfside, who live
287 in the town of Surfside, have you looked at your list to see how many people who run businesses in
288 Surfside live in Surfside? Not very many; there might be a few. I mean, Ms. Dodge said she rents
289 property and she lives in Surfside. Granted, but I'm saying you go down, I'm sitting there and I'm going
290 Surfside Drive, Allstate has a business there. They pay taxes. They don't live in Surfside. Johnson Law
291 Firm, they don't. Surfside Realty, they don't live in Surfside. So, I mean, how many of your
292 business... not that they won't be interested, but you're saying this committee you want to set up, you can
293 own a business, but the other stipulation is you have to live in Surfside. So if you own a business in
294 Surfside, you don't live in Surfside, do you not have an opinion? I'm just curious. That's my comments,
295 so I think that's something you need to reconsider." Mr. Stevens, "Could I suspend the rules for just a
296 second?" Mayor Samples, "No, but I'll permit, Mr. Stevens, let me, let me respond during public
297 comments." Ms. Hardwick, "Well, that's just something to think about." Mayor Samples, "Yes, and I
298 appreciate your input. It makes a lot of sense. There's no question that we're looking for the best
299 solutions for the Town of Surfside Beach and I, I know that Mr. Stevens is interested in successful
300 business both owners inside and outside." Ms. Hardwick, "That's the only stipulation. Thank you."
301

302 "I'm Betty Lowery. I live on 619 4th Avenue North. I'm also a sitting member of the planning and
303 zoning committee, and the young man in Charleston is a high school classmate of mine. So, I see him on
304 a regular basis. But, you're talking about the taking regulation. As far as the stormwater committee,
305 stormwater regulation was concerned we've been working on this for some time. Six months ago, I
306 believe it was, and it was advertised and we had no one here to listen to any of the discussion or to ask
307 any questions. Three, maybe four months ago, we had a lengthy discussion, again planning and zoning
308 commission with Mr. Adair. He came and gave us all kinds of information. There was no one here. No
309 public, no comments, no questions. Planning and zoning, the entire committee with one exception due to
310 a death in the family, met with the stormwater committee again, public was welcomed. It was advertised.
311 The only, there were a few people here who came to comment. They were all in favor. And many of
312 them were sitting there with lakeside property. We meet the first Tuesday of every month. We again
313 went through this at great length, and all the questions that have been asked by councilmembers were
314 discussed at the meeting. This is not something that we created as a knee-jerk reaction, and I don't want
315 to stand here and say I represent every member of the planning and zoning commission. And, we're
316 volunteers, we're not elected, and none of us are experts, but we do rely on experts, and a lot of research
317 went into this. So I am going to ask that when we have the various commissions meeting, that perhaps
318 some members of council were to attend so that workshops wouldn't be necessary, and they would
319 essentially be having them as the meeting. I just hate to see you waste your time with going through all
320 of this again, and having the same people come up and give the same information again. And, you know,
321 it's, it's not that I want to rush anything through or deprive anybody of their rights, but it's just so
322 frustrating to spend that time and then have it seem like it's for nothing. Thank you."
323

324 "Well, good afternoon, ladies and gentlemen. I'll tell you what, this is a very..." Mayor Samples,
325 "Name and address?" "You already know that! John Ard, Cypress Drive, Surfside." Mayor Samples,
326 "Thank you." "You're welcome. Now, first thing is I'd like to say tonight is congratulations to each and
327 every one of you. This is a very proud night for the Town of Surfside Beach, South Carolina. It's one I've
328 been look at for a long, long time now. I know it's going to take time to get things done. Can't do it
329 overnight, but I think we got to keep the people in place now that are willing, able, and can make the
330 decisions that we need to get the job done. And I'm not just speaking for myself. I'm speaking for a vast
331 majority of people in this town and businesses in this town. I've been asked quite a few times, what are

332 you going to do now? I'm going to do what I've been doing. The exact same thing I've been doing. I'm,
333 I'm going to be here at these council meetings. I will voice my opinion, and as you all well know, I do
334 have one, and I don't mind doing it. Anybody in this town need some advice, just wants to talk, throw
335 some ideas around, I'm wide open, and I'm sure everyone of you up there is wide open. I've talked with
336 quite a few of you since the election and I'm very satisfied with the answers that I have gotten. So, what
337 I'm looking at right now is a whole lot of better days down the road. I wish all of you the best of luck in the
338 world. And anytime that I can be of any service, just holler, cause I'm always round somewhere, and that
339 not only goes for y'all, but goes for the citizens, too. And I want to tell you this, I'm going to cut you a little
340 slack tonight since it's the first night, but a, we have, I do have some things on the board and they will be
341 coming up shortly. So, all I can say is, get prepared. Thank you."

342
343 "Joyce O'Brien, South Myrtle Drive. I'd like to say a just few quick things. It's so nice to see the
344 atmosphere change. It just feels wonderful in here, and another thing is, I don't know if anyone else has
345 noticed in the newspapers, but our little town of Surfside police department has been doing a heck of a
346 job. I'm very proud of them. *(applause)* And, I just have one question since you've been talking about
347 businesses, what, something that concerns me a little is, and I don't mean to step on anybody's toes, or
348 offend anyone, but the Smoke Shop in Surfside, does that open the door for like strip clubs, you know
349 what I mean, like what is our, our stance on businesses in Surfside? I mean is it anything allowed? Do
350 we have any kind of safety net?" Mayor Samples, "I don't know the legal answer to that. What I do know
351 is that I share that concern." Ms. O'Brien, "I'd just like to make sure that we don't open the door, you
352 know, and ask for trouble. I just think it should be something to look into, cause personally, and like I say,
353 I'm all for people running a business and doing well, but I don't think it says welcome to Surfside the
354 family beach. It just doesn't say that to me." Mayor Samples, "I agree with you." Ms. O'Brien, "Especially
355 on [Highway] 17, maybe on the side streets, but right there on 17, it's bothered me for a while." Mayor
356 Samples, "Side streets are not good either." Ms. O'Brien, "That's all I have to say, and I don't want our
357 police to work any harder than they are now. Thank you."

358
359 "Glenn Curtis, 257 Palladium. It's really nice to hear people that really care, really come up with
360 questions and try to get the answers to everybody out here and talk to everybody out here like human
361 beings with self respect. We want to thank you and congratulate you for your new posts." *(applause)*

362
363 "John Wright, 710 South Hollywood Drive. Mr. Mayor and council what a joy it is to see a change
364 in this room. It's been a long time coming. I would like to encourage you to think back to the opening
365 prayer tonight. Think about God. Think about this town that was founded as a family beach and where
366 we live. And yes, some of us work here, as well. But think about the citizens of this town in a different
367 light. It is an exciting time; it's a different time. It's time for us to make the most of it. We have let so
368 much pass under us. Let's take the days ahead and work together and return the atmosphere that was
369 once here, a family beach, a safe beach, a great place to live, a great place to vacation, and a great place
370 to come back to. Now speaking about pro-business, there are issues here still in our little town,
371 especially with our building and permitting and zoning. I encourage you to look closely at how contractors
372 are treated when they come apply for licenses, dog permits, and I want to thank you. It's a great place to
373 live. Thank you." *(applause)*

374
375 **10. COUNCIL COMMENTS.**

376
377 Mr. Smith, "Thank you, Mr. Mayor. Just want to congratulate Mr. Doug Samples on your election,
378 and you've done a good job tonight. Thanks to all of you new councilmembers. That's it."

379
380 Ms. Dodge, "You messed me up; I thought I had more time. I had a long speech. I want to thank
381 the St. James Chorus [sic]. Those kids are so talented and they work so hard. I'm so proud of them. I
382 choke up when I talk about them. They're great. Also, I want to thank past councilmembers who are no
383 longer here, for their service and I want to congratulate the new councilmembers. [I'm] looking forward to
384 all of us working together as a cohesive unit, and accomplishing a lot. I want to thank the people in this
385 town for bearing with us as we struggle to do what is best for the town, and we learn what that is by what
386 you say, what your comments are. They are appreciated because they come from your heart, and [what]
387 we try to do also comes from our heart. We'll keep trying. Thank you."

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Mr. Johnson, "Thank you, Mr. Mayor. I concur with everything that you said, Ms. Dodge. If I can read my scribbling, I'll try to get through this. I would like to congratulate everyone, Ms. Mary Beth Mabry, I congratulate you as being mayor pro tem. I did vote for you! (laughter) Just wanted to get that out there, you know. But along those lines, I would like to depoliticize the mayor pro tem position. I think it's long overdue. I would like to see the Town of Surfside Beach create an ordinance that makes the top vote getter of each election the mayor pro tem. That takes all the politics off the table and in my thinking, is, you know, if you get out here and you want it hard enough, you know, you want to get those votes, you go to every door, you're the top vote getter, you deserve to be mayor pro tem. I would like to, if I can get a concurrence, I would like to direct staff to draft an ordinance, if I'm not out of line." Mayor Samples, "I'm sure they got the message, and I think there is general concurrence on that, and you are out of line, but that's okay." Mr. Johnson, "Thank you. See I was just seeing if you knew what you were doing! (laughter) No, I apologize. Also, littering on the beach; several people have come up to me and they continually express their concern about littering on the beach, specifically cigarette butts. This one particular person's suggestion was no-smoking signs on the trash receptacle bins. I think that could be an easy fix towards number one the litter problem and number two the no smoking on the beach situation. I think it's, you know, I would like to throw that out and perhaps get a concurrence on that, or check on the price of signs on those receptacles." Mayor Samples, "I think somebody's taking a note on that." Mr. Johnson, "Okay, good. Also, I think Ms. O'Brien left, but we do have an ordinance in this town that does not allow certain businesses in the town, and it's pretty specific as to what types of businesses cannot be here and they are not very favorable businesses. So, I hope she reads the minutes and realizes that. That's all I have. Congratulations, again. Thank you all for coming out. God bless you."

Mr. Stevens, "First of all, thank everybody for coming out. It's good to see a good crowd like this. Just to put it on the record, I moved here because this was a family beach, so there'll never be a strip club as far as I'm concerned, ever, ever, ever! So, to the lady that mentioned that, make sure she gets that news, cause we're not going to have that kind of, we want good family businesses. This is a family beach and that's the kind of businesses I want to see in this town. I'm glad all y'all came out. The folks that a, I served with stormwater chairman, Ken Harth, with the, on the a water testing committee, so I know the stormwater committee has worked on this and the planning and zoning on this a buffer thing, and a I know it needs to be done. I know we need to have some type of buffer. I just want to make sure that we don't have any legal ramifications, and that's why we have an attorney here, sitting here. I think we need to check that out completely. I don't us to get sued again like we have in the past. We need to head things off at the, before they, they happen, and I know that a, I actually went, went out and went over to Harbor Lights and walked around and looked at places that we were talking about. I went over to Martin Park and looked at the lakes there, and just to see what the actual lakes looked like, and how much of a buffer was in those particular situations. I noticed in some places there's no buffer at all. So I think this, this ordinance, I think once we go to a workshop will be a great; we'll hammer it out and we'll get it right. For all those who want a, want to get involved in the business community, I welcome them. I want to congratulate Mr. Johnson for his re-election. Also want to congratulate Mary Beth Mabry, highest vote getter and mayor pro tem; two hats to wear. And Mayor Doug Samples. I think he's going to do a good job for us. I can tell you all in this, this room and all the neighbors and friends that you have that I will serve you to the best of my ability. I'll listen to you. I want you to come to me, if you've got a problem, let's talk about it. The only way we know what's going on in this town is the citizens inform us, and that's why I want to hear from everybody. Thank you for coming out, and I look forward to serving you."

Ms. Mabry, "I want to thank everyone who worked so hard on my campaign. I did, I did have a lot of help; certainly didn't do it by myself. I want to say thank you, and I want to thank the ones that quietly lifted me up in prayer. That a meant a great deal to me and it kept me going. I promise to work as hard as I can to keep your confidence and to continue to earn, and I'll do that by studying hard and trying to find out as much about every issue as I can. I do thank you, again. I appreciate everyone's effort, and I look forward to seeing each and every one of at every single council meeting, so I'll see you soon."

Mayor Samples, "I, my goal is, is that this council work diligently together, that we take the time to discuss the concerns. We do it in town council, and that we always seek what is best for the town's people, the town's people, the community. Now, we're going to balance the economy, the environment,

444 but the community of people who live here are what make it a special place to live. I promise you that I'll
445 do my best as, as one of seven, but the mayor, to make certain that the business that we conduct is plain
446 dealing above-board. We're going to make mistakes. When we make mistakes that we own them.
447 When we make a mistake, the best thing to do is identify it, back up, [and] correct it. But, hopefully, in the
448 not too distant future, after we work out some of the kinks of our new less structured system, y'all are
449 going to be happy, and think, you know, this was a good, this was a good thing to do. And, I want to say
450 personally that I appreciate all the support that was shown. I also recognize that some of that was, was,
451 was really just frustration and, but I still want you to know that a, you've got my number, you've got my
452 email, let me know. Let me know, because it is a community. We're not going anywhere, and, and for
453 staff, I, I want staff to know that we do appreciate the hard work that y'all do. Just cause we appreciate it
454 though, you know, we, we, you want us to be the type of people that you can respect in doing our jobs,
455 and that's what my intention is, is that this council will always earn your respect and earn the people's
456 respect by doing the job the way that you expect it to be done. Having said that, we need to go into
457 executive session."

458
459 **11. EXECUTIVE SESSION**

460
461 Mr. Smith moved to enter executive session at 8:17 p.m. pursuant to FOIA §30-4-70(1) to discuss
462 the vacant building official position, and the town administrator 60-day resignation notice, and §30-4-70(2)
463 to receive legal advice from the town attorney on the Sofonias law suit, other legal issues, and a
464 confidential mediation agreement involving the pier. Ms. Dodge seconded. All voted in favor. **MOTION**
465 **CARRIED.**

466
467 Mr. Smith moved to reconvene regular session at 10:07 p.m. Mr. Johnson seconded. All voted in
468 favor. **MOTION CARRIED.** Mayor Samples stated that no action was taken during executive session.

469
470 Mr. Johnson moved to accept the resignation of Jim Duckett, the current town administrator, and
471 appoint Micki Fellner as the interim administrator. Mr. Smith seconded. All voted in favor. **MOTION**
472 **CARRIED.**

473
474 **12. ADJOURNMENT.**

475
476 Mr. Smith moved to adjourn the meeting at 10:08 p.m. Mr. Johnson seconded. All voted in favor.
477 **MOTION CARRIED.**

478
479 Respectfully submitted,

480
481
482 _____
483 Debra E. Herrmann, CMC, Town Clerk

484 Approved: May 22, 2012

485
486 _____
487 Douglas F. Samples, Mayor

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489 _____
490 Mary M. Mabry, Mayor Pro Tempore

489 _____
490 Ann Dodge, Town Council

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492 _____
493 Mark L Johnson, Town Council

491 _____
492 Roderick E. Smith, Town Council

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494 _____
495 Randle M. Stevens, Town Council

493 _____
494 Vacant Seat

496
497 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In
498 accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. A complete list is on file in the clerk's
499 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on
500 the Town marquee. When (**) is used a section of the transcription is inaudible.



Town of Surfside Beach

In recognition of

VALERIE WENTZ

**Completing 5 years of Dedicated, Loyal Service
May 7, 2007 — May 7, 2012**

The Town commends your performance and thanks you for all of your efforts on behalf of the Town of Surfside Beach and its citizens.



The Hon. Douglas F. Samples, Mayor

Micki Fellner, Town Administrator

Debra Eaddy Herrmann, CMC, Town Clerk



Town of Surfside Beach

In recognition of

ANGIE HOLLAND

Completing 5 years of Dedicated, Loyal Service
May 4, 2007 — May 4, 2012

The Town commends your performance and thanks you for all of your efforts on behalf of the Town of Surfside Beach and its citizens.



The Hon. Douglas F. Samples, Mayor

Micki Fellner, Town Administrator

Debra Eaddy Herrmann, CMC, Town Clerk



Town of Surfside Beach

In recognition of

JOE LINEN

Completing 10 years of Dedicated, Loyal Service
June 30, 2002 — June 30, 2012

The Town commends your performance and thanks you for all of your efforts on behalf of the Town of Surfside Beach and its citizens.

The Hon. Douglas F. Samples, Mayor

Micki Fellner, Town Administrator

Debra Eaddy Herrmann, CMC, Town Clerk

Draft

Finance Department Report: April 2012

Business License:

- April 2012 Activity **(55) New Accounts**: New business In-Town (11); New business Out-of-Town (7); New Rentals (26); New Contractors (11); Additional business inquiries (12)
- Business License for April 2012 is \$144,788 which is up slightly from prior year's \$142,450. YTD income of \$224,534 is up from \$209,622 prior year, the increase is mainly attributable to new home construction.

Taxes:

Current real estate, personal property and vehicle tax collections from Horry County for April 2012 were \$37,690 which are up from \$30,173 last year. YTD income including penalties and prior year collections are \$2,114,421 up from \$2,054,775.

Hospitality & Local Accommodations Taxes:

Hospitality and Local Accommodations taxes received in the month of April were \$31,507 and \$4,356 respectively; compared to last year hospitality was up from \$25,773 and local accommodations were up from \$2,612. YTD hospitality \$454,008 is down slightly from \$465,076 and YTD local accommodations of \$105,758 is up slightly from prior year \$101,715. The lag in hospitality is mainly attributable to restaurant closings and Celebrations theatre closing.

Enterprise Funds:

In April 2012, the Sanitation Fund collected \$80,749 in service charges, which is up slightly from \$80,105 last year. YTD income of \$891,832 is still lagging behind prior year's \$894,229. In April the Pier Enterprise fund collected \$22,407 in revenue compared to \$17,671 prior year.

FY 2012-2013 Budget:

Budget workshops were held on May 10 and May 16. The First reading of the Town of Surfside Beach FY 2012-2013 Budget will be held on June 12th, 2012 and the Second reading will be held on June 26th, 2012.

