TOWN OF SURFSIDE BEACH
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PUBLIC NOTICES

Town Council Finance Subcommittee Meeting, Thursday, September 27, 2012 at 3:00 p.m. in Town Hall.

Hazardous Waste and Electronics Collection at Public Works for Town Residents September 28, 29, and 30, 2012. Drop off items at Surfside Beach Public Works Facility, 740 Sandy Lane from 9 a.m. to 1 p.m. For more information, call 843.913.6360

TOWN COUNCIL REGULAR MEETING
COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 25, 2012 ◆ 6:30 P.M.

AGENDA

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**

   Pastor Marty Parker, Glenns Bay Baptist Church

3. **AGENDA APPROVAL**

4. **MINUTES APPROVAL** –

   A. Regular Meeting September 10, 2012
   B. Special Meeting August 31, 2012
   C. Special Meeting September 12, 2012
   D. Special Meeting September 18, 2012

   Avis Hair

5. **PUBLIC COMMENTS** – 3-minutes per speaker

6. **COMMUNICATIONS**

   A. Employee Recognition - Chris Bolster, 5-Year Service Award
   B. Proclamation #12-76, World Day of Bullying Prevention, Patrick Kohlmann, Teen Ambassador
   C. Department Reports
      i. Finance
      ii. Recreation
      iii. Public Works
   D. Administrator's Report – Update on Current Events

7. **BUSINESS**

   A. Second Reading Ordinance No. 12-0726, Amend §4-20.2 Classification and Rates, One-Time Project by Out of Town Contractors
   B. Second Reading Ordinance No. 12-0728, Amend Chapter 3, §§302 & 032.4 International Property Maintenance Codes – Maximum Weed Heights
   C. Recreation/Special Events Committee Appointment (1) (Deferred until after Executive Session)

8. **DISCUSSION**

   A. Resolution #00-012, Supporting Greater Burgess Community Association, Mayor Pro Tem Mabry, and Councilmembers Smith and Stevens
   B. Resolution #12-112, Request Status of Southern Evacuation Lifeline, Councilmember Smith
   C. Establish a Town Policy to address Tasking and Communication with the New Town Attorney on all Legal Matters, Councilmember Stevens
   D. Any matters of concern or information to be discussed by Town Council.

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

10. **COUNCIL COMMENTS**

11. **EXECUTIVE SESSION**

    Pursuant to FOIA §30-4-70(a)(1) to consider an appointment to the Recreation/Special Events Committee. Volunteers are Pat Barnett and Mariann Croll.

12. **ADJOURNMENT**

SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 10, 2012◆ 6:30 P.M.
TOWN COUNCIL CHAMBERS

1. CALL TO ORDER.

Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Kohlmann, and Stevens were in attendance. Mr. Smith was absent. A quorum was present. Staff present: ~~Interim~~ Administrator Fellner; Police Chief Frederick; Public Works Director Adair; Treasurer Hursey, and Recreation Supervisor Ellis. Also present: Town Attorney Moss and Town Clerk Herrmann.

Mayor Samples announced that Mr. Smith was absent due to Mrs. Smith's mother's illness and asked everyone to be in prayer for her. The annual Beach Sweep is Saturday from 9:00 a.m. to 11:00 a.m. Meet at the Surfside Beach Pier. Friday is the last day to contribute to the Town sponsored food drive to benefit South Strand Helping Hand. Collection bins are at town hall and the fire station.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Mr. Carmen Carella, lay minister from Garden City Baptist Church gave the invocation. Mayor Samples led the pledge.

3. AGENDA APPROVAL.

Ms. Kohlmann moved to a adopt the agenda with amendments to move Item 7.E. to the first business discussion, and to defer Items 8.B and 8.C. until Mr. Smith can attend. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL.

