



TOWN OF SURFSIDE BEACH
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**TOWN COUNCIL SPECIAL MEETING
COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 18, 2012 ♦ 9:00 A.M.**

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples

2. **PUBLIC COMMENTS – AGENDA ITEMS**

3. **BUSINESS**

Contract Negotiation to be discussed in Executive Session

4. **EXECUTIVE SESSION**

Pursuant to FOIA §30-4-70(2) to discuss contract negotiation

5. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL
SPECIAL COUNCIL MEETING MINUTES
SEPTEMBER 18, 2012 ♦ 9:00 A.M.
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.**

Mayor Samples called the meeting to order at 9:00 a.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Kohlmann, Smith and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Staff present: Administrator Fellner. Also present: Town Clerk Herrmann.

2. **PUBLIC COMMENTS – AGENDA ITEMS**

Mr. John Ard, 612 Cypress Drive, asked when council would make the contract negotiations subject public. Mayor Samples hoped an announcement would be made after meeting. Mr. Ard asked if the information would be available whether the contract was approved or denied. Mayor Samples said absolutely; the executive session is a means provided under the Freedom of Information Act to conduct town business in an effective manner.

Mr. Tom O'Dare, *Myrtle Beach Herald*, said the description of the contract negotiations should be more specific. Mayor Samples said the negotiation has to deal with a professional service that the town is considering.

Mr. Ard asked what "professional service" actually means. Mayor Samples did not know the legal definition, but in his opinion, it was things like engineering service, legal representation, etc. In today's society, even a restaurateur could be considered a professional. Mr. Ard said he considers lawyers, police chiefs, the councilmembers and those type positions as professionals.

3. **BUSINESS.**

Contract Negotiation to be discussed in Executive Session.

4. **EXECUTIVE SESSION.**

Pursuant to FOIA §30-4-70(2) to discuss contract negotiation.

Mr. Smith moved to enter executive session at 9:03 a.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mr. Smith moved to reconvene regular session at 9:42 a.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mayor Samples said that no action was taken during executive session.

Ms. Mabry moved to direct the administrator to enter into negotiations with Battle & Vaught, Attorneys at Law. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**


5. **ADJOURNMENT.**

Mr. Smith moved to adjourn the meeting at 9:42 a.m. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

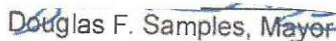
Town Council Special Meeting – Contract Negotiation
September 18, 2012

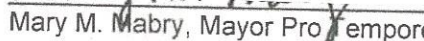
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Respectfully submitted,

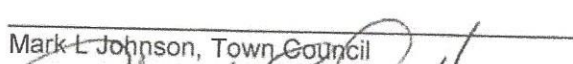

Debra E. Herrmann, CMC, Town Clerk

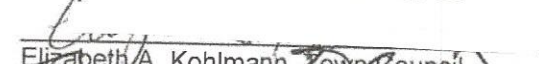
Approved: September 25, 2012

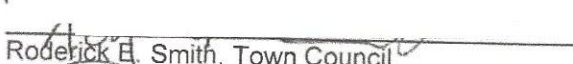

Douglas F. Samples, Mayor


Mary M. Mabry, Mayor Pro Tempore


Ann Dodge, Town Council


Mark L. Johnson, Town Council


Elizabeth A. Kohlmann, Town Council


Roderick E. Smith, Town Council


Randle M. Stevens, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In 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 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on the Town marquee. When (**) is used, a section of the transcription is inaudible. Public and Council comments made during Special Meetings are edited.