Transparency:

The Town's accounts payable check register has been posted online and a link has been added to the State Comptroller General's office website. Visit the following websites for information:

Town of Surfside Beach <http://surfsidebeach.org/>
SC Comptroller General <http://www.cg.state.sc.us/transparency/>

Please contact the Finance department if you have any questions concerning this report, (843) 913-6336, or email finance@surfsidebeach.org

**Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending 04/30/12**

Ideal Remaining %: 17%

	April 2012	YTD FY 2011-12	FY 11-12 Budget	Over/(Under) Budget	April 2011	YTD FY 2010-11
Revenues						
Property Taxes	\$ 37,690	\$ 2,114,421	\$ 2,184,000	(69,579)	\$ 30,173	\$ 2,054,775
Licenses & Permits	152,887	422,130	1,493,000	(1,070,870)	160,348	358,848
Franchise Fees	47,940	397,484	564,600	(167,116)	45,230	389,255
Fines	28,416	191,191	235,000	(43,809)	9,290	193,610
Interest	318	4,610	10,000	(5,390)	733	6,953
Intergovernmental	191,140	305,119	306,720	(1,601)	164,736	328,706
Recreation Revenue	386	46,063	55,000	(8,937)	4,664	58,285
Other Revenue	2,579	19,782	25,000	(5,218)	2,553	14,638
Other Financing Sources	214,643	542,720	458,820	83,900	-	389,998
Total Revenue	\$ 675,999	\$ 4,043,520	\$ 5,332,140	(1,288,620)	\$ 417,727	\$ 3,795,068
			YTD Remaining %:	24.2%		
Salaries & Benefits						
Salaries	\$ 205,509	\$ 2,170,642	\$ 2,803,765	(633,123)	\$ 198,307	\$ 2,014,500
Benefits	89,826	801,103	1,033,412	(232,309)	74,997	768,237
Total Salaries & Benefits	\$ 295,335	\$ 2,971,745	\$ 3,837,177	(865,432)	\$ 273,304	\$ 2,782,737
			YTD Remaining %:	22.6%		
Operating Expenditures						
Administration	\$ 12,800	\$ 97,563	\$ 134,991	(37,428)	\$ 7,606	\$ 70,656
Finance	1,755	58,845	65,380	(6,535)	2,716	44,612
Court	1,750	27,097	36,435	(9,338)	4,132	27,933
Facilities	4,106	21,055	30,375	(9,320)	4,192	23,805
Police	14,203	195,866	214,461	(18,595)	18,903	163,579
Fire	4,782	103,966	121,435	(17,469)	5,972	82,196
Building & Zoning	2,698	63,689	78,355	(14,666)	6,023	42,487
Grounds	8,694	38,837	71,260	(32,423)	7,632	66,178
Public Works	242,406	713,867	252,355	461,512	19,986	170,095
Fleet Maintenance	4,905	21,712	25,995	(4,283)	2,216	23,493
Recreation & Special Events	15,219	102,912	132,225	(29,313)	15,288	133,869
Non Departmental	7,399	73,142	111,910	(38,768)	5,636	75,583
Total Operating Expenditures	\$ 320,717	\$ 1,518,551	\$ 1,275,177	243,374	\$ 100,302	\$ 924,486
			YTD Remaining %:	-19.1%		
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	\$ 59,947	\$ (446,776)	\$ 219,786		\$ 44,121	\$ 87,845
Capital Building	\$ -	\$ -	\$ 8,000	(8,000)	\$ 5,917	\$ 13,072
Debt Service	-	516,786	515,543	1,243	540	411,527
Total Expenditures	\$ 616,052	\$ 5,007,082	\$ 5,635,897	(628,815)	\$ 380,063	\$ 4,131,822
Net Operating	\$ 59,947	\$ (963,562)	\$ (303,757)		\$ 37,664	\$ (336,754)
Capital Replacement Expenditures	\$ -	\$ (103,988)	\$ (130,600)	\$ (26,612)	\$ (592)	\$ (579,941)
Capital Improvements	-	(140,749)	(144,000)	(3,251)	(140,178)	(198,931)
Transfer to Hospitality - Parking fines	(2,151)	(37,578)	(45,000)	(7,422)	(2,752)	(84,318)
Net Revenue over/(under) Expenditures	\$ 57,796	\$ (1,245,877)	\$ (623,357)		\$ (105,858)	\$ (1,199,944)

Underground project

**Town of Surfside Beach
Finance Department Report
April 30, 2012**

Ideal Remaining %: 17%

General Fund	April 2012	YTD FY 11-12	FY11-12 Budget	Over (Under) Budget	April 2011	YTD FY 10-11
Property Taxes						
Current Property Taxes	\$ 25,926	\$ 1,993,311	\$ 2,150,000	\$ (156,689)	\$ 26,550	\$ 2,005,114
Motor Carrier Taxes	-	3,087	4,000	(913)	12	3,335
Penalties & Prior Year Taxes	11,764	118,023	30,000	88,023	3,611	46,327
	\$ 37,690	\$ 2,114,421	\$ 2,184,000	\$ (69,579)	\$ 30,173	\$ 2,054,776
Licenses and Permits						
Business Licenses - Local	\$ 144,788	\$ 224,534	\$ 675,000	\$ (450,466)	\$ 142,450	\$ 209,622
Business Licenses - MASC	-	54,255	715,000	(660,745)	-	68,814
Animal Licenses	30	1,730	3,000	(1,270)	225	2,255
Building Permits	8,069	141,611	100,000	41,611	17,673	78,157
	\$ 152,887	\$ 422,130	\$ 1,493,000	\$ (1,070,870)	\$ 160,348	\$ 358,848
Franchise Fees						
Santee Cooper (Bi-Annual)	\$ -	\$ 138,405	\$ 250,000	\$ (111,595)	\$ -	\$ 141,358
GSW&SA (Monthly Installments)	16,620	166,201	190,000	(23,799)	15,960	159,599
TimeWarner (Quarterly)	31,320	92,715	115,000	(22,285)	29,193	88,104
HTC	-	163	-	163	77	193
SCANA (Annual)	-	-	9,600	(9,600)	-	-
	\$ 47,940	\$ 397,484	\$ 564,600	\$ (167,116)	\$ 45,230	\$ 389,254
Fines and Forfeits						
Police Fines	\$ 24,243	\$ 130,288	\$ 130,000	\$ 288	\$ 5,704	\$ 92,675
Victims Assistance	1,947	22,353	20,000	2,353	853	15,334
Parking Fines-Current	2,226	35,158	85,000	(49,842)	2,733	82,625
Parking Fines-Prior	-	3,392	-	3,392	-	2,976
	\$ 28,416	\$ 191,191	\$ 235,000	\$ (43,809)	\$ 9,290	\$ 193,610
Interest						
	\$ 318	\$ 4,610	\$ 10,000	\$ (5,390)	\$ 733	\$ 6,953
Intergovernmental Revenues						
Aid - Local Government Fund	\$ 17,419	\$ 52,257	\$ 90,000	\$ (37,743)	\$ -	\$ 50,046
Alcohol Permits	-	8,899	41,500	(32,601)	-	7,050
Homestead Exemption	36,318	36,318	40,000	(3,682)	35,865	35,865
Merchants Inventory	2,780	8,341	11,120	(2,779)	2,780	8,341
Government Grants	106,683	109,764	7,500	102,264	98,712	145,323
H.C. Recreation Dept.	-	-	16,600	(16,600)	-	-
H.C. Road Maintenance	27,940	89,540	100,000	(10,460)	27,379	82,081
	\$ 191,140	\$ 305,119	\$ 306,720	\$ (1,601)	\$ 164,736	\$ 328,706

**Town of Surfside Beach
Finance Department Report
April 30, 2012**

<u>General Fund</u>	April 2012	YTD FY 11-12	FY11-12 Budget	Over (Under) Budget	April 2011	YTD FY 10-11
Recreation Revenue						
Recreation Registration Fees	\$ (168)	\$ 15,588	\$ 22,800	\$ (7,212)	\$ 275	\$ 18,924
Recreation Sponsorships	-	5,900	6,500	(600)	1,650	7,075
Other Recreation Revenues	554	24,575	25,700	(1,125)	2,739	32,286
	\$ 386	\$ 46,063	\$ 55,000	\$ (8,937)	\$ 4,664	\$ 58,285
Other Revenue						
Miscellaneous Revenues	2,579	19,782	25,000	(5,218)	2,553	14,638
	\$ 2,579	\$ 19,782	\$ 25,000	\$ (5,218)	\$ 2,553	\$ 14,638
Other Financing Sources						
Sanitation Fund (5%)	\$ -	\$ 27,805	\$ 58,500	\$ (30,695)	\$ -	\$ 37,510
Accommodations Tax Fund	-	41,183	45,000	(3,817)	-	40,675
Interest Revenue - Pier Enterprise	-	22,037	22,820	(783)	-	26,771
Pier Enterprise (5%)	-	7,855	17,500	(9,645)	-	9,500
Trans from Hospitality	-	100,000	150,000	(50,000)	-	60,000
Local Accommodations Tax Fund	-	97,045	140,000	(42,955)	-	100,141
Sale of Fixed Assets	-	19,897	25,000	(5,103)	-	106,777
Insurance Proceeds	-	12,255	-	12,255	-	-
Santee Cooper Underground	214,643	214,643	-	214,643	-	8,624
	\$ 214,643	\$ 542,720	\$ 458,820	\$ 83,900	\$ -	\$ 389,998
Total Revenue & Other Financing Sources	\$ 675,999	\$ 4,043,520	\$ 5,332,140	\$ (1,288,620)	\$ 417,727	\$ 3,795,068

YTD Remaining %: 24.2%

<u>Capital Projects Fund</u>	April 2012	YTD FY 11-12	FY11-12 Budget	Over (Under) Budget	April 2011	YTD FY 10-11
Ideal Remaining %: 17%						
Revenue						
Property Taxes	\$ 4,748	\$ 293,946	\$ 250,000	\$ 43,946	\$ 3,815	\$ 282,856
Interest	86	760	-	760	184	678
Misc/Reimbursement	-	87,960	70,000	17,960	-	-
Total Revenue	\$ 4,834	\$ 382,666	\$ 320,000	\$ 62,666	\$ 3,999	\$ 283,534
YTD Remaining %: -19.6%						
Expenditures						
Lakes - Maint. & Enhancements	2,326	134,242	173,500	(39,258)	2,732	74,932
Water Quality/NPDES	529	54,293	37,500	16,793	-	37,773
Storm water Improvements	-	135,852	252,000	(116,148)	508	14,146
Total Expenditures	\$ 2,855	\$ 324,387	\$ 463,000	\$ (138,613)	\$ 3,240	\$ 126,851
YTD Remaining %: 29.9%						
Net Revenue over/(under)	\$ 1,979	\$ 58,279	\$ (143,000)		\$ 759	\$ 156,683

**Town of Surfside Beach
April 30, 2012
Enterprise Funds**

Sanitation Fund

Ideal Remaining %: 17%

	April 2012	YTD 2011-12	FY 11-12 Budget	Over (Under) Budget	April 2011	YTD 2010-2011
Revenue:						
Sanitation Fees	\$ 80,547	\$ 873,604	\$ 1,135,000	\$ (261,396)	\$ 79,748	\$ 883,302
Other Income(Grants, Sale of F/A)	-	15,229	-	15,229	-	9,027
Interest Income	202	2,499	1,200	1,299	357	1,901
Total Revenues	\$ 80,749	\$ 891,332	\$ 1,136,200	\$ (244,868)	\$ 80,105	\$ 894,230
			YTD Remaining %:	21.6%		
Expenses:						
Salaries & Operating Expenses	\$ 68,007	\$ 722,913	\$ 937,179	\$ (214,266)	\$ 65,846	\$ 685,960
Depreciation Expense	-	-	125,000	(125,000)	-	-
Transfer to A-Tax	-	-	15,000	(15,000)	-	-
Transfer Gen Fund	-	27,805	58,500	(30,695)	-	37,510
Total Expenses	\$ 68,007	\$ 750,718	\$ 1,135,679	\$ (384,961)	\$ 65,846	\$ 723,470
			YTD Remaining %:	33.9%		
Net Operating	\$ 12,742	\$ 140,614	\$ 521		\$ 14,259	\$ 170,760

Pier Enterprise Fund

Ideal Remaining %: 17%

	April 2012	YTD 2011-2012	FY 11-12 Budget	Over (Under) Budget	April 2011	YTD 2010-2011
Revenue:						
Income Rents/Leases	\$ -	\$ 30,000	\$ 50,000	\$ (20,000)	\$ -	\$ 66,250
Other Income-Admissions	5,025	34,198	50,000	(15,802)	3,171	39,824
Other Income-Fishing	10,580	76,979	100,000	(23,021)	8,045	77,439
Meter Income	6,739	48,365	80,000	(31,635)	6,424	54,248
Interest Income	62	817	-	817	31	224
Total Revenues	\$ 22,406	\$ 190,359	\$ 280,000	\$ (89,641)	\$ 17,671	\$ 237,985
			YTD Remaining %:	32.0%		
Expenses:						
Salaries & Operating Expenses	\$ 766	\$ 12,615	\$ 17,826	\$ (5,211)	\$ 92	\$ 57,066
Depreciation Expense	-	-	65,000	(65,000)	-	-
Interest Expense (Loan)	-	22,037	22,820	(783)	-	26,771
Transfer A-Tax	-	-	10,000	(10,000)	-	-
Transfer G F	-	7,855	13,750	(5,895)	-	9,500
Total Expenses	\$ 766	\$ 42,507	\$ 129,396	\$ (86,889)	\$ 92	\$ 93,337
			YTD Remaining %:	67.1%		
Advance due G F - Principal	-	-	-		-	-
* Re-Payment has been deferred for 2 years						
Net Operating	\$ 21,640	\$ 147,852	\$ 150,604		\$ 17,579	\$ 144,648

**Town of Surfside Beach
April 30, 2012
Special Revenue Funds**

Accommodations Taxes

Ideal Remaining %: 17%

	April 2012	YTD 2011-2012	FY 11-12 Budget	Over (Under) Budget	April 2011	YTD 2010-2011
Revenues:						
Accommodations Tax	\$ 18,293	\$ 366,958	\$ 450,000	\$ (83,042)	\$ -	\$ 338,493
Special Events	-	3,126	20,000	(16,874)	-	863
Interest Income	45	406	-	406	30	389
Transfer from Other Funds	-	-	25,000	(25,000)	-	-
Miscellaneous Income	-	28,798	-	28,798	-	-
Sale of Fixed Assets	-	2,184	-	2,184	-	888
Total Revenues	\$ 18,338	\$ 401,472	\$ 495,000	\$ (93,528)	\$ 30	\$ 340,633

YTD Remaining %: **18.9%**

Expenses:						
Police	\$ 847	\$ 35,733	\$ 93,234	\$ (57,501)	\$ 8,501	\$ 63,207
Grounds	585	7,512	13,876	(6,364)	1,033	10,488
Public Works/Sanitation	2,388	93,133	155,260	(62,127)	1,719	57,887
Special Events	7,284	46,803	70,227	(23,424)	2,483	27,824
Grants & Materials & Supplies	5,000	10,000	11,500	(1,500)	-	3,500
Fireworks Display	-	25,000	25,000	-	-	25,000
Advertising & Promotion	-	1,675	5,000	(3,325)	-	5,031
Advertising - MB Chamber (30%)	5,488	102,588	137,000	(34,412)	18,786	97,730
Transfer to Gen Fund (5%)	915	42,098	48,000	(5,902)	-	40,675
Total Expenses	\$ 22,507	\$ 364,542	\$ 559,097	\$ (194,555)	\$ 32,522	\$ 331,342

YTD Remaining %: **34.8%**

Net Revenue(Expense)	\$ (4,169)	\$ 36,930	\$ (64,097)		\$ (32,492)	\$ 9,291
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Local Accommodations Taxes

	April 2012	YTD 2011-2012	FY 11-12 Budget	Over (Under) Budget	April 2011	YTD 2010-2011
Revenues:						
Local Accommodations Tax	\$ 4,356	\$ 105,758	\$ 140,000	\$ (34,242)	\$ 2,612	\$ 101,715
Interest Income	2	233	-	233	5	40
Total Revenues	\$ 4,358	\$ 105,991	\$ 140,000	\$ (34,009)	\$ 2,617	\$ 101,755
Expenses:						
Transfer to General Fund	\$ -	\$ 97,045	\$ 140,000	(42,955)	\$ -	\$ 100,141
Net Revenue(Expense)	\$ 4,358	\$ 8,946	\$ -		\$ 2,617	\$ 1,614

**Town of Surfside Beach
April 30, 2012
Special Revenue Funds**

Hospitality Taxes

Ideal Remaining %: 17%

	April 2012	YTD 2011-2012	FY 11-12 Budget	Over (Under) Budget	April 2011	YTD 2010-2011
Revenues:						
Hospitality Fees	\$ 31,507	\$ 454,008	\$ 600,000	\$ (145,992)	\$ 25,773	\$ 465,076
Meter Revenue & Parking decals	7,698	76,228	125,000	(48,772)	8,741	85,769
Logo/Promotion Sales/Misc	184	3,036	-	3,036	2,457	2,457
Other Revenue (Grants)	-	8,000	-	8,000	6,224	11,932
Interest Income	186	2,480	-	2,480	289	2,045
Transfer from G.F. Parking fines	2,151	37,578	85,000	(47,422)	2,752	84,318
Total Revenues	\$ 41,726	\$ 581,330	\$ 810,000	\$ (228,670)	\$ 46,236	\$ 651,597
				YTD Remaining %:		28.2%
Expenses:						
Police - Community Services	\$ 655	\$ 51,670	\$ 102,689	(51,019)	4,466	\$ 44,990
Police - Meters	5,405	43,707	93,789	(50,082)	5,681	45,066
Admin - Parking	223	3,926	3,526	-	805	839
Fire	-	27,235	27,000	235	-	1,687
Grounds	872	76,541	90,000	(13,459)	2,027	40,182
Recreation	156	121,155	126,600	(5,445)	46	19,981
Parking/Land Improvements	-	9,836	13,500	(3,664)	-	-
Transfer to General Fund	-	100,000	150,000	(50,000)	-	60,000
Total Expenses	\$ 7,311	\$ 434,070	\$ 607,104	(173,034)	\$ 13,025	\$ 212,745
				YTD Remaining %:		28.5%
Net Revenue(Expense)	\$ 34,415	\$ 147,260	\$ 202,896		\$ 33,211	\$ 438,852

**RECREATION DEPARTMENT
MAY
MONTHLY REPORT**

ATHLETICS

Regular season for baseball and softball is under way. Games are Monday through Thursday.