Ms. Mabry moved to approve the regular meeting minutes of the August 28, 2012 regular meeting as presented. Ms. Kohlmann seconded. All voted in favor. **MOTION CARRIED.**

Mayor Samples deviated from the agenda and introduced "Communications A, Presentation, Horry County District Five Councilmember Paul Price," explaining that Mr. Price also serves on board of directors for the Waccamaw Regional Council of Governments and has a meeting tonight. He asked Mr. Price to proceed so he could go to Georgetown.

Mr. Price said Surfside Beach is in within District 5, and he wanted to affirm the county's commitment to work "hand and glove" with the town. He assured council that any resources that the county could provide to enhance any part of the district would be done. Improvements have been done to four beach accesses from Garden City and southward. Showers were installed and repaving competed. Four other locations will be improved this coming year. Beautification has been on-going along Highway 17 Business and is almost completed, which he believes will enhance the entry ways into town as well as Garden City and the entire district. A public safety meeting is scheduled Thursday, September 13th at 9:00 a.m. to discuss the green laser issue. The county will try to develop an ordinance that would also be good for the cities. He asked council to consider the district as a whole with the town included and let him know of any specific priorities so he can present them to County Council. His main purpose in addressing council was to welcome the new councilmembers and to let Town Council know he was available to support them in any way possible. Ms. Dodge asked if the public safety meeting was in County Council Chambers. Mr. Price said it was. Dodge said she would attend. Mr. Johnson asked Mr. Price to share his official email address where the public should send comments. Mr. Price said pricep@horrycounty.org and welcomed any suggestions or comments from the public. A town hall

meeting is scheduled October 1st at the new recreation center on Scipio Lane. He encouraged everyone to attend. A survey will be passed out to submit written comments if you do not want to speak, but will be a good time to relay information he needs to take to County Council.

5. **PUBLIC COMMENTS – AGENDA ITEMS.**

"Good evening. Harry Kohlmann, 1610 South Ocean Boulevard. I want to speak on the, a, the police, specifically about trespassing. As some of you might know, we had a mini-crime wave in the south end of Surfside Beach about three weeks ago. My home was struck three times in one weekend, and numerous other neighbors were also victimized during that time. What some of you probably don't know is that my home has had a crime committed there nine times in the last two years. Crimes ranging from someone stealing bushes to stealing golf cart batteries at noontime while my wife was trimming the bushes to slashing my wife's convertible top in the middle of the night. Another thing you might not know, you also might not know, is that in South Carolina someone could go on your property or even under your beach house, search through your belongings, try to get a bike unlocked, etc. and as long as they don't steal something, they have not committed any crime. In February 2012, Chief Frederick stated in his police report that, and I quote from the police report, "We are rolling out the final piece of our program this month when we will begin coordinating a property management an agency program, which will allow both commercial property managers and, and homeowners to enter into an agreement with Surfside Beach Police Department to enforce property rules in common areas and more effectively enforce trespass laws." Since that time of that police report, February 2012, which was nine months ago, my home has had seven crimes committed there. All or some of which should have fallen under the chief's program. To this date, the chief or anyone on the staff has not offered to enroll us into this program. Why? Has anyone been enrolled in this program? If not, why not? If he does have one, can he get it started? If he doesn't, I have a simple proposal for one. It can be fine-tuned. It's off the top of my head, half an hour before I came here. Number one of the proposal be a inform residence property owners, property managers and rental agents about the existing trespass laws and what criteria's needed to successfully enforce them, for example signage and their proper placement. Create, number two, create and maintain a property owner index file, which would include the names of the property owner residents' address and phone numbers, the rental agent property managers contact number applicable, and also emergency contact and their phone number in case of an incident at an unoccupied home." *(time)* Mayor Samples, "Thank you, Mr. Kohlmann. Thank you. Appreciate it. You will have an opportunity to finish the thought later in the program."