T-Ball (age 4); Coach Pitch (ages 5-6) and Kid Pitch (ages 7-8) registration has ended and resulted in (4) T-Ball teams, (6) Coach Pitch teams and (4) Kid Pitch teams for a total of 178 children participating. Games will begin the first week in June and continue Monday through Friday for the duration of June.

Plans are in the works for a fall baseball league.

SPECIAL EVENTS

The Beach Music Party was held on Friday, May 4th in the pier parking lot from 5 p.m. to 8 p.m. Approximately 350 people attended the event which showcased the Mark Roberts Band as entertainment. Concessions were prepared, cooked and sold by town staff. Numerous compliments were received on the event.

UPCOMING EVENTS

1. Car Show – Saturday, May 26th – 9:00 a.m. to 4:00 p.m. – Surfside Drive
2. Memorial Day Golf Cart Parade – Monday, May 28th – 2:00 p.m. – line-up in old Celebrations Theatre parking lot.
3. Memorial Day Service – Monday, May 28th – 2:30 p.m. – Veterans Memorial

PUBLIC WORKS MONTHLY REPORT

April 19 – May 16, 2012

SANITATION DIVISION (FTEs – 8)

Residential Service – Six carts were delivered; four to accounts once the certificate of occupancy had been issued and two per owner requests. Two carts were repaired and three carts were replaced. Three carts were removed from locations where the additional carts were no longer needed. Sanitation supervisor responded to one call regarding ordinance enforcement; twenty-six calls regarding late put outs or questions about bulk/yard debris pick up, eleven miscellaneous calls and/or questions and four complaints.

Commercial Service – Service routes continue to be updated based on business needs. Two businesses added additional service days. Three businesses required extra pick-up services due to overflow. Four new businesses, Surfside Thrift Shop, Murray & Mike's, Cool Daddy's, and The Grand Theatre, began commercial service. Eight businesses are participating in the Sunday commercial service which began May 13th. Three businesses replaced unsafe dumpsters after being notified by Supervisor. Supervisor responded to one complaint and answered two miscellaneous calls.

Summer Service – Three times a week summer service in the C-3 and R-3 zoning districts began on Sunday, May 13th. To date, 470 exemption requests have been received, verified, and processed.

Caropines – The total number of customers we service in Caropines to 192. Crews answered one miscellaneous call regarding services in Caropines.

Recycling News – Ten carts have been delivered to town residents upon request. Crews removed four carts per requests. Supervisor responded to three miscellaneous calls with questions about recycling.

We have also been able to dispose of scrap aluminum signs from Public Works and scrap aluminum air tanks from the Fire Department at the Waccamaw Metal Recycling Center. We received \$499.69 for the old signs and \$26.26 for the old air tanks, checks have been submitted to Finance.

Household Hazardous/Electronic Waste Drop Off – From April 27th through the 29th crews collected those items banned from curbside collection. 880 pounds of Hazardous Household Waste were properly disposed of at the Solid Waste Authority. Electronic waste was picked up by Creative Recycling Systems. A report will be forthcoming as to total weight collected. Disposal of all items was at no cost to the Town.

In April we collected 411.79 tons of solid waste, 39.60 tons of mixed debris, 167.16 tons of yard debris, and 44.91 tons of recyclables. There was a net ~~increase~~ of 1.6% from all commodities over April 2011.

Crews assisted with the Beach Music Party on May 4th.

STREETS & DRAINAGE DIVISION (FTEs –8)

The Beach – Crews are completing 3 times per week beach raking and grooming, as well as swash outlets being dug out to ensure proper water flow. Weekend beach can service began on May 5th. Beach trash and recycle cans are being emptied three times a week as well as on weekends, weather permitting.

On-going/Special Projects:

- Potholes continue to be filled. A section of 6th North in need of repair has been paved.
- Crews continue to perform maintenance and clean-up of drainage ditches and catch basins throughout town.
- Twice weekly (Tuesday/Friday) town wide mosquito spraying continues, weather permitting.
- Crews repaired/replaced several street and stop signs recently vandalized.
- Dirt – is still available free of charge to town residents who come to Scipio Lane and load up the dirt themselves between the hours of 8:00am until 3:00pm on the third Saturday of each month. Those requesting delivery must have the Public Works Director or Street Supervisor inspect the delivery site and issue an inspection ticket confirming proper usage of the dirt prior to placing an order at Town Hall. This inspection will insure that the dirt is not being used to fill in ditches and/or swales that would interfere with our storm water drainage. An appointment can be made to pick up dirt other days by calling Public Works at (843) 913-6360.
- Five reports were sent to Santee Cooper identifying street lights that were not functioning properly.
- From April 19th through May 16th Public Works assistant answered 236 incoming calls. 154 of those calls dealt with sanitation questions/concerns/complaints; 2 calls were from vendors providing product information and/or quotes; 22 calls dealt with street/drainage issues, streetlights, and questions about driveway inspections and dirt delivery; 9 calls dealt with parks/grounds issues; 14 were internal calls dealing with department and/or personnel issues and/or questions; 12 calls were received for the Public Works Director; 23 calls dealt with miscellaneous questions, wrong departments and/or telemarketers.

GROUNDS DIVISION (FTEs-4)

- Dixie League baseball is in full swing. Games and practices are held nightly at Huckabee and Martin parks.
- Palm trees and beds have been installed along Ocean Blvd, near 13th Ave South.
- Additional palms have been planted at the 4th Ave S. driveover, and around Yaupon Parking Lot.
- Crews continue to spruce up Town properties and parks, as well as weeding and trimming.
- Lake spraying has begun and will continue as needed, weather permitting.

FLEET MAINTENANCE DIVISION (FTEs-2)

From April 19th through May 16th our mechanics completed forty-six (46) repairs on Town vehicles and equipment. Four (4) vehicles had tires replaced, two (2) vehicles had flats repaired, and one (1) vehicle has front rims replaced. Bi-weekly fleet tires checks and fire extinguisher inspections were completed on all Public Works vehicles and/or equipment. “Preventive” and “Scheduled” maintenance (consisting of lube, oil & filter changes, brake inspections, tire rotations and fluid checks) were performed on thirty-nine (39) Town vehicles and/or equipment.

FACILITIES (FTE-1)

- Ceiling tiles have been replaced in several areas of Town Hall.
- The façade of the Public Works building on Sandy Lane was re-painted.

ADDITIONAL NOTES:

Congratulations to Joe Linen of our sanitation division for ten years of service to the Town!

SURFSIDE BEACH PUBLIC WORKS – CURRENT EVENTS – MAY 2012



Public Works crews keep the Town clean and well-maintained for everyone to enjoy!

Administrator's Report - May 22, 2012

6C. My Report

1. The bid for the Smoke Free Horry T-Shirt's paid for by the \$8,000 grant was awarded to Sayre Enterprises of Natural Bridge Station, VA. The Town will be receiving 1,550 shirts the first week in June to distribute at our summer events.
2. I had a budget change that I would like to propose but I will defer it until the special budget meeting unless you want me to proceed.
 - a. I would propose that we buy out the Toyota Tacoma contract which is close to \$17K and We have more than enough money in Hospitality ...
 - i. Beach Services - Vehicles and equipment
 - ii. Beach Services – Salary savings
 - iii. Police Meters – Budgeted \$23,900 for 2 demo pay-stations but because we were looking at outsourcing we didn't move forward with that purchase
 - b. This would prevent incurring a financial penalty and would also reduce next year's budget by the same amount.
3. I had an initial meeting with Chris Stout of OCRM last week to discuss some improvements on the pier to make it ADA compliant and he was very encouraging.
 - a. I followed this up with a rough rendering and formal letter requesting that he review the project and share it with all others in a decision making capacity at SC DHEC OCRM with regard to the granting of permits for the scope of work involved.
 - b. He had indicated at our meeting that he would be happy to do this.
 - c. Although I haven't heard back from him yet, I hope to have something to report to Council by the next meeting.

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
COUNTY OF HORRY) TO SET THE TAX MILLAGE
TOWN OF SURFSIDE BEACH) FOR THE FISCAL YEAR ENDING JUNE 30, 2013

WHEREAS, §5-7-260(3) of the South Carolina Code requires that a municipal council shall act by ordinance to adopt budgets and levy taxes pursuant to public notice; and

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled, desire to establish a tax millage for the fiscal year 2012-2013 budget,

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Mayor and Town Council have accepted and adopted the following tax for the 2012-2013 fiscal year budget:

Section 1. A tax to cover the period of July 1, 2012 to June 30, 2013, both inclusive, that shall be levied, collected and paid into the treasury of the Town of Surfside Beach for the use and service thereof, i.e., in the amount of Four Dollars (\$4.00) on every One Hundred Dollars (\$100.00) in value of real estate and personal property of every description owned and used in the Town of Surfside Beach, South Carolina, except such as is exempt from taxation under the Constitution and Laws of the State of South Carolina, is and for the purpose of paying current expenses of said municipality. Such tax is levied on such property as is assessed for taxation for County and State purposes.

Section 2. If for any reason, any sentence, clause, or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions hereof.

Repeal and Effective Date. All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this 22nd day of May 2012.

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC
Town Clerk

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this _____ day of _____.

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC, Town Clerk

STATE OF SOUTH CAROLINA)) COUNTY OF HORRY)) TOWN OF SURFSIDE BEACH)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH TO ADOPT THE 2012-2013 FISCAL YEAR MUNICIPAL BUDGET
--	--

WHEREAS, §5-7-260(3) of the South Carolina Code requires that a municipal council shall act by ordinance to adopt budgets, pursuant to public notice; and

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled, desire to adopt a budget for the 2012-2013 fiscal year;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Mayor and Town Council have accepted and adopted the following calculations for the 2012-2013 fiscal year budget:

Section 1. Appropriations. The estimated expenditures and other financing uses for the various operations and funds of the Town of Surfside Beach are approved and appropriated as follows:

<u>Governmental Funds</u>	<u>Expenditures</u>
General Fund	\$6,099,810
Capital Projects Fund	437,375
Hospitality Fund	780,000
Accommodations Tax Fund	477,508
Local Accommodations Tax Fund	140,000
<u>Proprietary Funds</u>	<u>Expenses</u>
Sanitation Fund	1,195,023
Pier Enterprise Fund	135,193
Total	<u>\$ 9,264,909</u>

Estimated revenues and other financing sources for the various operations and funds of the Town of Surfside Beach described above are as follows:

<u>Governmental Funds</u>	<u>Revenues</u>
General Fund	\$5,611,012
Capital Projects Fund	268,750
Hospitality Fund	795,000
Accommodations Tax Fund	450,000
Local Accommodations Tax Fund	140,000

Proprietary Funds

Revenues

Sanitation Fund
Pier Enterprise Fund

1,094,000
304,773

Total

\$8,663,535

Section 2. The Town Council and Town Administrator shall administer the budget. In addition, the Town Administrator with Town Council's approval may authorize the transfer of appropriated amounts within any fund as necessary to achieve the goals of the budget.

Section 3. If for any reason, any sentence, clause, or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions hereof.

Repeal and Effective Date. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect July 1, 2012 upon approval by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ____ day of _____.

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC, Town Clerk

undeveloped vegetated area. No construction or development of any type shall be allowed within the 15 foot buffer. It shall be unlawful for any person, firm, corporation, or private authority in any manner to kill, destroy, or remove any trees, shrubbery, plants, grass, or any other natural form of vegetation growing, living, or situated within the established vegetated buffer zone, or to interfere with, do, or perform any act which tends to lessen the erosion and filtration protection and natural purpose of such vegetation. Minimal pruning on plants and shrubbery, or replacement of invasive species with indigenous species, shall be allowed provided that in no case the pruning is below a height of three (3) feet. In no case shall the vegetated buffer be mowed. No trees within the buffer zone shall be removed unless a licensed or ISA certified arborist, South Carolina registered forester, landscape architect, architect or engineer certifies that the tree:

- (1) Poses a hazard to existing building(s) or utilities.
- (2) The tree is diseased, dead, or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.

Owners of existing developed properties abutting or encompassing a surface water body shall be allowed to maintain the existing landscaping; however they are encouraged to install and maintain native vegetated plantings that are indigenous to South Carolina, which intercept rainwater and are highly drought tolerant. No new construction, additions or development of any type shall be allowed within the 15 foot buffer.

The following, Table 17-706(a), is a list of Invasive Plant Species common name and Species in *italics*:

Table 17-706(a) Invasive Plant Species (Not Inclusive)	
Common Name	Species
Chinese Tallow Tree	<i>Triadica Sebifera (L.) Small</i>
Autumn-Olive	<i>Elaeagnus umbellata Thunb.</i>
Chinese-Privet	<i>Ligustrum sinense Lour.</i>
Multiflora Rose	<i>Rosa multiflora Thunb. Ex Murr.</i>
Japanese Honeysuckle	<i>Lonicera japonica Thunb.</i>
Kudzu	<i>Pueraria montana (Lour.) Merr. var. lobata (Willd.)</i>
Wisteria (Chinese and Japanese)	<i>Wisteria sinensis (Sims) DC and W. floribunda (Wild) DC.</i>
English Ivy	<i>Hedera helix L.</i>
Cogongrass	<i>Imperata cylindrica (L.) Beauv.</i>

Japanese Stiltgrass	<i>Microstegium vimineum (Trin.) A Camus</i>
Chinese Silvergrass	<i>Miscanthus sinensis Andersson</i>
Common Reed	<i>Phragmites australis (Cav.) Trin. ex Steud. var. australis</i>
Wart-Removing Herb	<i>Murdannia keisak (Hassk.) Hand.-Maz.</i>

The following, Table 17-706(b), is a list of Indigenous Plant Species common name and Species in *italics*:

Table 17-706(b) Indigenous Plant Species (Not Inclusive)	
Common Name	Species
Serviceberry, Downy serviceberry, Shadbush, Juneberry	<i>Amelanchier arborea</i>
American beautyberry, French mulberry	<i>Callicarpa americana</i>
Chinkapin, Allegheny chinquapin	<i>Castanea pumila</i>
New Jersey tea, Redroot	<i>Ceanothus americanus</i>
Buttonbush, Button willow	<i>Cephalanthus occidentalis</i>
Sweet fern, Sweet-fern	<i>Comptonia peregrina</i>
Alternate leaf dogwood, Pagoda dogwood	<i>Cornus alternifolia</i>
Coralbean, Cherokee bean, Red cardinal	<i>Erythrina herbacea</i>
American strawberry-bush, Brook euonymus, Hearts-a-burstin, Bursting-heart, Wahoo	<i>Euonymus americanus</i>
Gordonia, Loblolly bay	<i>Gordonia lasianthus</i>
Crimson eyed rose mallow, Marshmallow hibiscus	<i>Hibiscus moscheutos</i>
Wild hydrangea, Sevenbark	<i>Hydrangea arborescens</i>
Shrubby St. Johnswort	<i>Hypericum prolificum</i>
Wax myrtle, Southern bayberry, Candleberry	<i>Morella cerifera</i>
Atlantic ninebark, Common ninebark	<i>Physocarpus opulifolius</i>
Flame azalea	<i>Rhododendron calendulaceum</i>
Wild azalea, Honeysuckle azalea, Piedmont azalea, Sweet azalea, Hoary	<i>Rhododendron canescens</i>

azalea, Southern pinxter flower	
Fragrant sumac, Aromatic sumac, Lemon sumac, Polecat bush	<i>Rhus aromatica</i>
Common elderberry, Black elder, Mexican elderberry, Common elder, Elderberry, Tapiro, Sauco	<i>Sambucus nigra ssp. canadensis</i>
Southern arrowwood	<i>Viburnum dentatum</i>

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this _____ day of _____:

 Douglas F. Samples, Mayor

 Mary M. Mabry, Mayor Pro Tempore

 Ann Dodge, Town Council

 Mark L. Johnson, Town Council

 Roderick E. Smith, Town Council

 Randle M. Stevens, Town Council

 Vacant Seat

Attest:

 Debra E. Herrmann, CMC
 Town Clerk

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Wednesday, May 09, 2012 3:17 PM
To: The Hon. Ann Dodge ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Mary Beth Mabry; The Hon. Randle M. Stevens; The Hon. Rod Smith
Cc: S. Morris; 'John Adair'; 'Micki Fellner'
Subject: Vegetative Buffers Research
Attachments: BufferAmendment.docx; Vegetative buffers history.docx; VegetatedBuffers.pdf

Mr. Samples believed it would be helpful for you to see the minutes applicable to the buffer ordinance from the stormwater committee and the planning commission. They are attached along with a portion of the DHEC brochure about buffers. The link to the full DHEC brochure is in the Word document, if you're interested in seeing it.

Sabrina sent the proposed ordinance to Mr. Moss (see message below), but as of now, has not received a reply.

A hearing will be held at 6:00 p.m. on May 22nd for you to hear public comment on the issue.

D.

Debra Herrmann, CMC, Town Clerk
Town of Surfside Beach
843.913.6111 (Main) - 843.913.6333 (Direct)
dherrmann@surfsidebeach.org
[Facebook.com/SurfsideBeachTownClerk](https://www.facebook.com/SurfsideBeachTownClerk)

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From: Sabrina Morris [<mailto:smorris@surfsidebeach.org>]
Sent: Wednesday, May 09, 2012 3:01 PM
To: 'Debra Herrmann'
Subject: FW: Ordinance Amendment

[Here you go..... ☺](#)

From: Sabrina Morris [<mailto:smorris@surfsidebeach.org>]
Sent: Wednesday, April 18, 2012 11:28 AM
To: Kenneth Moss, Esquire (kennethmoss@wwpemplaw.com)
Subject: Ordinance Amendment

Mr. Moss,

I have attached the proposed amendment to Chapter 17 of the Code of Ordinances. This amendment will address clearing along lakes and ponds within the town. We will be adding a list of Invasive and Indigenous plants to the attached as requested by the Planning Commission but other than that list, the ordinance should be presented to Council as written.

Any comments or recommendations will be greatly appreciated.

Sabrina Morris

Town of Surfside Beach
115 U.S. Highway 17 North
Surfside Beach, SC 29575
843-913-6354 (Office)
843-238-5432 (fax)

This e-mail transmission, in its entirety and including all attachments, is intended solely for the use of the person or entity to whom it is addressed and may contain sensitive information which is privileged, confidential, and the disclosure of which is governed by applicable law. If you are not the intended recipient, you are hereby notified that disclosing, distributing, copying, or taking any action in relation to this e-mail is STRICTLY PROHIBITED. If you have received this e-mail in error, please notify the sender immediately and destroy the related message and any attachments. WARNING: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA), §30-410 SC Code of Laws.

Amend Sec. 17-007 of the Code of Ordinances to include the following definitions:

Invasive species: species that is:

- 1) Non-native (or alien) to the ecosystem under consideration; and
- 2) Whose introduction causes or is likely to cause economic or environmental harm or harm to human health. Invasive species can be plants, animals, and other organisms (e.g., microbes).

Indigenous species: Plants, growing, living, or occurring naturally in a particular region or environment.

Section 17-706 Buffer required on all lots abutting or encompassing a surface water body.

In order to provide a natural filtration system for runoff and erosion control in accordance with the Federal Clean Water Act, SC NPDES permit and for the preservation of personal property within the Town of Surfside Beach, all lots abutting or encompassing a surface water body shall be required to maintain a 15 foot vegetated buffer. For the purpose of this section of the code "Surface Waters" shall be defined as a body of water (pond or lake) greater than 10,890 square feet in area." The buffer line shall be measured from the design high-water mark of the pond or lake and extend landward. The buffer shall be maintained as an undeveloped vegetated area. No construction or development of any type shall be allowed within the 15 foot buffer. It shall be unlawful for any person, firm, corporation, or private authority in any manner to kill, destroy, or remove any trees, shrubbery, plants, grass, or any other natural form of vegetation growing, living, or situated within the established vegetated buffer zone, or to interfere with, do, or perform any act which tends to lessen the erosion and filtration protection and natural purpose of such vegetation. Minimal pruning on plants and shrubbery, or replacement of invasive species with indigenous species, shall be allowed provided that in no case the pruning is below a height of three (3) feet. In no case shall the vegetated buffer be mowed. No trees within the buffer zone shall be removed unless a licensed or ISA certified arborist, South Carolina registered forester, landscape architect, architect or engineer certifies that the tree:

- (1) Poses a hazard to existing building(s) or utilities.
- (2) The tree is diseased, dead, or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.

Owners of existing developed properties abutting or encompassing a surface water body shall be allowed to maintain the existing landscaping; however they are encouraged to install and maintain native vegetated plantings that are indigenous to South Carolina, which intercept rainwater and are highly drought tolerant. No new construction, additions or development of any type shall be allowed within the 15 foot buffer.

Stormwater Committee and Planning & Zoning Commission minutes are included that refer to the buffer issue.

This is the link to the entire pamphlet that cites the Supreme Court case (*Hornbach, 1993*) in which it was determined that buffers are a public safety issue, not a taking. A PDF portion is attached. <http://www.gpo.gov/fdsys/pkg/CZIC-qh541-15-b84-h35-1999/pdf/CZIC-qh541-15-b84-h35-1999.pdf>

July 19, 2011 - Stormwater Committee Approved Minutes

4. DISCUSSION.

A. Harbor Lights – Ken Harth & Jackie Donevant. Mr. Harbin explained that a discussion was held at the June workshop about Harbor Lights. The committee's perspective almost exclusively concerns lake water quality. Mr. Harth said Ms. Donevant was very helpful. He looked at some surveys and also talked with residents that lived around the lake. The impression he got was that the town owns a small strip of land around the lake. Ms. Donevant said the town does not own any land around the lake; the lots actually go right to the edge of the water. Each lot on the lake according to DDC's plan has to submit a stormwater plan, a tree plan, and other such information so that everything is not run off into the lake. Mr. Harth asked if the town has access to the lake. Ms. Donevant said the town has two 20-foot drainage easements. Mr. Harth asked if adjacent green areas were required. Ms. Donevant said no, as long as the impervious maximum was not reached.

Mr. Sanford, from DDC, the company that worked on the Harbor Lights project about six years ago said the original subdivision plan required that all lake-front lots have their own stormwater system. Front yards were supposed to drain into the street; they couldn't point discharge, basically there had to be a green space, sod on the lawns, a percolation system or some other filtering system in the back yard before discharge went into the lake. A system was in place so town staff could review the trees and storm drainage for each lot. Mr. Harbin asked if the same approval applies when the property changed ownership. Mr. Sanford said yes; the plat was recorded based on the minimum requirements stated. For clarification, he said that no houses were constructed on the lake lots in Harbor Lights as yet. Mr. Harbin understood that the developer was changing the floor plans, and had to re-grade the lots. He asked if that had separate approval. Ms. Donevant said yes; a different foundation type had to be used, because the developer could not meet the 18-inch requirement. The first stormwater plan for the lake was just received by staff, which will be sent to Earthworks for an engineer's approval. Ms. Donevant will approve other aspects of the plan. Based on the initial review, it appears to be a good plan and she believes it will work. Mr. Sanford said the plan basically conforms to the original plan. Mr. Harbin asked if green space would be maintained, and if the owner would be responsible for discharge. Mr. Sanford said the intention was for the lake bank to maintain its natural vegetation to help prevent erosion. There is between 20- to 30-feet of grass sod between the house and the lake. Mr. Harbin said most of the lots near Highway 17 had been cleared, and asked if the lots nearer to the water had been cleared. Mr. Sanford said no. Mr. Harth said those lots had to be maintained with a natural vegetation border and asked if sod could be placed to the water's edge. Mr. Sanford said according to the plan he just saw, it was not going in front of the silt fence, which is established between 10- to 15-feet along the bank.

Mr. Sine asked if the homeowners were allowed to mow to the water's edge or whether they would be required to maintain the natural buffer. The committee encouraged homeowners to leave natural buffers as a filter and keep the bank stable. Ms. Donevant said the town has a stormwater easement that conveys with the land; the town has no authority to require a homeowner maintain his property in a particular manner. Mr. Adair said the stormwater approval is the only means to require

specific maintenance. Ms. Donevant agreed. Ms. Ross asked how “maintaining the easement” is defined. Ms. Donevant said the property cannot be clear-cut nor can the swales be filled in, and the grassed areas, clean-outs, and catch basins must be maintained. Swales are now recorded and the town has easements to prohibit owners from filling in swales. Mr. Mabry asked if the homeowner is responsible for maintaining the easement area. Ms. Donevant said yes; the town can enforce maintenance, because it is in the stormwater easement. Mr. Mabry asked how the check dams are maintained. Ms. Donevant said by the property owner. Mr. Mabry asked if the town required owners to maintain stormwater systems installed 10- to 20-years ago. Ms. Donevant did not know. Public Works currently checks drainage pipes. Code Enforcement checks when dirt is being hauled in, or changes are proposed for a lot. If more than 6-inches of fill dirt is delivered, the homeowner has to apply for a stormwater plan. Mr. Mabry asked whether the town monitors changes made to stormwater improvements by residents. Ms. Donevant said usually a neighbor or other concerned citizen will call town hall to complain; there is no procedure.

Mr. Adair said the Master Stormwater Plan has provisions for staff to inspect what is done. The town is responsible for maintaining its drainage system. Swales and ditches installed up to 30-years ago have been filled in by homeowners. Staff is performing a drainage study on the north end of the Magnolia and Myrtle Basins to determine what exists and identify problems. Mr. Adair said these comments were relevant to the discussion of the north Surfside drainage plans. In September or October last year there was a 16-inch rain in two days, which was probably a 50- or 75-year storm event. He went to at least 50 houses on the north end, and a few houses on the south end, where there was as much as two-feet of water in the yards. It was clear to him that there is work to be done on the north side, particularly in the area from Pine to 5th and from Poplar to Cedar in the Myrtle Basin, and from 14th to 17th in the Magnolia Basin. After the drainage study, the Magnolia Basin map will be completed, allowing staff to target improvements. The impact could result in changing the size of a drain pipe or repairing a weir that might improve water flow for as many as 100 to 150 homeowners. Mr. Harbin asked if this committee could assist with this project. Mr. Adair said the surveying work is over half completed; Magnolia mapping is complete.

Mr. Sanford explained that he performs an initial review and hand sketches the drainage and rights-of-way areas. Then surveying crews survey the area. Once surveying is complete, another person checks the surveying crews work. Magnolia Basin modeling is about 50-percent complete, which appears to be a pretty good system. There are some problems that can be easily fixed, others won't be. There are great soils in this area. There are bad soils in Cherry, Rogers, and Magnolia lakes, which is why those lakes were dug. Some areas have no drainage at all. Fortunately, 90-percent of the storms are ½-inch or less, so there isn't a problem. Large storms create the problems. The town could spend millions of dollars to enable draining to finish in “five seconds,” or it could spend less and determine what is necessary to maintain water quality and what the residents can tolerate, i.e. 6-inches of water in the yard for half-a-day. The Myrtle Basin survey will be finished this week and modeling will begin after the drains and pipe sizes are checked. Mr. Harbin asked if this would be a multi-year project. Mr. Adair estimated completion within a year or so. The size, scope, and cost have to be considered in relation to the stormwater budget. Problem areas will be prioritized. He was committed to completing the system inventory to establish a record of what exists throughout the town. The town is required by the NPDES II program to have a maintenance program. In the past, a record was not kept of which ditches were cleaned. That is required to comply with Phase II, as well as documenting other maintenance tasks.

Mr. Harth said the town should be cognizant of development plans to insure buffers are maintained, defoliation doesn't occur, and that water quality testing has been done. Mr. Sine hoped that owners would be prohibited from mowing to the water line. Mr. Harth said it sounded like a buffer is required, but it also sounds like the owner can clear-cut if he chooses to do so. The minute the land is clear-cut to the edge of the water, the land will erode. Mr. Sine said the same thing would happen that occurred in Dogwood Lake, depending on the current. Mr. Adair said if owners were defoliating to the water, he supported having a hold harmless agreement to protect the town from being required to build bulkheads or other projects to stop erosion. Ms. Ross said it was a cascading effect. She believed the word “maintain” should be defined. Mr. Adair said that is why the soil by the lakes is sloughing off into the lake. Ms. Ross said it could be a result of a neighbor's action from three houses down, because of

underlying currents and other factors. She believed the committee should make suggestions for proper maintenance, offer workshops or help. Sod would not filter everything, nor would one- to seven-trees a lot. Mr. Harbin believed there are two goals: One, to educate the homeowner who owns the land and is best served by trying to maintain the bank with the proper vegetation, and two, does the stormwater committee want to suggest to the planning staff that more ordinances are needed as they affect waterfront lots. Ms. Ross said for water quality purposes. Mr. Harbin said maintenance, hold harmless, and recommendations could be included. Mr. Sine asked if that should be done at the next workshop. Mr. Harbin said it could be added to agenda and that the planning staff and building department could be invited to attend. Mr. Harth said the time frame is critical. Ms. Donevant said two house plans were in the building department for review. Mr. Sanford suggested a survey be attached to the deed documents to show exactly what is to be maintained. The hold harmless agreement could be included with the stormwater packet. The first lot is at the engineer's for stormwater approval, and a hold harmless statement could be required before the building department approves the plans and public works approves the driveway. Mr. Sine asked if a motion with a recommendation to council was needed. Ms. Donevant didn't believe that was necessary; Town Council adopted the stormwater ordinance and anything that is done within the department to uphold that ordinance would be proper. Mr. Adair said this was a matter of policy. Mr. Harbin asked if the plans would be presented to the planning staff. Ms. Donevant said it would be approved by staff; language is already in place except for the hold harmless agreement, and that could be attached to the department's plan review.

Ms. Ross said the hold harmless is only a portion of the committee's concern, which is mainly water quality. Mr. Adair said erosion is a concern, if the vegetation is cut. Ms. Ross said there are two issues with the same solution. Mr. Adair said compliance would need to be required. Mr. Harbin asked in regards to the plans under review what action the committee could take to put "teeth" to accomplish the actions discussed today. Ms. Donevant said the homeowner owns the property to the lake; she said that whatever stormwater plan is submitted will be approved because the pre-development has to meet the post-development calculations. These lots already have stormwater in place. Staff can add the hold harmless agreement and have it and the plat recorded to document the stormwater system on the property. Mr. Sanford said the roof drainage goes into a percolation system so there is no washing from down spouts. He suggested marking the stormwater plan with a "natural area that is undisturbed" up to the silt fence; making that part of the stormwater permit and recorded documents that would provide evidence, if changes were made. Mr. Harbin said that was the committee's position, and it would lobby for that to be included in the approval process. Mr. Sine asked what the penalty would be if violated or if erosion occurred any way, could the town require an owner to repair the bank. Ms. Donevant said the town could require repair, if the stormwater ordinance was violated. Penalties that double the permit fee and remediation would be imposed. Mr. Harbin believed this discussion was after-the-fact, and suggested that the committee give Ms. Donevant general direction for the stormwater cleanup. Mr. Sine moved to ask the planning staff and public works to add a hold harmless agreement and require a buffer to be considered a natural wetland to the stormwater guidelines for lake front lots and that some type penalty to be imposed if the buffer is removed. Mr. Hart seconded. Mr. Mabry believed this would be difficult to enforce; it is difficult to explain to homeowners that there are restrictions on what they can or cannot do on their property. Ms. Ross said she attended two recent isolated wetlands workshops; she could get "exactly what we need in writing." She will contact those sources to determine how they work with homeowners. Ms. Donevant said there is no homeowners association at this property; there are 46 separate lots. If the homeowner is made aware that there is a percolation system or some other stormwater management system in place that they must maintain, she believed they would maintain the system to preserve the lake and comply with recorded plans. In the past contractors turned in the stormwater plans, but they were not recorded. All voted in favor. **MOTION CARRIED.**

January 17, 2012 – Stormwater Committee Approved Minutes

6. DISCUSSION.

A. Vegetated Buffers - Mr. Adair. Mr. Adair said the proposed Land Development Regulations provide a 40- **15-foot** buffer around bodies of water. He explained that if the committee desires an amendment **to the Stormwater Ordinance as recommended by our consultant.**, it can direct staff to prepare a revision for its consideration and possible recommendation to town council. Mr. Mabry moved to direct staff to prepare a draft ordinance to the Stormwater Ordinance, which would address the buffer issue. Mr. Kohlmann seconded. Mr. Harth asked what the buffer size should be. Mr. Adair said a draft would be presented based on other ordinances adopted throughout South Carolina, and model ordinances; the ordinance would provide for appeals, hardships, exceptions, landscaping, etc. Mr. Adair said the Waccamaw Regional Council of Government recommends a 15-foot buffer. A lengthy discussion was held regarding the process and problems that might be encountered to implement a buffer. All voted in favor. **MOTION CARRIED. Changes made by approved motion at the April 16, 2012 meeting. D. Herrmann, Clerk**

04-16-2012 – Stormwater Committee – DRAFT Minutes

B. Vegetated Buffers – Draft Ordinance Review/Approval – Mr. Adair.

Mr. Adair presented the draft ordinance, a copy of which is in file. He explained this process has taken about a year and it was determined that the issue should be dealt with jointly through stormwater and zoning; therefore, the planning and zoning commission was invited to participate in this discussion. Ordinances in stormwater and zoning will be identical for consistency, and uses some language that was adopted in the Land Development Regulations that was already adopted by town council. The last paragraph addresses existing improvements that are allowed to be maintained, but those owners are encouraged to install natural vegetated buffers, and educational materials will be delivered to those homeowners in hopes of obtaining their cooperation. The proposed ordinance pertains to undeveloped lots. Staff hopes to present the stormwater ordinance at the same time as the planning commission ordinance is presented to town council in May.

Comments and questions:

- Who is to be notified when a tree is to be removed, is there an arborist on staff? Staff is to be notified before trees are removed; town landscape code addresses tree removal.
- Why is the pruning restricted to 3-feet, which might be too high to view the lake from some flat yards? Research revealed that 3-feet is the bare minimum, the preference is actually higher to maintain root systems.
- Why is the proposed buffer 15-feet, not 10-feet? Based on research 15-feet is the minimum to meet any water quality benefit.
- Does this ordinance prevent docks being installed? There is a moratorium on dock construction, but it is not an ordinance. A building permit would be required, and it would be approved or denied based on the current policy.
- Would it be beneficial to add “fresh” before “water”, i.e. “*fresh*” body of water (pond or lake) to separate those from the ocean water? Myrtle, Dogwood, and Holly lakes are subject to tidal influence; the square footage area delineates ponds and lakes.
- Fairly restrictive to have 15-foot buffers on smaller lots; could language be considered to allow contiguous buffer line with neighbors, or case-by-case buffer width, or exceptions for nuisance vegetation? The proposed ordinance only applies to new development; not existing, developed property. If a hardship presents, the owner can appeal to the board of zoning appeals. Research shows that the most appropriate place for buffer ordinances fall in the zoning code because it is a property issue, so the board of zoning appeals is the proper appeal board.
- Who performed the research? Staff, including the public works director and code enforcement officials, and Ms. Wood. Staff is confident that sufficient data was gathered on which to base a reasonable proposed ordinance.
- What is Dr. Libes opinion of the proposed ordinance? She had not reviewed the proposed ordinance, but commented that a 15-foot buffer was very minimal.