"Tom Dodge, 15th Avenue North. If I may, I would like to regurgitate some information regarding the Scoff laws and our violating state mandated golf cart laws I the Town of Surfside Beach with no apparent police intervention. I do know think all members of Town Council know the laws since they either do not have a golf cart or spend little time riding one. The Town of Surfside Beach Police Department now issues placards to town residents who pay a fee for two years. This placard states the following, Section 56-3-115, a valid drivers license must be in the possession at all times while operating this vehicle. Daylight operation only. Bold letters, underlined. Proof of insurance and financial responsibility required at all times. It is also mandatory to have South Carolina golf cart permit issued by the State of South Carolina on the vehicle. Residents of Caropines, Deerfield, Ocean Pines Village, et cetera and soon to be all communities between Highway 17 and 17 Bypass are or will be all over this town. They will be in the ocean access taking parking spaces from town resident. They do not have to pay the fee responsible town residents pay. Why does our chief of police want a new placard? The one we have reads just fine. You cannot legislate that people must read. We need a chief who will enforce all various laws in our town. It seems that he picks and chooses which laws to be enforced. Residents speak at council meetings and through phone calls asking for the police to enforce the laws, but get nowhere. Our chief does not have to bring hookers into town and arrest them so that he looks good to himself. In my opinion, all he really does (**) give the town a black eye. I think it's time council tells him to do what he is hired to do. Why is it when some people run for Town Council or Mayor, they tell the citizens they will do this and this, but when they get elected they do that and that. Totally ignoring what they said they would do. This is tantamount to lying. There is a saying, power corrupts and absolute power corrupts absolutely. Thank you."

"Ron Gaskins, 315 13th Avenue North. First of all, did the hall of fame and awards get deferred? Was that one of the items was that deferred?" Mayor Samples, "No that was not one of the items." Mr. Gaskins, "Thank you. I'd like to say thank you for the opportunity to speak. My comments are in regards to the hall of fame and the awards, but not the pros and cons of whether it's a good thing to do or not, but instead it's, it's the collective committees, boards, and other types of things of a similar nature. To simplify things, I just want to just use the word committees from this point. I, the only thing I would ask that you do is please put aside your political and emotional feelings about committees and only listen to this strictly from a business standpoint. To my knowledge, there never has been an analysis of the indirect, indirect costs that is associated with carrying and feeding in the long term total ownership of committees. It's my opinion that council should do such an analysis, and that be with the objective of determining the number of committees notwithstanding the statutory, the mission-critical ones, that can come up with a number of committees that can be managed and not negatively impact the resources of the town. If, if this is not a viable business approach to committees, then I would respectfully suggest that we put a time period in place, determined by the council that the committees that have already been established can move forward and come to a point that they are self sustaining and not requiring as much resources that they do currently in their infant stages. Since May, the town has been in a transitionary [sic] period and we all know how that affects day-to-day operations, and at the same time, we've asked town council, or the town staff and town council to assume responsibility for the creation and maintenance of these committees. My only reference, point of reference for this is serving on the beautification committee, and I know from just that experience how much that staff has put into this committee, and if you take that, in my mind, and multiply it by the number that are there, then it is, it's just pushing a point of diminishing returns. Thank you."

Mr. Stevens, "Thank you, Mayor. This is to the citizens of Surfside Beach and to the members of Town Council and the Mayor. I want to take this opportunity today to express my sincere apology to all the town citizens for my actions and poor judgment at a local business. I accept and take full responsibility for my actions, and I'm truly sorry that my actions caused any embarrassment to the town and with great humility; I ask the citizens and members of council for your forgiveness in this matter. From this day forward, I shall act with greater restraint and a greater duty for fairness in my dealing with the public. I am only human and know that we as humans have never been perfect and in everyone's life we have said or done things we regretted doing. This is my time to address my actions and judgment, which I admit were wrong and sincerely publicly apologize for my actions from the bottom of my heart and I ask all of you for your forgiveness in this matter. To the two ladies at the local business, I would like to sincerely apologize. These ladies were only doing their job and my actions and judgments were wrong. I wish to extend my sincere apologies to the ladies and their families. To the members of the press, I firmly support your rights guaranteed under the First Amendment of the United States Constitution that there shall be no law infringing upon the freedom of the press and the right to the printing and distribution of information or opinions on all matters. Once again, I sincerely apologize to all and ask for your forgiveness. Thank you." *(applause)*