- Suggestion to included invasive species and indigenous and beneficial plants in the ordinance, which was done in the tree ordinance.
- Create a natural buffer at the lake at Martin Park as an example for the community.
- Managing the waterfronts should not be left to homeowners and contractors; but the code should be fair and easy to enforce. Education is vital for homeowners. The proposed ordinance is “close” but “needs a little more work done.”
- Education for the community is being planned. Developed property owners will receive information.
- Share contact information for Clemson Cooperative Extension and University of South Carolina Coastal Training Program.
- How many lots are affected? There are 61 undeveloped lots based on GIS aerial imagery; with Harbor Lights current development, there are probably fewer than 50 undeveloped lots that would be impacted by this ordinance. There are about 250 waterfront lots in town.
- Staff believes that an ordinance that is any more restrictive than the proposal would not be acceptable to town council; anything less restrictive would be useless.
- Suggestion that the ordinance include a specific number of required plants from a list of acceptable plants, or best choices. Staff did not believe council would adopt such a recommendation. The tree ordinance has a list of specific acceptable trees; suggestion that invasive plants be listed and prohibited. Clemson Extension is working to develop an invasive list; a list of indigenous plants should also be developed for Surfside Beach.
- Clemson Extension suggests testing PH levels in the soils to provide appropriate plant recommendations.

Mr. Sine moved to adopt the ordinance as presented and adding a list of prohibited invasive plants. Motion failed for lack of second.

Mr. Harbin moved to clarify after the words invasive species with indigenous species a parentheses containing, (using recommended best management practices by authorities such as Clemson Extension Service.) Mr. Sine seconded. Mr. Harbin said the ordinance references invasive species, indigenous species, and vegetation that would lessen erosion, and resources for identifying those plants should be cited. Ms. Abrams suggested listing prohibited invasive plants, but only a recommendation for allowable plants. Ms. Wood said the list of invasive plants would probably be infinite. Mr. Adair plants are those that would be done past the lake high-water mark, not aquatic plant species. Ms. Wood suggested that definitions of prohibited and indigenous plants might be better addressed in another part of the code. Ms. Livesay suggested that information be added to the definitions. Mr. Pruitt believed this would be part of education to advise the public of best practices and what is prohibited.

Mr. Sine moved to amend the motion to add definitions for invasive species and indigenous species. Ms. Lane-Laveglia seconded. Chairman Harth and members Lane-Laveglia, Ross, and Sine voted in favor. Member Harbin voted against. **MOTION CARRIED.** Chairman Harth called for a vote on the original motion as amended. All voted in favor. **MOTION CARRIED AS AMENDED.** Members of the planning commission were thanked for their attendance and comments.

Mr. Harbin said the ordinance as recommended limits pruning to 3-feet or higher. He believed aesthetically there would be some plants that would only leave sticks if pruned to 3-feet, and would like to have the 3-foot requirement apply specifically to large shrubs or trees, not low-growing vegetation that may occasionally get above 3-feet or plants in general.

04/02/12 P&Z Meeting – Approved Minutes

6. PUBLIC COMMENTS.

Mr. Adair said a presentation was made last year about buffers and how they are being handled in South Carolina and the rest of the country. In order to protect the town, provisions need to be included in the ordinance to stabilize the lake shorelines to help prevent erosion, and manage water fowl because

fowl do not like to cross vegetation to get on shore. Buffers of this type have been adopted throughout the country. Language has been included in the Comprehensive Plan to support the need for lakeshore protection. The stormwater committee voted during its January 17th meeting to amend its ordinance. A draft copy will be presented at the April meeting. Mr. Adair hoped the planning commission would consider an amendment to the zoning ordinance so the code would be congruous. Staff would like to present the amendments to council at the same time.

Mr. Ken Harbin, stormwater committee member, distributed photographs to the commission and said there were concerns about normal setback lines that do not address approaches to water bodies. He believes there has been over-zealous clearing in the Harbor Lights area, and proceeded to give an historical accounting of the project. In his opinion, education for the home purchaser/resident, the developer, and the landscape contractors is very important. Currently there are no ordinances that prohibit razing natural vegetation to the water's edge. He invited the planning commission to meet with the stormwater committee at its next meeting, April 16th at 6:00 p.m., to discuss the proposals for vegetative buffers. **Planning commission CONCURRED to attend the April 16 stormwater committee meeting.**

Mr. Ken Harth, chairman of the stormwater committee, appreciated the planning commission cooperation on this matter. Water testing is performed every other week on the town lakes. It is a fact that vegetative buffers reduce waterfowl livability on lakes, and has actually resulted in improved water quality over the past few years. In areas without vegetative buffers, pollutants just pour into the lakes creating the need for dredging and damage to the water quality. The pollutants not only impact town lakes, but ultimately the ocean where runoff enters. The stormwater committee determined there are between 50 and 60 vacant waterfront lots in town.

Mr. Ralph Magliette, 104 Harbor Lights, said he and his wife chose a lot with a beautiful oak tree, instead of purchasing on the lake. When they were choosing their property, they received conflicting information about what was allowed, and since moving in has seen inconsistent practices. He is afraid that owners will clear-cut vegetation to the lake edge now that they know a buffer is not required. He encouraged the commission to take necessary action to preserve the lake.

Ms. Patty Magliette, 104 Harbor Lights, said from a woman's point of view that it seems people would like to have a nice lake view. People do not seem to be educated about the finer points of lakeshore protection and suggested education packets be distributed, and not just have rules implemented.

7. DISCUSSION.

A. Lake Buffer. Chairman Seibold said there is obviously an issue with lake buffers. He was concerned about how quickly action could be taken. He asked what information would be provided at the stormwater meeting. Ms. Morris said the planning commission would not receive an ordinance at that meeting. Information would be presented, and a draft ordinance for the stormwater committee's consideration will be presented. The planning commission is required to advertise and hold a public hearing to change the zoning ordinance. She assured the commission that a draft ordinance would be presented for its consideration during the May meeting. Working with the stormwater committee would insure the ordinances are congruent.

Ms. Livesay asked staff to research restrictions on Harbor Lights property, as there were several meetings in which the audience was filled to capacity. Ms. Morris said Harbor Lights is an R-1 district that has deed restrictions, but staff cannot enforce deed restrictions.

B. US Highway 17 Signage. Mr. Hanson believed signage was a higher or at least equal priority as lake buffers. At the last town council meeting, the council encouraged quick action. The board of zoning appeals is hearing appeals. He encouraged the commission to act timely. Ms. Morris said a proposal would be presented at the May meeting.

05/01/2012 P&Z Meeting – Draft Minutes (public hearing; business, and comments)

Public Hearing:

b. Request to amend the Town of Surfside Beach Zoning Ordinance, Article 1, Section 17-007 definitions and Article VI, Section 17-706 to require buffers on all lots abutting or encompassing a surface water body.

“Ralph Magliette, 104 Harbor Lights. I’ve been to several of these meetings and you said at one time that you thought there might have been a 10-foot buffer. Someone had said that they thought there might be one, and with what has just happened on 105 Harbor Lights where the owner basically cut all the vegetation, and had all that erosion to it, I was just wondering, is it possible that anyone could go back in the minutes and actually look to see if there is anything there that says that there was or there was not a 10-foot buffer, because if you talk, some people said they thought that there may have been something. I know it’s a lot of extra work to go back in the minutes to see, but just to set, set it to rest, and because of my concern that not the one homeowner has basically ripped all the vegetation off and there’s nothing to stop other people, I know that some of it, I’m not on the lake side, but I’ve talked to some people, because they’re going to be starting up our HOA. Some other people are thinking a little seriously about doing the exact same thing, and two weeks ago when we had that heavy rain there was erosion and part of the man’s property went right into the, right into Lake Elizabeth and, you know, his sod came over and the whole bit, so if you could just, you know, it would make me feel better, because I remember when, when I had bought the lot, and I didn’t want to be by the lake. I talked to the D. R. Horton people. I was expressly told there was a 10-foot buffer. That’s what they said that, now again, it’s only a sales representative of D. R. Horton, and I’m just saying since you people who approved it, is it possible you could just go back into the minutes and see if there is wordage or anything was done about a 10-foot buffer on that planned development. That’s all I have. Thank you.”

There were no other public comments on the proposed buffer amendment.

Business:

b. Request to amend the Town of Surfside Beach Zoning Ordinance, Article 1, Section 17-007 definitions and Article VI, Section 17-706 to require buffers on all lots abutting or encompassing a surface water body.

Mr. Hanson recalled that PDD (planned development district) approval was granted by town council. Ms. Morris said a planned development would be presented to the planning commission for its consideration and recommendation to town council, because it would involve a zoning change. Mr. Hanson said in that case, the specific buffer requirements for Harbor Lights might not be in the planning commission minutes. Ms. Morris said that Harbor Lights was an R-1 district; it is not a planned development. Any buffer requirements in that area would have been placed by the developer; the town had no authority to enforce developer covenants.

Ms. Livesay asked whether covenants had to be approved by the town insofar as meeting code. Ms. Morris said covenants had to meet or exceed code, but in R-1 buffers were not required. If they were included in the covenants, it was in addition to the town requirements. Chairman Seibold asked if a copy of the covenants were on file. Ms. Morris said no. Mr. Hanson said there was nothing to look up. Chairman Seibold said nothing was ever adopted that he was aware of. Ms. Livesay said the discussion was prior to the developer deciding to build under the R-1 guidelines, which was beneficial in reducing density. Whether discussions were held regarding buffers, there was not then nor is there now a strong ordinance regarding lake buffers. If this buffer ordinance is recommended and adopted, any lot regardless of the zoning designation would have to comply with the buffer.

Ms. Morris said the public works director and she met with the D. R. Horton representative. They walked each lot. When they explained to him what was being presented to preserve the natural vegetative buffers, he understood and said they would not clear-cut any more lots. Ms. Livesay asked whether deed restrictions would be included on the properties. Ms. Morris said if the proposed amendment is approved for recommendation to town council and approved by council, it will become law immediately upon approval and it would apply to all lots.

Chairman Seibold asked when the amendment would be presented to town council. Ms. Morris said this amendment and the sign amendment would be on the May 8th town council agenda; if first reading is approved, second reading would be May 24th.

Ms. Lowery asked for clarification, if she owned a completely built home in Harbor Lights, she could cut the lot down to the water's edge regardless of what is decided at this meeting, because the lot was already developed. Ms. Morris referred to Section 17-706, second paragraph, and said existing landscaping could be maintained; it does not state that everything can be removed. Ms. Lowery said if it were already cut to the water, it could remain that way; but if it was not already cut, she would not be permitted to do so. Ms. Morris said that was correct. Ms. Lowery asked if the code was binding on a vacant lot. Ms. Morris said it would also apply to vacant lots.

Ms. Abrams asked whether Mr. Magliette understood what was said insofar as the Harbor Lights buffer was concerned. Mr. Magliette said the last time he addressed the commission he was told there is no buffer, which he understood, and asked with the enabling legislation, could lot owners do as they please? Ms. Lowery said no, if the lot had not already been cut to the water's edge, it would not be allowed. Mr. Magliette asked if there was an appeal process. Ms. Morris said there is always an appeal process; the question would be heard by the board of zoning appeals. The owner would be required to prove a hardship, and every owner within 150-feet of the property would be notified in writing of the appeal and would be allowed to be given an opportunity to speak during the hearing. Ms. Livesay did not believe foliage would create any kind of hardship; adoption would include all zoning. Mr. Magliette said that was wonderful and explained his questions. Ms. Lowery said the 10-foot buffer he heard about might be one proposed by D. R. Horton, and did not involve the town. Mr. Magliette would send a copy of the HOA covenants to Ms. Morris. Ms. Abrams asked for confirmation that the only lot in Harbor Lights that would be allowed to clear-cut is the one that had already been done.

Mr. Lonnie Hopkins, 712 North Cedar Drive said he lived on Lake Elizabeth. Having lived there 19-years, he had a good understanding of the problem and how the proposed ordinance came to be presented. There are some lots further up the lake where owners have cut vegetation down in the water; another property just down from him is being cut. Ms. Morris said that property owner actually met with staff and they are removing foliage to assist with stormwater drainage. The owners agreed not to clear cut. Mr. Hopkins said previously he asked that stormwater gutters off houses be placed in the back yards. Where the yard was clear-cut, the drainage made a ditch right into the lake. Now the debris has created a sandbar where waterfowl is roosting. He did not know how many homes were involved, but there was a large quantity of water flowing through those junction boxes. Ms. Morris said that particular subdivision has a very stringent stormwater system, and their engineer designed it so the gutters will be connected to the stormwater underneath the ground. Each home has a pipe underground on the rear lot where the water will infiltrate the lake. Mr. Hopkins said NPDES requires the town to keep dirt and so forth out of the lakes. The street sweeper helps clean the streets, but the water seems to be pushing right into the lake and will go on into the ocean.

Mr. Adair said every developed lot has post-development runoff that they are allowed to discharge that has to be equal to or less than the predevelopment discharge amount. Every lot has to be engineered to meet the requirement; the plans are reviewed by the town's engineer. Each of these lots have a French drain infiltration system that water passes through before any water goes into the lake that meets the engineering requirements. The lot in question where runoff was observed has not had the system installed yet, but silt fencing is installed by the lake that meets best management practices to prevent silt from entering the lake. Upon site inspection, he saw significant silt berm formations against

the fence, so it is performing as expected. Once the drainage systems are completed, he hoped it would meet the post-development runoff requirements. Houses are required to maintain a certain amount of level ground behind them before grading can be tapered to the water's edge. To meet the grade, owners are allowed to remove some brush closer to the house, still respecting the 15-foot buffer. With exception of the clear-cut lot, he was satisfied with the remainder of the houses in the Harbor Lights area.

Ms. Livesay asked whether plan reviews included an engineered plan for stormwater runoff regardless of whether the property is located on a lake. Ms. Morris said that was correct; engineers inspect every system before they are covered to insure they meet the minimum requirements. Once the system is covered, the engineers make another inspection to insure it meets requirements. A certificate of occupancy is not issued unless the engineer approves the stormwater drainage system. Ms. Livesay said there was no need to add a best management practice to the ordinance, because it was already addressed. Mr. Adair said the NPDES permit requires the town to follow the minimum control measures, one of which is post-construction runoff.

Mr. Pruitt asked Mr. Adair if he believed the proposed amendment would manage the current issues. Mr. Adair believed it would and it would provide a code that could be enforced. There is no code now and he has no authority to control how homeowners cut vegetation on their water fronts. Currently the town uses chemicals to treat algae blooms and metals in the water. Staff has to notify owners that use lake water that chemicals are in use so they don't kill their landscaping, which involves a lot of manpower. Much of that will be reduced; water quality will certainly improve if the town keeps implementing best management practices such as buffers, street sweeping, signage that prohibits feeding birds, etc. This is why the stormwater committee has been so involved with this particular issue.

Chairman Seibold referred to the issue paper noting the Federal Clean Water Act and SC NPDES. He asked how a 15-foot buffer was determined. Mr. Adair said staff researched other South Carolina communities and other states and found that the bare minimum to have any measureable water quality benefit was 15-feet. Chairman Seibold asked whether documentation was available to support the recommendation. Mr. Adair said voluminous documentation. Ms. Abrams said that Dr. Libes, Waccamaw Watershed Academy-Coastal Carolina University, was at the recent stormwater meeting where this was discussed and she also said that 15-feet was the bare minimum to see any measurable impact on water quality.

Mr. Pruitt moved to approve and recommend to town council adoption of Section 17-706 as written. Mr. Rhoades seconded. All voted in favor. **MOTION CARRIED.**

Ms. Morris noted that staff also requested that Article I, Section 17-007 be amended to add definitions of invasive species and indigenous species. Mr. Pruitt moved to approve and recommend to town council adoption of Article I, Section 17-007 as written. Ms. Lowery seconded. All voted in favor. **MOTION CARRIED.**

10. COMMISSION COMMENTS.

Ms. Livesay, "Does the public understand? You can go to the town council [meeting] and listen to them talk about it again, and hopefully it'll get passed. Mr. Chair, I'd like to recommend that we send the stormwater the idea that possibly we could, it was brought up at our meeting we had together, this is going to bother Mr. Adair, I'm afraid, but a sample buffer planted and signs with explanations maybe down by the ballpark where it's like just bald where the ducks fly through. I don't know, not a large segment, just something that the town won't keep cutting, you know, that lake down there, Martin Lake that one is really in need of some help. I would just like to ask stormwater or, I think they're the best committee, is that right, Sabrina, you think?" Ms. Morris said that was correct. Mr. Adair said that would be an excellent public works project and is something he would welcome doing. Staff stopped cutting to the water's edge, but it's not nearly 15-feet; it would be a great demonstration project. Chairman Seibold, "It's a great idea."

Vegetated Riparian Buffers And Buffer Ordinances



The *outer buffer zone*: 25 feet wide minimum, composed of forest or turf. It is the buffer's buffer, an additional 25-foot setback from the outward edge of the middle zone to the nearest permanent structure. It is usually a residential backyard. The only major restrictions are no septic systems, no new impervious surfaces, and no new permanent structures (WPT Summer 1995, p. 157).

☑ Buffer System Management

Buffer management is covered in depth in the following section.



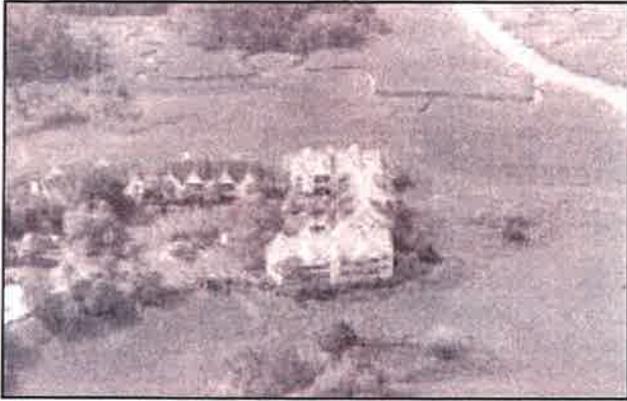
II. Problems and Solutions for Buffers and Buffer Ordinances

PROTECTING THE RIGHTS OF THE PROPERTY OWNER: MAKE THE BUFFER ORDINANCE FLEXIBLE

Since in most watersheds a 100-foot buffer ordinance will take about 5% of the total land area out of development consideration, many communities are concerned that stream buffer requirements could represent an uncompensated taking of private property. This situation can be mitigated by making a buffer ordinance more flexible (WPT Summer 1995, p. 162).

To address the concern that stream buffer requirements could represent an uncompensated taking of private property, a community can incorporate several simple measures to ensure fairness and flexibility when administering its buffer program (WPT Summer 1995, p. 162).

✦ “Buffer ordinances that retain property in private ownership generally are considered by the courts to avoid the takings issue, as buffers provide compelling public safety, welfare, and the environmental benefits to the community that justify partial restrictions on land use. Most buffer programs meet the ‘rough proportionality’ test recently advanced by the Supreme Court for local land use regulation (Hornbach, 1993) ... [S]tream buffers are generally perceived to have a neutral or positive impact on adjacent property value. The key point is that the reservation of the buffer cannot take away all economically beneficial use for the property.” Six techniques described below can ensure that the interests of the property owners are protected (WPT Summer 1995, p. 162).



1. Buffer Averaging

Buffer averaging permits the buffer to become narrower at some points along the stream, as long as the average width of the buffer meets the minimum requirement. However, buffer narrowing must be limited, so that the streamside zone is not disturbed and no new construction is allowed within the 100-year floodplain. Since continuity in the buffer is as important as width, do not allow more than 10% of the buffer to be less than 33 feet (10m) wide (WPT Summer 1995, p. 162).

2. Density Compensation

“This scheme grants a developer a credit for additional density elsewhere on the site, in compensation for developable land that has been lost due to the buffer requirement... Credits are granted when more than 5% of developable land is consumed. The density credit is accommodated at the development site by allowing greater flexibility in setbacks, frontage distances or minimum lot sizes to squeeze in ‘lost lots.’ Cluster development also allows the developer to recover lots that are taken out of production due to buffers and other requirements. The intent of stream buffers is to modify the location but not the intensity of development,” (WPT Summer 1995, pp. 162-163).

3. Conservation Easements

“[An] easement conditions the use of the buffer, and can be donated to a land trust as a charitable contribution that can reduce an owner’s income tax burden. Alternatively, the conservation easement can be donated to a local government, in exchange for a reduction or elimination of property tax on the parcel,” (WPT Summer 1995, pp. 162-163).

4. Purchase of Development Rights

“Purchase of development rights could be considered by local governments if a proposed buffer would encompass all or nearly all of a property owner’s developable land. It is “a tool that achieves some of the same goals as conservation easements, in that another landowner may purchase the rights to develop a property from the owner. When the land is sold or inherited, it retains the prohibition against development,” (WPT June 1997, p. 479).

5. Variances

“The buffer ordinance should have provisions that enable an existing property owner to be granted a variance or waiver, if the owner can demonstrate severe economic hardship or unique circumstances make it impossible to meet some or all of the buffer

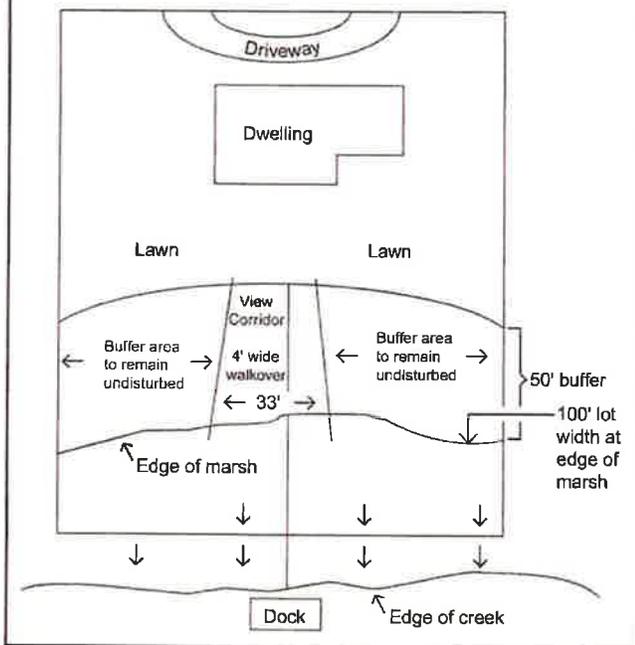
requirements. The owner should also have access to a defined appeals process should the request... be denied," (WPT Summer 1995, p. 163).

6. Allow Selective Pruning and Clearing to Provide a View Corridor

Allow property owners to prune vegetation in a portion of the buffer on their property to afford them a view of the water a "view corridor." Keep such corridors either 75 feet wide or one-third the width of each lot, whichever is less. A landowner should also have the option to submit a selective clearing and landscaping plan for the view corridor. Such a plan must leave or replace enough vegetation in the corridor to maintain the value of the buffer. To prevent conversion of the area to turf, do not allow pruning below a height of three feet.

Figure 2: Example of a Selective Clearing and Landscape Plan

- View corridor to be maintained by pruning brush to a height of 3'
- View corridor at shore = 33'/100' of buffer length at coastal feature = 33%



PRINT BUFFER BOUNDARIES ON ALL DEVELOPMENT PLANS

Buffer boundaries are often invisible to property owners, developers, and even local government officials. Without defined boundaries, urban buffers are subject to encroachment and incompatible uses. Landowners are more often unaware of buffers than deliberately violating buffer boundaries.

Over 60 percent of the local governments surveyed in a national survey of 36 local buffer programs (Heraty, 1993) indicated that most individual property owners were unaware of either the boundary or the purpose of a buffer. One-time legal disclosures, such as notes on the deed of sale were usually the only notification given to property owners about buffer limits. Local governments need to record the buffer boundaries on their own official maps. Such buffer maps are necessary so local governments can inspect and manage their network of buffers and evaluate the potential impact of new development at specific sites in the buffer network (WPT 2/94, pp. 19-20).

In a study of 21 buffers in Seattle ranging from two to eight years old, ninety-five percent had been visibly altered, including tree removal, conversion into lawns, and erosion by stormwater runoff. In one hundred percent of the residential lots located within narrow buffer networks, natural vegetation had been cleared and replaced by lawns. Encroachment into riparian buffer zones is extremely difficult to control. (WPT 2/94, pp. 20-21). Boundaries for vegetated buffers printed on all development plans delineate the limits of disturbance during construction, decreasing the likelihood that contractors will encroach or disturb the buffer (WPT February 1994, p. 19).

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)
)
TOWN OF SURFSIDE BEACH) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
TO REPEAL §2-46 DEVOLUTION OF POWERS AND
DUTIES WHEN MAYOR ABSENT OR INCAPACITATED
TO ADOPT §2-46 MAYOR PRO TEMPORE ELECTION
AND DUTIES

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to amend Section 2-46 Devolution of Powers and Duties when the Mayor Absent or Incapacitated; and

WHEREAS, the Mayor and Town Council desire to establish a method to elect the mayor pro tempore that removes conflicts between councilmembers and promotes harmony within the members; and

WHEREAS, the Mayor and Town Council desire to recognize the candidate that worked diligently to garner the support of the town residents evidenced by receiving the highest number of votes,

NOW, THEREFORE, Section 2-46 Devolution of Powers and Duties when Mayor Absent or Incapacitated is hereby repealed in its entirety and shall be replaced and amended to state Section 2-46 Mayor Pro Tempore Election and Duties:

~~Section 2-46. Devolution of powers and duties when mayor absent or incapacitated. Devolution of powers and duties when mayor absent or incapacitated. The town council shall, during the meeting in which inauguration occurs, elect one (1) of the councilmembers as mayor pro tempore by written ballot. Ballots shall be included in the council package for the meeting in which election is to be held. Completed ballots shall be returned to the town clerk before the meeting's call to order. It shall be the duty of the mayor pro tempore to act as mayor in the absence from the town of the mayor or when the mayor is incapable of the duties of office. In the absence or inability to act of both the mayor and the mayor pro tempore, the duties of the may shall be performed by such councilmembers as the council shall name.~~

Section 2-46. Mayor Pro Tempore Election and Duties.

A. Election: During every general election year immediately after newly elected officials are sworn in, the town council shall nominate the council candidate receiving the highest number of votes for office for the position of mayor pro tempore for the two years following, and shall serve as mayor pro tempore until the next general election after which the town council candidate receiving the highest number of votes for office shall be nominated as the new mayor pro tempore.

B. Duties: It shall be the duty of the mayor pro tempore, and the mayor pro tempore shall be vested with all the powers, duties and responsibilities attached to the office of mayor, to act as mayor during the temporary absence or disability of the mayor or when the mayor is incapable of performing the duties of office, whether by reason of death, resignation, removal or permanent disability, or for any other reason, and until the new mayor shall have been elected and qualified.

C. Absence or Inability of Mayor and Mayor Pro Tempore: During the absence or inability to act of both the mayor and the mayor pro tempore, the duties of the mayor shall be performed by such councilmember as town council shall elect by duly approved motion during a special or regularly scheduled council meeting.

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this ____ day of _____, 2012.

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC, Town Clerk

Debra Herrmann

From: Bill Taylor [btaylor@masc.sc]
Sent: Wednesday, May 09, 2012 3:34 PM
To: Wendy L. Watt; 'Debra Herrmann'
Subject: RE: Help, please :)

Debra,

Saw your question about the selection of mayor pro tem. I'm not aware of anyone in the state using the method you describe but I will verify. The State Code (See below) requires that **the council** elect the mayor pro tem and not the general voters as you described. Besides, this method is flawed because, unless you have all councilmembers running at the same time, you would always exclude from consideration any of the other councilmembers who were not running from being considered for mayor pro tem. Call me if you have any questions.

Thanks,

Bill

Bill Taylor (btaylor@masc.sc)
Field Services Manager
Municipal Association of S. C.
1411 Gervais St.
Columbia, SC 29211
803.354.4751 (office)
803.479.9105 (mobile)
803.933.1299 (fax)
www.masc.sc
Facebook: [CitiesMeanBusiness](#)
Twsitter: [MuniAssnSC](#)

SECTION 5-7-190. Mayor pro tempore elected from council membership.

Immediately after any general election for the municipal council, **the council shall elect** from its membership a mayor pro tempore for a term of **not more than two years**. The mayor pro tempore shall act as mayor during the absence or disability of the mayor. If a vacancy occurs in the office of mayor, the mayor pro tempore shall serve as mayor until a successor is elected.

HISTORY: 1962 Code Section 47-48; 1975 (59) 692.

From: Wendy L. Watt
Sent: Wednesday, May 09, 2012 1:54 PM
To: 'Debra Herrmann'
Cc: Bill Taylor
Subject: RE: Help, please :)

Good afternoon Debra, Sorry about the delayed response. I have copied Bill Taylor our Field Services Manager for your area. He may be able to help you and will respond to your concern as soon as he can.

If you need to contact him, he can be reached at 803.354.4751.

Wendy Watt

803.933.1257 – phone

Find us on the web at: www.masc.sc

From: Debra Herrmann [<mailto:dherrmann@surfsidebeach.org>]

Sent: Wednesday, May 09, 2012 1:02 PM

To: Wendy L. Watt

Subject: Help, please :)

Hi, Wendy.

Can you tell me how I can find out which towns in South Carolina appoint the mayor pro tempore by ordinance stipulating that the member that receives the highest vote in the election is automatically appointed?

Our members concurred at the meeting last night to use the method and I'm looking for a sample ordinance. The member that offered the suggestion said several cities use this method.

Thanks in advance for your help.

Debra

Debra Herrmann, CMC, Town Clerk
Town of Surfside Beach
843.913.6111 (Main) - 843.913.6333 (Direct)
dherrmann@surfsidebeach.org
[Facebook.com/SurfsideBeachTownClerk](https://www.facebook.com/SurfsideBeachTownClerk)

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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Thursday, May 10, 2012 9:04 AM
To: Kenneth Moss, Esquire (kennethmoss@wwpmlaw.com)
Subject: Mayor Pro Tem Election Ordinance
Attachments: 12-0715 Mayor Pro Tempore Election Method.docx

Good morning, Ken.

This ordinance was drafted pursuant to the consensus at the council meeting. Section 5-7-190 stipulates that the "council shall elect" the mayor pro tem from its members.

My question is does the town code stipulating that nomination of the candidate with the highest number of votes conflict with state code?

Please let me know what you think before 5:00 p.m. on May 16th so I can add the ordinance to the May 22nd agenda.

Thanks in advance for your help.

Debra Herrmann, CMC, Town Clerk
Town of Surfside Beach
843.913.6111 (Main) - 843.913.6333 (Direct)
dherrmann@surfsidebeach.org
[Facebook.com/SurfsideBeachTownClerk](https://www.facebook.com/SurfsideBeachTownClerk)

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State of South Carolina)
County of Horry)
Town of Surfside Beach)

Resolution #12-115

***To Authorize Signers on
Town of Surfside Beach Bank Accounts***

WHEREAS, the Town of Surfside Beach Town Council in chambers duly assembled in a regularly scheduled meeting held on the 22nd day of May, 2012; and

WHEREAS, the newly elected Mayor and Mayor Pro Tempore have been duly elected, inaugurated, and now hold positions entitling them to act on behalf of the Town of Surfside Beach,

NOW, THEREFORE, BE IT RESOLVED that the town of Surfside Beach Town Council does hereby authorize Douglas F. Samples, Mayor; Mary M. Mabry, Mayor Pro Tempore; Micki Fellner, Interim Town Administrator, and Kim Hursey, Treasurer to execute all necessary forms required to allow approved signers on behalf of the Town of Surfside Beach.

BE IS SO RESOLVED, this 22nd day of May 2012

Douglas F. Samples, Mayor

Mary M. Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC
Town Clerk

NWB Surfside Beach 5k

Nathan William Black Surfside Beach 5K

The proposed Surfside 5k will be a single race consisting of 3.1 mile road race following the enclosed mapped course in Surfside Beach on Saturday, October 27th 2012 in memory of Nathan Black (information enclosed). We are currently planning on using the organization, Set Up Events to manage and setup the proposed race.

Before his passing on January 21st 2011, Nathan began a scholarship at East Carolina University named "The Freedom Scholarship in Occupational Therapy". This scholarship requires a minimum \$1,000 donation annually to ensure its continuance. The first \$1,000 profit generated from this race will be used as Nathans family and friends donation to the scholarship.

After all expenses have been paid to include but not limited to race setup, marketing, management and security, the remaining profits will be donated to the Surfside Beach police department.

The costs associated with race setup, security, advertising and management will be generated exclusively through sponsorships, race registration, family and friends. All verified costs relating to security (additional police coverage) will be paid in full via personal check by Patrick Witzigman to the Town of Surfside Beach at a time agreed upon between the Town of Surfside Beach and Patrick Witzigman.

Any Questions or concerns relating to this proposed race can be directed to:

Patrick Witzigman

843-458-6151

373 Vintage Circle

Myrtle Beach SC, 29579

Acknowledgement

The family of Nathan William Black wishes to express our sincere thanks for your presence during our time of bereavement. In lieu of flowers please send donations in honor of Nathan William Black to East Carolina University's "The Freedom Scholarship In Occupational Therapy."

REMEMBRANCE SERVICE

Saturday, January 29th
10:00 a.m.
Holiday Inn Beachfront
1601 North Ocean Blvd
Surfside Beach, SC

Following the memorial, we will travel to River City Café, Ocean front at the Pier, Surfside Beach, to congregate for food, drinks and fellowship.

In Loving Memory



Nathan William Black

January 19, 1979 to January 21, 2011

Obituary

Nathan William Black, 32, from Murrells Inlet, died Friday, January 21, 2011. He was born January 19, 1979 in Slidell, La. His parents are Murrey and Robin Black of Louisville, Miss., and Dr. James A. and Diane Smith of Statesville, N.C. He is survived by two brothers, Patrick and Jennifer Black of Shalimar, Fla., and Murrey Lee and Julie Black of Myrtle Beach; one sister, Lesley and Robert Colvert of Statesville, N.C.; grandparents, WL and Norma Black of Louisville, Miss., and Posey Freeman of Madison, Miss.; step-brothers, Eddie Shenk and John Young; and step-sisters, Annie Langston and April Turner of Mobile, Ala.; He is survived by numerous aunts, uncles, cousins, dearly loved four nieces and two nephews, and special family friends, Patrick Jay and Loriana Witzgman, and their three sons in Myrtle Beach.