6. **COMMUNICATIONS.**

A. Presentation, Horry County District 5 Councilmember Paul Price. *(See above.)*

B. GSWSA Advisory Board Report, Denise Brown-Richardson, Town Representative. Ms. Brown-Richardson thanked council and the citizens for allowing her to represent the town on the Grand Strand Water and Sewer Authority advisory board. At the August 20th meeting new members were indoctrinated about the authority's services, and their duties as members. She asked that council or any citizens that had questions or concerns about water and sewage removal to contact her through the town clerk, telephone 843.997.0750, or via email at bizservice3@hotmail.com.

C. Department Reports

i. Building, Planning & Zoning. Ms. Morris presented the report, a copy of which is on file. Mr. Stevens asked if the open display report was current, because there are businesses with open displays that have not appeared on the report. Ms. Morris said as of the date on the top; she has up-to-date

available. If businesses have not received a banner or tent permit, a letter or two has been sent, with progressive warning that a permit is required. After a final notice is sent, the business is summoned to court. There are a few businesses that are being investigated now. Ms. Kohlmann thanked Ms. Morris saying that citizens in her neighborhood called the department and were very impressed with the almost immediate response. Ms. Dodge said it appeared that lawn contractors were depositing lawn debris on vacant lots and asked if there is way to control that. Ms. Morris said the property owner is written a letter and informed they are responsible for cleaning the lot when the debris is dropped off on private property. Unfortunately, there is no way to know who dumps the debris unless they are reported or staff sees it happen. *Ms. Mabry was excused for personal privilege at 7:00 p.m. and returned at 7:01 p.m.*

ii. Police. Chief Frederick presented the report, a copy of which is on file. Corporal King received Traffic Safety Officer Certification, a very prestigious certification that required six weeks of training that certifies him to investigate fatalities, and serious car crashes. He and Lieutenant Keziah are the only two officers out of the 26 on staff that hold the certification. Lieutenant Keziah was accepted into the FBI National Academy, which is very important to the department insofar as integrating into the law enforcement world. Less than one-percent of law enforcement officers nationwide qualify for that academy. This will enhance professional planning, staff development, and garner respect from other outside agencies. A contractor was hired to abate the coyotes, who asked that citizens and staff allow him to work without interference as it may take a while for the coyotes to acclimate to his presence so they can be captured. Wildlife biologist said this is the most effective method. Notices were hand delivered to area residents to properly inform them about the situation. The coyotes most likely came into town from the Deerfield area where there is a large population of coyotes. When these animals are abated, others may come into town, but at least a system will be in place to abate them. Ms. Dodge said that she asked questions so the audience would benefit from the chief's answers. She also wanted the public to know how proud she was of Corporal King and Lieutenant Keziah noting that getting into the academy at Quantico was quite a feat. Ms. Kohlmann congratulated Lieutenant Keziah on acceptance into the FBI Academy saying that was a distinguished opportunity. She asked if Lieutenant Keziah is the training officer, and how that would impact training, especially with the two voluntary resignations. Traffic slows down during the shoulder seasons, but burglaries increase. Chief Frederick said last year burglaries were down significantly, so the vacancies were left open. He did not anticipate that happening again. He will probably leave one position vacant through the shoulder seasons and winter, and fill one. Lieutenant Keziah will be at the academy in January and February, which is a perfect time because those are the lowest volume months. The training function has been built up, and there are several officers that actually teach training. Lieutenant Keziah oversees the training program, but no longer teaches. Sergeant Bailey will be designated training officer during his absence. There will not be any interruption to the training program.

iii. Fire. Chief Packard presented the report, a copy of which is on file. Ms. Mabry welcomed Chief Packard back to work. Mayor Samples asked that future reports include personnel statistics similar to the police report so that council will be better informed and understand full time, part time, and volunteer staffing. Chief Packard would be glad to include the information.

C. Administrator's Report – Update on Current Events. Ms. Fellner presented the report, which is on file. Ms. Fellner explained the funding needs for the booster club start up costs. Mayor Samples asked for council comments on providing start up funding. Mr. Seman informed him that he was waiting to hear from the town attorney, because directions to him at the last meeting were to work out details on the bylaws with the town attorney. Funds are needed to open a bank account, and the booster club wants some reassurance that funds will be reimbursed or paid by the town as a nonprofit entity. Mayor Samples believes that the town should provide funding for a venture that will ultimately accrue benefits to the town. Mr. Stevens asked if the group would be an LLC (Limited Liability Company) or a nonprofit entity. Mayor Samples said it would be a nonprofit 501(C)(3) corporation and have minimal set up costs. Ms. Kohlmann did not believe $1,000 would be sufficient. Ms. Fellner said the concessions cost would be the largest expense, because of the upfront expenditure. Concessions were budgeted and for the first few games it was unknown whether profits would be made. Ms. Ellis and she would like to have the booster club actually run the concession stand. Staff would purchase the supplies through a local vendor using pizza or sandwich shops like the local high schools do. If the town funds concessions, monies

received would belong to the town. Once the turnover is made to the booster club, then it would be entirely responsible for concessions. Mr. Johnson said this was unknown territory. He believed $1,000 was insufficient, because of attorney's fees, etc. and suggested $2,500 limit with a detailed report showing expenditures. He did not foresee that amount being exceeded prior to January 1st, the anticipated take-over date. Ms. Fellner said it should not be exceeded. Mayor Samples believed Mr. Johnson's suggestion was excellent. Ms. Mabry agreed. Ms. Kohlmann suggested "option c" that would direct the administrator to assume on behalf of the town all startup costs until turnover to the group on January 1st as long as expenditures were within the adopted budget. Mr. Johnson suggested doing so with a maximum expenditure of $2,500. Ms. Fellner said the uniforms would drive up the cost significantly. Mayor Samples said registration fees need to be negotiated, which is part of the issue. The town does not lose money. Ms. Fellner said that was correct. Mayor Samples believed "option c" was preferable. Mr. Stevens suggested monthly expense reports be submitted if "option c" was approved. Ms. Fellner said monthly reports will be provided and all financial transactions will be audited annually by the town auditors. Ms. Herrmann asked for clarification if council was authorizing "option c" that would direct the administrator to assume on behalf of the town all startup costs until turnover to the group on January 1st as long as expenditures were within the adopted budget and did not have any spending limitation. Mayor Samples said correct. Ms. Fellner said any unbudgeted expenditures like a checking account, liability insurance, attorney fees to incorporate that exceed $2,500 would be presented to Town Council for consideration.

7. **BUSINESS.**

E. Church of the Resurrection Golf Cart Scavenger Hunt, Chairman Lyle Werner *(moved to first business item by motion, see Item 3. Agenda Approval above.)* Ms. Werner explained that the scavenger hunt would be held on September 22nd from 1:00 p.m. to 3:00 p.m. One hundred percent of the proceeds fund the New Beginnings Feeding Ministry that has fed over 5,000 people during the past year. For every dollar spent, they distribute $11.50 worth of food. The ministry spends $650 monthly to distribute about $7,500 worth of food sourced from the Charleston food bank. The ministry is also approved by Horry County to make referrals to other social service programs. The scavenger hunt is a great way for participants to learn more about the town and she was happy to report that Mayor Samples agreed to present the awards.