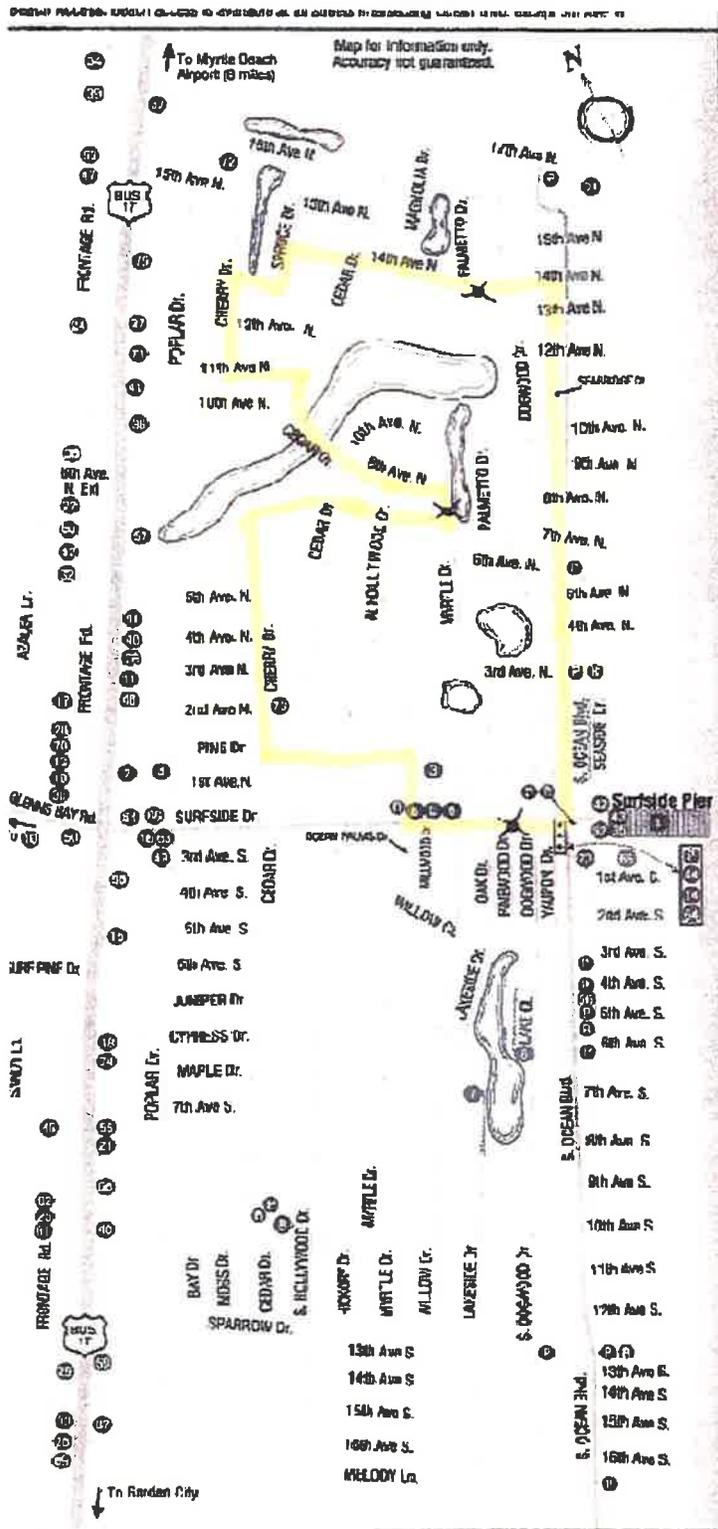
Nathan lived in Long Beach, Miss., until 1993 when he moved to Statesville, N.C. While living there from 1993-1998, he attended and graduated from Statesville High School in 1998. While attending College at East Carolina University, he worked part-time as a painter and a nude model until graduating in 2010 with a BS in Occupational Therapy. After receiving his degree he moved to Surfside Beach where he earned his license to practice Occupational Therapy. Nathan continued his successes and education eventually earning his Doctorate in Occupational Therapy in 2010 from the University of Augustine. Nathan worked at Home Health specializing in Geriatric Rehabilitation until his passing, where he genuinely cared for and truly enjoyed working with his patients.

Obituary (cont.)

Nathan was a very sensitive and compassionate person. He donated to several charities as well as founding the Freedom Scholarship In Occupational Therapy at East Carolina University. He was also an avid runner who had completed two marathons. Nathan loved to read and always had an infinite array of facts to educate his friends and family. He loved the ocean and was a die-hard ECU and New Orleans Saints fan as well. Nathan was always happy and full of life, he was always ready to make you laugh with an off-the wall joke or comment. He was the most kind-hearted person and would do anything for his friends and family without hesitation. Nathan was a son, brother, grandson, uncle and friend who was loved by all who knew him and will forever be missed.

Order of Service

- Processional/Prelude.....Irish Songs/ Alternate Music
- Obituary..... Read Silently
- Acknowledgments & Resolutions
- Salutation/Eulogy.....Patrick Witzgman
- Eulogy..... Lee Black
- Conclusion/Prayer..... Rev. Julie's Dad



X mile marker

5K

Debra Herrmann

From: Patrick Witzigman [Patrick.Witzigman@Pulte.com]
Sent: Tuesday, May 15, 2012 9:02 AM
To: 'Debbie Ellis'
Cc: 'DHerrmann@surfsidebeach.org'
Subject: RE: Surfside 5K Oct 27th
Attachments: Nathan Black 5k.pdf

Hi Debbie

Please see attached information regarding the 5k race proposed for October 27th 2012 as discussed. Please let me know if any questions arise. I appreciate the consideration and look forward to an ongoing relationship. Please confirm receipt. Thank you

Patrick Witzigman
Field Manager :: Coastal Carolinas :: Myrtle Beach direct (843) 458-6151 pultegroup.com

-----Original Message-----

From: Debbie Ellis [mailto:dellis@surfsidebeach.org]
Sent: Wednesday, May 02, 2012 2:18 PM
To: Patrick Witzigman
Subject: RE: Surfside 5K Oct 27th

Patrick,
Here is the map. Let me know if you need anything else.

-----Original Message-----

From: Patrick Witzigman [mailto:Patrick.Witzigman@Pulte.com]
Sent: Wednesday, May 02, 2012 12:36 PM
To: Debbie Ellis
Subject: Re: Surfside 5K Oct 27th

Correct

Patrick Witzigman
Field Manager :: Coastal Carolinas :: Myrtle Beach
(843) 458-6151
pultegroup.com<<http://pultegroup.com>>

This message has been sent to you via iPhone. Please disregard potential grammar and/or auto correction mistakes.

On May 2, 2012, at 12:06 PM, "Debbie Ellis"
<dellis@surfsidebeach.org<mailto:dellis@surfsidebeach.org>> wrote:

What do you mean receive the race route? Do you need a copy of the map?

From: Patrick Witzigman [mailto:Patrick.Witzigman@Pulte.com]
Sent: Wednesday, May 02, 2012 10:51 AM
To: 'Debbie Ellis'
Subject: RE: Surfside 5K Oct 27th

I will have it to you/town clerk. Will I still have the option to receive the race route from you? Thanks

Patrick Witzigman
Field Manager : : Coastal Carolinas : : Myrtle Beach direct (843) 458-6151
pultegroup.com<<http://pultegroup.com>>

From: Debbie Ellis [mailto:dellis@surfsidebeach.org]
Sent: Wednesday, May 02, 2012 10:49 AM
To: Patrick Witzigman
Subject: RE: Surfside 5K Oct 27th

Hi Patrick,
Hope things are going well. Yes, you are on the agenda for the May 22nd meeting. The important items that council will need to know are:

1. What the event is and when
2. What the event is promoting/what charity
3. What will be done with the money raised
4. That it will not cost the town any funds
5. That the traffic control officers will be paid by you and/or your organization

If you can get all this information together in some sort of format, the town clerk will need copies for council packets no later than May 15th at 5:00 p.m. If the clerk does not receive the information in time, your item will be removed from the agenda.

Thanks,
Debbie

From: Patrick Witzigman [mailto:Patrick.Witzigman@Pulte.com]
Sent: Wednesday, May 02, 2012 10:30 AM
To: 'Debbie Ellis'
Subject: RE: Surfside 5K Oct 27th

Hi Debbie

I hope all is well. Regarding the meeting on the 22nd, please let me know if it will still be acceptable for me to have a slot in your meeting. Also, I will be prepared with the information we discussed but would greatly appreciate any additional incite you could provide to help ensure I am as prepared as possible. Thank you in advance.

Patrick Witzigman

Field Manager : : Coastal Carolinas : : Myrtle Beach direct (843) 458-6151
pultegroup.com<<http://pultegroup.com>>

From: Patrick Witzigman
Sent: Tuesday, March 20, 2012 4:53 PM
To: 'Debbie Ellis'
Subject: RE: Surfside 5K Oct 27th

No problem. Thanks

Patrick Witzigman

Field Manager : : Coastal Carolinas : : Myrtle Beach direct (843) 458-6151
pultegroup.com<<http://pultegroup.com>>

From: Debbie Ellis [mailto:dellis@surfsidebeach.org]
Sent: Tuesday, March 20, 2012 4:38 PM
To: Patrick Witzigman
Subject: RE: Surfside 5K Oct 27th

No, dont advertise until you present to council.

From: Patrick Witzigman [mailto:Patrick.Witzigman@Pulte.com]
Sent: Tuesday, March 20, 2012 1:23 PM
To: 'dellis@surfsidebeach.org<<mailto:dellis@surfsidebeach.org>>'
Subject: Surfside 5K Oct 27th

Debbie

I really appreciate your time today and look forward to a continued relationship. I have scheduled May 22nd and will contact you a few weeks prior to confirm and retrieve any new/beneficial information you are willing to provide. Please do not hesitate contacting me if you feel any changes to what we discussed are required. Like I said in our meeting, we only want to remember Nathan and his Love for Surfside, the beach and running. We would love to have the local residence and businesss have the opportunity to join us. Your willingness to work with me and helping us along this process is greatly appreciated.

Based on the current status of this race schedule, would it be OK to advertise the race as tentative? Thanks

Patrick Witzigman

Field Manager : : Coastal Carolinas : : Myrtle Beach direct (843) 458-6151
pultegroup.com<<http://pultegroup.com>>

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State of South Carolina)

Resolution

County of Horry)

Town of Surfside Beach) Reestablish and the Recreation of the Beautification Committee and the Recreation Committees Within the Town Of Surfside Beach.

TO REESTABLISH SURFSIDE BEACH BEAUTIFICATION & RECREATION COMMITTEES

WHEREAS, the Town of Surfside Beach has a vested interest in beautification and the cultivation of the Surfside Beach appearance as a family oriented beach within the Town Limits of Surfside Beach.

WHEREAS, the Town of Surfside Beach desires for the improvements to the overall look and outward appearance of our parks roads and streets within the Town Limits of Surfside Beach.

WHEREAS, the Town of Surfside Beach in the past has a Committee of Citizens who served the Town of Surfside Beach called the Beautification Committee who Volunteer Service helped the Town of Surfside Beach improve the looks and overall appearance of the town with their work and dedication.

Be it Resolved that the Town Council of Surfside Beach reestablish the Surfside Beach Beautification Committee and it shall be formed under the current Laws and Ordinances of the Town of Surfside Beach as written for committees and shall take effect immediately.

WHEREAS, the Town of Surfside Beach has a vested interest in the creation and cultivation of a Recreation Program that promotes the Involvement of Town Citizens, Senior Citizens, Adults and Youth in sports programs and Recreational Activities and Events within the Town Limits of Surfside Beach.

WHEREAS, Recreational programs for Youth help those involved become better citizens by teaching Youth the values of friendships, team play, setting goals, competition, achievement and fair play and are a positive means of physical fitness for Youth within the Town of Surfside Beach.

WHEREAS, Recreational programs for Senior Citizens and Adults are a positive way to help those involved become better citizens by their involvement, team play, setting goals, competition and achievement and fair play and are a positive means of physical fitness for Adults and Senior Citizens within the Town of Surfside Beach.

WHEREAS, the Town of Surfside Beach has in the past has a Committee of Volunteers who served for the Town of Surfside Beach on a Recreation Committee within the Town of Surfside Beach and researched and made recommendations for the Recreation of our Senior Citizens, Adults, and Youth and promotes Family Oriented entertainment and activities for everyone in Surfside Beach.

Be it Resolved that the Town Council reestablish the Recreation Committee within the Town of Surfside Beach and it shall be formed under the current laws and ordinances of the Town of Surfside Beach as written for committees and shall take effect immediately.

Debra Herrmann

From: Randle M Stevens [randlemstevenssbtc@gmail.com]
Sent: Monday, May 14, 2012 9:47 AM
To: debra herrmann
Subject: agenda item for may 22nd , 2012 resolution to reestablish beautification and recreation committee
Attachments: reestablish the beautification and recreation committee resolution.docx

Debra, I have attached a resolution to restablish the beautification and recreation committee, I don't have the part where you sign the resolution, maybe you could add that. Please make this a part of the May 22nd Agenda. Also please drive careful to Columbia and get back here all in one piece, you are a Valueable Asset to the Town and to Town Council. Sincerely Randle Stevens

Election codes

→ **§5-16(b)** Commission member terms (attorney directed at 08/09/11 meeting to bring correction) Council concurred to defer to State Code for 6-year term on new appointment.

Other election related codes that need amending based on new State Code requiring on-line filing and new precinct rules:

→ **§5-32** Statements of Economic Interest Supreme Court rules on May 1, 2012 that candidates must file on line *and deliver a printed copy of the SEI and confirmation of filing to the office in which they file for candidacy. §8-13-1356(a) and (b)*

→ **§5-33** Campaign Disclosure Form – *now required to be filed on line*

→ **§5-58** Boundary Lines for Precincts – *Horry County has assigned those residents that live on the north side of 17th Avenue North to Precinct #4, code needs to stipulate that change and note for purposes of town elections those assigned to Precinct #4 will vote in Surfside #2 at the United Methodist Church*

Please keep in mind that ALL changes to the election code have to be submitted to the Department of Justice for approval.

Parking Decals

→ **§9-16(a) and (b)**. Decals and exemptions. Code cites (a) “lower left corner of the rear window. Town hall has been giving instructions to place them on the front window driver’s side for at least two years. Does placement need to be codified? Type of decal may change as time passes...

(b) “Such decal shall allow a resident to park free of charge in metered or pay station areas” should also state “*when space is available.*” The decal does not guarantee a parking space for the decal holder, only that no payment is required.

Rules of Order

→ Boards, Commissions and Committees should have references to the “Rules of Order” in §§2-51 to 2-55 so that all of the committees comply with the same rules as town council as applicable

Ballots

→ Secret ballots are prohibited – all voting must be public, so the ballots for mayor pro tempore ballot process needs to be amended, if the proposed ordinance does not get adopted

Audio Tape Retention

Repeal policy adopted May 23, 2006 requiring that all audio tapes be kept permanently and allow clerk to comply with SC State Code

Concurred.

as instructed by town hall.

Added

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 11:20 AM
To: The Hon. Doug Samples
Subject: FW: Archival Audio Tapes

I hit control S thinking a section sign would appear, but in email, it sends the document!
Bummer...

The State Code is Section 12-604.1 that sets a two year retention schedule. The rest of my thought is, do you think council agree to disposing of the tapes and eliminating the policy that was established?

↓
Would

Debra

Debra Herrmann, CMC, Town Clerk
Town of Surfside Beach
843.913.6111 (Main) - 843.913.6333 (Direct)
dherrmann@surfsidebeach.org
[Facebook.com/SurfsideBeachTownClerk](https://www.facebook.com/SurfsideBeachTownClerk)

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From: Debra Herrmann [<mailto:dherrmann@surfsidebeach.org>]
Sent: Friday, May 18, 2012 11:17 AM
To: The Hon. Doug Samples
Subject: Archival Audio Tapes

Good morning! Something else we need to address (in my opinion.)

State Archives requires that audio tapes be kept two (2) years. The town's policy conflicts with this

On May 23, 2006, town council moved to store council meeting archival tapes permanently. I can only recall one time that a citizen actually requested an audio tape, and that was in the early 2000s when Mr. McLeod from Florence sued the town over his crosswalk.

Other than that, the only time a tape was requested was when the Methodist Church requested the street closing and Roy insisted that Mil said there would be basketball courts built. That was actually the impetus for storing the tapes permanently. The tape had been properly disposed of according to the State Archives Retention Schedules and he was furious.

There are several hundred tapes in the vault dating as far back as the early 2001.

Debra Herrmann, CMC, Town Clerk

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me
original

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Please keep in mind that ALL changes to the election code have to be submitted to the Department of Justice for approval.

Parking Decals

→§9-16(a) and (b). Decals and exemptions. Code cites (a) "lower left corner of the rear window. Town hall has been giving instructions to place them on the front window driver's side for at least two years. Does placement need to be codified? Type of decal may change as time passes...

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Rules of Order

→Boards, Commissions and Committees and the ~~Planning Commission~~ sections both should have references to the "Rules of Order" in §§2-51 to 2-55 so that all of them comply with the same rules as town council

has codified rules of order.

Ballots

→Secret ballots are prohibited – all voting must be public, so the ballots for mayor pro tempore ballot process needs to be amended, if the proposed ordinance does not get adopted

→MASC recommends that Mayor announce that the meeting was properly advertised pursuant to FOIA at the beginning of every meeting, but I couldn't find that in the statutes. Your call ☺

Q *Doug said not nec.*

Q *Agenda - doesn't stipulate who can add items - necessary?*

Q new spreadsheet for committees

Mayor's Action Paper

RE:TOWN GSATS PROJECTS/PROCESS

The following is 2012 Grand Strand Area Transportation Study (GSATS) schedule to show you where Surfside Beach is in this important resource process. The yellow strike through text shows actions/deadlines that are COMPLETED and may be ignored. BUT THE RED TEXT SHOW REMAINING HURDLES WHERE WE COULD LOSE THE \$2.5 MILLION NEW MONEY FOR HIGHWAY 17 BUSINESS UPGRADES/IMPROVEMENTS. THE NEW MONEY PLUS THE ALREADY APPROVED \$1.5 MILLION ARE ESSENTIAL TO MAKING IMPROVEMENTS TO OUR COMMERCIAL CORRIDOR.