A. First Reading ordinance No. 12-0726, Amend §4-20.2 Classification and Rates, One-Time Project by Out of Town Contractors, Administrator Fellner. Ms. Fellner presented the consideration paper, a copy of which is on file. Ms. Mabry moved to adopt first reading of Ordinance Number 12-0726. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

B. First Reading of Ordinance No. 12-0727, Amend §9-16 Decals & Exemptions, Golf Cart Placards, Chief Frederick. Chief Frederick presented the consideration paper, a copy of which is on file. Mr. Stevens moved to refer the ordinance to the parking committee for a recommendation. Ms. Dodge seconded, because she believed the committee could make some viable recommendations. Mr. Johnson said he brought this issue up several years. The town has an obvious golf cart parking problem. He was not sure whether council would agree with committee recommendations, but he supported the motion. Ms. Mabry said her understanding was that this placard would fit on the steering wheel so that every commercial golf cart would have the laws plainly posted. Complaints are received constantly about under-aged drivers and golf carts driving at night. This is not a parking issue, *per se*, and she believed it was more about education golf cart users about the law, and the first warning is the placard; if they are stopped, the police should write a ticket. Whether golf cart parking is used could be a separate issue. She reiterated that the placard recommendation was presented to educate the public and she did not believe it should be postponed. Ms. Kohlmann was not comfortable voting at this time because she believed there were other issues to consider, such as the upcoming change in golf cart laws that becomes effective October 1st and different colored stickers for commercial and residential carts. She suggested that residents receive the decal free, and commercial carts pay a $5 fee. This issue will not go away, but the town has a golf cart sticker that is placed on the windshield that says the same thing as the new one, except for the police department phone number on the bottom. Mayor Samples asked how rental companies in the county would receive a sticker. Chief Frederick said only in-town businesses and

residents can be required to register their carts. Most of the rental carts are rented by in-town businesses, which might change when the law allows 4-miles travel. Mayor Samples asked whether the recommendation would cause businesses to leave because of additional fees and noted that there might be unintended consequences. He supported the motion. Mr. Johnson agreed with Ms. Mabry that this was not just a parking issue, but he believed it would be a disservice to the town to act on such a complex issue without more deliberation, especially since the documents were just received on Friday. Ms. Dodge believes the commercially rented golf carts should have a different color placard, and suggested that commercially rented golf carts must park in paid parking spaces only. Only residents that pay taxes to the town should benefit from the free golf cart parking. Mayor Samples, and Councilmembers Dodge, Johnson, Kohlmann, and Stevens voted in favor. Mayor Pro Tempore Mabry voted against. **MOTION CARRIED.**

C. First Reading Ordinance No. 12-0728, Amend Chapter 3, §§302 & 302.4 International Property Maintenance Codes – Maximum Weed Heights, Director Morris. Ms. Morris presented the consideration paper, a copy of which is on file. Ms. Dodge moved to adopt first reading of Ordinance Number 12-0728 as written with a 12-inch height. Ms. Mabry seconded. Mr. Stevens asked if this applied only to lots that were cleared. Ms. Morris said the ordinance does not apply to undeveloped lots that are in their natural state and it does apply to any lot that has been cleared. All voted in favor. **MOTION CARRIED.**

D. Resolution #12-127 to establish Surfside Beach Hall of Fame, Golden Citizen/Business Award and Silver Citizen/Business, Councilmembers Dodge and Stevens. Mr. Stevens moved to defer this resolution until a later date; there is other criteria he wished to investigate before presenting to Town Council. Ms. Dodge seconded. Mayor Samples believed there were many other items council should address and was happy to have it deferred. Ms. Kohlmann said the term "hall of fame," caused her concern, because her understanding was that if she lived in town 25-years that she would receive an award. She reiterated that "hall of fame," and "heroes" were difficult words to consider, and if this was in reference to the town's 50th anniversary, it was premature. She believed that the town's long-standing citizens would continue to be the good citizens they are without being recognized as a "hall of fame" person. Ms. Mabry agreed with Ms. Kohlmann, and asked who would be chosen. So many residents have made significant impacts to the town. Personally did not want responsibility of choosing those to be recognized, because inevitably someone would be overlooked. The proposed historical committee will work jointly with the recreation/special events committee on this historical event. Mr. Johnson agreed. Mayor Samples said no one wanted to hurt feelings; someone was always overlooked, and it is subjective. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, and Stevens voted in favor. Councilmember Kohlmann voted against. **MOTION CARRIED.** Ms. Kohlmann said she wanted to vote on the resolution. Ms. Mabry moved to reconsider the question. Ms. Kohlmann seconded. Mayor Samples, Mayor Pro Tem Mabry, and Councilmember Johnson voted in favor. Councilmembers Dodge and Stevens voted against. **MOTION TO RECONSIDER CARRIED.** Mr. Stevens moved to table Resolution #12-127. Ms. Dodge seconded. Mr. Stevens restated his concern that more consideration is necessary before acting on the resolution, and that the historical board might have valuable recommendations. Ms. Dodge said single residents would not be singled out; any resident that had lived in town for 50 or more years would be included in the celebration. Mayor Samples said the motion is to table, not debate content. Mayor Samples, Mayor Pro Tem Mabry, and Councilmembers Dodge, Johnson, and Smith voted in favor. Councilmember Kohlmann voted against. **MOTION CARRIED.** Mayor Samples noted that a majority would be required to bring the matter forward, because it was officially tabled.

E. Church of the Resurrection Golf Cart Scavenger Hunt, Chairman Lyle Werner. *(See above-moved to first item under business, pursuant to motion in Item 3. Agenda Approval.)*

F. Pier Presentation, Mr. Strickland. In Mr. Strickland's absence, Mayor Samples asked to insure there was common understanding of what was voted on during the special meeting on Friday, August 31st and asked by a show of hands how many members believed a design was approved that included a stairwell on the ocean side of the pier. He did not do so, but wanted to be very clear that even though the town is in the permitting process with OCRM (South Carolina Department of Health and Environmental

Control Ocean and Coastal Resource Management), he wanted no confusion later. Mr. Stevens said to the best of his knowledge, and after reviewing the drawings and messages, and saw that council approved an ADA (Americans with Disabilities Act) ramp that was reduced from 8-feet wide to 6-feet wide, going up to Pier Outfitters and entering through a door to be constructed. Council voted to keep the existing ramp, and the only other action was to instruct staff to obtain permits in the event the town chose to build a deck in front of the Surf Diner. Mayor Samples reiterated that he wanted to know what the members believed was voted on. Mr. Johnson said Mr. Stevens was correct insofar as his recollection. Ms. Mabry believed there were stairs, but said she might have misunderstood the explanation about Option 2. Mayor Samples said there was no reason to consider any other design or expend other effort on the town's part than what was authorized by council. The direction is clear; five members understood that there were no stairs on the back side. Ms. Fellner wanted to state very clearly that there was no approval by council of the pier expansion on the east side, because that would all be dependent when Mr. Strickland presented accurate figures. She agreed with the Mayor's comments, and said there has to be a way to tie back into the deck, but did not want to speak for Mr. Strickland. Ms. Fellner reiterated that it is very clear to her what council wants. Mr. Johnson said at this point the design is only for permitting purposes, and asked if there was harm in asking for that to be included in the permit, even though council may or may not want it. Mayor Samples said that was a valid, although different question and said he wanted to insure that there was common understanding. Town Council has met quite a few times about the pier and the issue is that his understanding was that council had voted on a particular approach. He understood the approach as direction to the professional. He did not want any confusion, nor did he want any members or himself as mayor, to direct any actions individually. The town has a council form of government, which is why this conversation is being held again. Council had all the time it wanted at the last special meeting to ask the engineer questions. A vote was taken, and there was never a discussion of stairs on the back side. When viewing the drawing he specifically pointed out that there was a possibility of expanding the fishing pier, and everyone agreed. There are non-engineering considerations to be dealt with, and until the bid package is let, the final price is an unknown. He suggested using the direction given, proceeding with the permitting, and getting construction completed by Easter. Ms. Mabry said to be clear that although she thought the stairs were there for the OCRM permitting only, it would not make any difference, Town Council would still have to decide what improvements would be made. She was sorry for the misunderstanding, but until final cost is determined it will not make much difference. Mr. Stevens read from the draft minutes, *Mr. Smith moved to direct the engineer to prepare proper permitting documents using Option 2-Revised with a 6-foot ADA ramp, with a door into Pier Outfitters with an awning, and no demolition of the existing ramp. Mr. Stevens seconded. All voted in favor. Motion Carried.* Mayor Samples appreciated the comment and said part of the confusion was a drawing captioned "Option 2" was presented along with a matrix with very specific preliminary estimates which could be argued either way. Staff was directed to proceed with the permitting application.