BE ALERT, BE PREPARED TO WORK THE PUBLIC, LEGISLATORS, SCDOT, THE PRESS AND OTHERS IF NEED BE . **THESE IMPROVEMENTS TO OUR BUSINESS COORDIDOR's LONG-TERM SUCCESS ARE ESSENTIAL.**

GSATS 2012-2018 Transportation Improvement Program (TIP) Schedule

January 26	Announce Study Team meeting and propose schedule
February 21	Call for projects and discussion at the 1st Study Team Meeting
March 21	First deadline: Local government members submit application
	Project evaluation and prioritization
April 5	Presentation of future travel demand & roadway deficiencies 2nd Study Team Meeting
April 20	Present program recommendations and Draft TIP 3rd Study Team Meeting
April 20	Second deadline: Local government members to submit supporting resolutions
May 4	GSATS Policy Committee approves Draft TIP
May 4-June 4	GSATS public comment/public meetings held throughout region
June 8	Public comment & recommend Final TIP 4th Study Team Meeting
June 15	GSATS Policy Committee approves TIP
June 21	Draft State TIP (STIP) Approved by SCDOT Commission
July 19	Final STIP Approved by SCDOT Commission
August	STIP Submitted to FHWA/FTA (the "FEDs")
September	Federal Highway Administration Approval
October 1, 2012	Program Year 2013 Begins and STIP goes into effect

<i>GSAT DESCRIPTION</i>	<i>BUDGET YEAR</i>	<i>AMOUNT</i>
US 17B/GLENN'S BAY	2013 (?)	\$500,000
US 17B/14 TH AVE TO 16 TH AVE NORTH	2016	\$500,000
US 17B/10 TH AVE SOUTH	2016	\$500,000
SURFSIDE FRONTAGE ROADS	2016	\$2,500,000



PUBLIC NOTICE

Town of Surfside Beach
115 US Highway 17 N
Surfside Beach, SC 29575

☎ 843.913.6333

✉ dhermann@surfsidebeach.org

VOLUNTEERS NEEDED

The Town of Surfside Beach is seeking volunteers to serve on the following committees. If you are interested in serving, please send your contact information along with any applicable experience to Town Clerk at the above address by US Mail, fax, or email on or before June 25, 2012.

BOARD OF ZONING APPEALS

Number of Members Sought: 1

Term: 4 years

Duties: This board hears appeals, grants variances, and approves special exceptions to the ordinances, from persons who have been denied or are aggrieved by any decisions made by the code enforcement official in the administration of Chapter 17 of the Town Code.

Qualifications: There are no specific qualifications for this board.

Meeting Schedule: This board has a regular meeting schedule of the fourth (4th) Thursday monthly, ***if there is an appeal to be heard.*** Otherwise, it meets at least once annually to elect officers and conduct other routine business.

COMMISSIONER OF ELECTION

Number of Members Sought: 1

Term: 6 years

Duties: The Election Commission is charged with conducting the town's general elections which are held during every even numbered year, and special elections as required. Commissioners meet to prepare for upcoming elections; visit the voting precincts and tabulate ballots on Election Day, and conduct a challenged ballot hearing.

Qualifications: Commissioners must be residents and registered electors of the Town. Training is required and provided for appointees.

Meeting Schedule: There is no regular meeting schedule.

PLANNING & ZONING COMMISSION

Number of Members Sought: 2

Term: 4 years

Duties: The Planning and Zoning Commission has authority to recommend to town council the comprehensive plan, land use regulations, zoning ordinances, planned development projects, official town maps, and various other planning, zoning and building related responsibilities, and to conduct public hearings.

Qualifications: There are no specific qualifications required to serve. Training is required and provided for appointees.

Meeting Schedule: first (1st) Tuesday monthly at 6:30 p.m.



5-15-12
S

PUBLIC NOTICE TOWN OF SURFSIDE BEACH SPECIAL MUNICIPAL ELECTION TUESDAY, AUGUST 7, 2012

The Town of Surfside Beach Municipal Election Commission has announced that the town will hold a **SPECIAL MUNICIPAL ELECTION** on Tuesday, August 7, 2012, to fill a vacant seat on town council. The successful candidate will complete an unexpired term ending May 13, 2014. Polls will open at 7:00 a.m. and close at 7:00 p.m. on Election Day. This is a nonpartisan election and no reference to party affiliation will be placed on the ballot.

CANDIDATE FILING OPENS: FRIDAY, May 25th, 2012
@ 12:00 o'clock noon

CANDIDATE FILING CLOSES: MONDAY, June 4th, 2012
@ 12:00 o'clock noon

Citizens desiring to be candidates may file with the town clerk at Town Hall, 115 US Highway 17 Business, Surfside Beach. **PRIOR TO CANDIDATE FILING**, all individuals desiring to run for office **must** file a Statement of Economic Interest (SEI) with the State Ethics Commission at <http://ethics.sc.gov> and bring proof of filing to the town clerk.

All Candidates are required to: *Appear in Person* to file a Statement of Candidacy - §5-31 (2) and *Provide at time of filing:* ★ Voter Registration Card proving that registration was made at least 30-days prior to the filing date. ★ Proof of permanent residency. ★ Pay Filing Fee of \$25 (cash or check.) ★ Proof SEI has been filed with State Ethics Commission.

Polling Locations: Precinct #1: Dick M. Johnson Civic Center, 829 N Pine Drive and Precinct #2: Surfside United Methodist Church, 800 13th Avenue N, Surfside Beach, and Precinct #4, temporarily placed at Surfside United Methodist Church for residents who live on the northern town boundary.

Qualifications for Voting: Surfside Beach residents must be registered to vote no later than July 7th, 2012. Each voter must present a valid voter registration certificate **or** South Carolina drivers license, **or** South Carolina issued identification card at the polling place.

Contact Horry County Board of Voter Registration (843.915.5440) to obtain a duplicate copy of your voter registration card.

Absentee Ballots: Absentee ballots are available from Horry County Registrations and Elections, call 843.915.5440. The process of examining return-addressed absentee envelopes will be in Council Chambers beginning at 7:00 p.m. on Election Day.

Challenged Ballot & Certification Hearing will be held on Thursday, August 9th, 2012, at 10:00 a.m., at Surfside Beach Council Chambers.

Protests: Any protest must be filed in writing by 7:00 p.m. on Thursday, August 9th, 2012 in the office of the town clerk. The town clerk will be at town hall; call 843.913.6333 after 5:00 p.m. to deliver a protest.

Successful candidates must receive a majority of the votes cast for the seat for which he or she has filed. Majority is calculated by totaling the total number of votes casts for the seat, divided by two. For example, 1,233 votes are cast ÷ 2 = 616.5 majority. Assuming neither candidate receives a majority (in this case the number required is 617); the two candidates with the highest number of votes would participate in a runoff election.

For more Information,
Town Clerk 843.913.6333
dhermann@surfsidebeach.org



NEWS AT SURFSIDE BEACH

SURFSIDE BEACH

5-10-12
5

Special election date set

A special election has officially been scheduled in Surfside Beach.

The election will fill the seat left vacant by Mayor Doug Samples, who resigned his councilman position Tuesday. There are two years remaining on the term that expires in 2014.

Filing will open on May 25 at noon and will close on June 4 at noon.

Interested candidates must file a statement of economic interest with the S.C. Ethics Commission before meeting with Town Clerk Debra Herrmann. To set up an appointment, contact Herrmann at 913-6111.

The special election will be Aug. 7.

— *From staff reports*

Mr. Mayor,

Please announce that Candidate Filing for the August 7th Special Election begins this Friday at 12:00 noon. Those wishing to file as candidates can take a “Candidates Filing Instructions” instruction sheet off the bulletin board by the door, or get in touch with the town clerk.

Invitations to the July 15th Business Drop-In are at each member’s seat so they can deliver them to the businesses that they visit. If there are businesses a member wants an invitation mailed to, please send the names to the town clerk. Invitations are on the desk by the door, if any business owners are present and would like to pick up one.

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 3:47 PM
To: Anderson, Lorena; B. Dickerson; B. Dickerson; C. Perry; CFC News; Charles Perry; D. Bryant; Heather Gale; 'J. Hart'; K. Knapek; Kelley, Amanda; M. Blair ; M. Miller; Marion Davis; NMB Times; R. Blomquist; R. Green; S. Miles; Sun News Editors; T. O'Dare; V. Spechko; WBTW; WMBF; WNMB; WPDE; WPDE News
Subject: 05/22/2012 Town Council Agenda and Supporting Documents - PART 1
Attachments: 05222012_tc_agenda_6biii_public_works.pdf; 05222012_tc_agenda.pdf; 05222012_tc_agenda_4_draft_05082012_meeting_minutes.pdf; 05222012_tc_agenda_6ai_valerie_wentz_5_year_award.pdf; 05222012_tc_agenda_6aii_angie_holland_5_year_award.pdf; 05222012_tc_agenda_6aiii_joe_linen_10_year_award.pdf; 05222012_tc_agenda_6bi_finance.pdf; 05222012_tc_agenda_6bii_recreation.pdf

The May 22nd, 2012 meeting agenda and supporting documents through communications are attached. Business documents will follow in a message titled "PART 2."

The public is invited to attend all meetings, during which time is allotted for comments on agenda items and general comments.

This transmission is pursuant to the Freedom of Information Act §30-4-80.

If you wish to be removed from this distribution list, please reply with "REMOVE" in the subject line.

Debra Herrmann, CMC, Town Clerk
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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 3:48 PM
To: Anderson, Lorena; B. Dickerson; B. Dickerson; C. Perry; CFC News; Charles Perry; D. Bryant; Heather Gale; 'J. Hart'; K. Knappek; Kelley, Amanda; M. Blair ; M. Miller; Marion Davis; NMB Times; R. Blomquist; R. Green; S. Miles; Sun News Editors; T. O'Dare; V. Spechko; WBTW; WMBF; WNMB; WPDE; WPDE News
Subject: 05/22/2012 Town Council - PART 2
Attachments: 05222012_tc_agenda_8a_create_rec_beautification_committee.pdf; 05222012_tc_agenda_7a_2nd_reading_12_0712_tax_millage.pdf; 05222012_tc_agenda_7b_2nd_reading_12_0713_existing_and_nonconforming_signs.pdf; 05222012_tc_agenda_7c_1st_reading_12_0711_fy2012_2013_budget.pdf; 05222012_tc_agenda_7d_1st_reading_12_0714_vegetative_buffers.pdf; 05222012_tc_agenda_7e_1st_reading_12_0715_mayor_pro_tem_election.pdf; 05222012_tc_agenda_7f_resolution_12_115_authorized_bank_signatures.pdf; 05222012_tc_agenda_7g_5k_race_request.pdf

Part 2 – supporting documents for the business and discussion items are attached.

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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 3:50 PM
To: The Hon. Ann Dodge ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Mary Beth Mabry; The Hon. Randle M. Stevens; The Hon. Rod Smith
Subject: 05/22/2012 Town Council Agenda and Supporting Documents
Attachments: 05222012_tc_agenda_6biii_public_works.pdf; 05222012_tc_agenda.pdf; 05222012_tc_agenda_4_draft_05082012_meeting_minutes.pdf; 05222012_tc_agenda_6ai_valerie_wentz_5_year_award.pdf; 05222012_tc_agenda_6aii_angie_holland_5_year_award.pdf; 05222012_tc_agenda_6aiii_joe_linen_10_year_award.pdf; 05222012_tc_agenda_6bi_finance.pdf; 05222012_tc_agenda_6bii_recreation.pdf

The agenda and supporting documents through communications is attached; business and discussion documents will follow in a message titled "PART 2."

The packages were delivered to the police station for delivery. (Ms. Mabry your package is on my desk as instructed.)

Debra

Debra Herrmann, CMC, Town Clerk
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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 3:51 PM
To: The Hon. Ann Dodge ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Mary Beth Mabry; The Hon. Randle M. Stevens; The Hon. Rod Smith
Subject: 05/22/2012 Town Council Meeting - PART 2
Attachments: 05222012_tc_agenda_8a_create_rec_beautification_committee.pdf; 05222012_tc_agenda_7a_2nd_reading_12_0712_tax_millage.pdf; 05222012_tc_agenda_7b_2nd_reading_12_0713_existing_and_nonconforming_signs.pdf; 05222012_tc_agenda_7c_1st_reading_12_0711_fy2012_2013_budget.pdf; 05222012_tc_agenda_7d_1st_reading_12_0714_vegetative_buffers.pdf; 05222012_tc_agenda_7e_1st_reading_12_0715_mayor_pro_tem_election.pdf; 05222012_tc_agenda_7f_resolution_12_115_authorized_bank_signatures.pdf; 05222012_tc_agenda_7g_5k_race_request.pdf

Business and discussion supporting documents.

Debra

Debra Herrmann, CMC, Town Clerk
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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 4:06 PM
To: B. Alverson ; D. Ellis ; J. Adair; K. Hursey ; M. Fellner ; M. Frederick ; P. Broach ; R. Packard; S. Morris; V. Wentz
Cc: K. Moss
Subject: 05/22/2012 Town Council Agenda and Supporting Documents - PART 1
Attachments: 05222012_tc_agenda_6biii_public_works.pdf; 05222012_tc_agenda.pdf; 05222012_tc_agenda_4_draft_05082012_meeting_minutes.pdf; 05222012_tc_agenda_6ai_valerie_wentz_5_year_award.pdf; 05222012_tc_agenda_6aii_angie_holland_5_year_award.pdf; 05222012_tc_agenda_6aiii_joe_linen_10_year_award.pdf; 05222012_tc_agenda_6bi_finance.pdf; 05222012_tc_agenda_6bii_recreation.pdf

Part 2 follows.

The email system is blocking the usual transmission, so you are getting the information this way.

Debra

Debra Herrmann, CMC, Town Clerk
Town of Surfside Beach
843.913.6111 (Main) - 843.913.6333 (Direct)
dherrmann@surfsidebeach.org
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To: B. Alverson ; D. Ellis ; J. Adair; K. Hursey ; M. Fellner ; M. Frederick ; P. Broach ; R. Packard; S. Morris; V. Wentz
Cc: K. Moss
Subject: 05/22/2012 Town Council Meeting - PART 2
Attachments: 05222012_tc_agenda_8a_create_rec_beautification_committee.pdf; 05222012_tc_agenda_7a_2nd_reading_12_0712_tax_millage.pdf; 05222012_tc_agenda_7b_2nd_reading_12_0713_existing_and_nonconforming_signs.pdf; 05222012_tc_agenda_7c_1st_reading_12_0711_fy2012_2013_budget.pdf; 05222012_tc_agenda_7d_1st_reading_12_0714_vegetative_buffers.pdf; 05222012_tc_agenda_7e_1st_reading_12_0715_mayor_pro_tem_election.pdf; 05222012_tc_agenda_7f_resolution_12_115_authorized_bank_signatures.pdf; 05222012_tc_agenda_7g_5k_race_request.pdf



Debra Herrmann, CMC, Town Clerk
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Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, May 18, 2012 4:38 PM
To: Bob & Nancy Childs
Subject: Agenda 5/22/2012 - Part One
Attachments: 05222012_tc_agenda_6biii_public_works.pdf; 05222012_tc_agenda.pdf; 05222012_tc_agenda_4_draft_05082012_meeting_minutes.pdf; 05222012_tc_agenda_6ai_valerie_wentz_5_year_award.pdf; 05222012_tc_agenda_6aii_angie_holland_5_year_award.pdf; 05222012_tc_agenda_6aiii_joe_linen_10_year_award.pdf; 05222012_tc_agenda_6bi_finance.pdf; 05222012_tc_agenda_6bii_recreation.pdf

Per our conversation, Nancy.

Enjoy your weekend. ☺

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WORKSHOP & PUBLIC HEARING

Town Council will conduct a workshop and public hearing at 6:00 p.m. on Tuesday, May 22, 2012 to hear comments on Ordinance #12-0714 to Require 15-Foot Vegetative Buffer on Waterfronts.

PUBLIC NOTICE

First regular meeting in June will be *MONDAY*, June 11, due to Primary Election Day on June 12.

**TOWN COUNCIL REGULAR MEETING
 COUNCIL CHAMBERS
 TUESDAY, MAY 22, 2012 ♦ 6:30 P.M.**

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Rev. Kirk Lawton, Ocean Lakes Campground Ministry
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** – May 8, 2012
5. **PUBLIC COMMENTS** – 3-minutes per speaker
6. **COMMUNICATIONS**
 - A. Employee Recognition -
 - i. Valerie Wentz 5-Year Service Award
 - ii. Angie Holland 5-Year Service Award
 - iii. Joe Linen 10-Year Service Award
 - B. Department Reports
 - i. Finance
 - ii. Recreation
 - iii. Public Works
 - C. Administrator's Report – Update on Current Events
7. **BUSINESS**
 - A. Second Reading Ordinance #12-0712, Adopt FY2012-2013 Tax Millage
 - B. Second Reading Ordinance #12-0713, Add §17-634 Existing and Nonconforming Signs
 - C. First Reading Ordinance #12-0714, Amend §17-007 Definitions, and §17-607 to Require 15-Foot Vegetative Buffer on Waterfronts
 - D. First Reading Ordinance #12-0715, Mayor Pro Tempore Appointment
 - E. Resolution #12-115 Authorizing Signers on Town of Surfside Beach Bank Accounts
 - F. 5-K Race Request, Patrick Witzigman

8. **DISCUSSION**

- A. Proposal to Create Recreation & Beautification Committee, Councilmember Stevens *copied pdf*
- B. Election Ordinances amend to comply with State Law, Mayor Samples
 - 1. Six Year Terms
 - 2. Proper Filing of Statements of Economic Interest and other forms
- C. Other Minor Ordinance Updates, Mayor Samples
 - 1. Section 9-16(a) and (b). Decals and exemptions (correct placement and clarify parking permitted free *when space is available.*)
 - 2. Other Council Suggestions

9. **PUBLIC COMMENTS** – 5-minutes per speaker

10. **COUNCIL COMMENTS**

11. **EXECUTIVE SESSION**

12. **ADJOURNMENT**

SURFSIDE BEACH BUSINESS OWNERS: Town Council will hold a drop-in on Sunday, July 15th, from 3:00 p.m. till 5:00 p.m. Don't miss this opportunity to share your concerns with your town council. Please RSVP by calling 843.913.6333 or send an email to dherrmann@surfsidebeach.org