G. Committee Appointments (Deferred until after Executive Session.) i. Surfside Beach Business Committee; ii. Recreation/Special Events Committee, and iii. Non-Voting Town Councilmember to Keep Surfside Beach Beautiful Committee.

8. **DISCUSSION.**

A. Sanitation Operations, Director Adair. Mr. Adair said he was asked to analyze the sanitation enterprise fund and offer recommendations for the future. The town has not had a rate increase since [March 2006, Ordinance Number 06-0593.] Because of the price of equipment, manpower, and fuel he believes Town Council should begin considering a rate increase. A comparative analysis was distributed to council, a copy of which is on file. At the end of June 30, 2012, the net billing was about $1.1 million. Expenses, including operations, estimated depreciation, and salaries for that same time is estimated at about $900,000, depreciation at $125,000, and a 5-percent transfer to the general fund, gaining a net of approximately $21,400. He anticipated a loss for the next fiscal year, particularly since Caropines service was eliminated. Using an across the board increase of 10-percent for service in the three categories, i.e. regular residential, summer/winter, and commercial, additional revenue created annually would equal about $110,000. A 15-percent increase would gain about $166,000 per year. The department has a fleet of five refuse trucks with approximate 10-year life spans that requires a truck replacement about every two years. That cost and diesel fuel has increased dramatically, so budgeting should be done every other

year for a new truck to phase out a 10-year old truck. Based on the capital replacement plan a 10-percent infusion of additional revenue would result in a negative at the end of five fiscal years. A 15-percent increase would have a surplus of about $150,000 after five years, which he believes should be the goal. Both projections were based on across the board increases; however, council could choose various options to increase the various account types. Mayor Samples asked for a description of the trucks. Mr. Adair said there are two side-loading trucks that are single-man operations; two front-loading trucks that service the dumpsters in the commercial areas, and a reserve rear-loading truck that is used if there is a breakdown. Mayor Samples asked how much he expected tipping fees to increase, because he heard in other meetings that the Solid Waste Authority intends to raise the fees. Mr. Adair said electronics would not be too expensive, because collection events only result in one or two tons. A fee of 50-cents per pound will be implemented soon. He believes the highest impact would be if the Authority begins charging the town for its recycle tipping that is currently free. Ms. Dodge remembered with the trash was picked up with one truck that had a driver and a man on the back picking up the trash, and said it was a lot cheaper then. Mayor Samples said sanitation is the best valued service that the town provides. The reality is that the private sanitation companies charge rates much, much higher than the town's. Mr. Adair said he would move forward as council desired. The City of Conway charges $18 per Moby versus the $15 charged by the town. Mayor Samples asked if Conway uses the same type service as the town. Mr. Adair said yes, "pretty much apples to apples." The scenarios presented kept expenses flat without adjustments for increased tipping fees, salaries, etc. Projections could be made estimating increased expenses. Mayor Samples believed council should be realistic about expenses to insure that when an increase is made that it is enough to maintain the level of service without cyclical increases. He also would like a comparison of rates for commercial services versus market commercial rates. Mr. Adair was asked to attend the finance committee meeting for further discussion. Mr. Johnson said council has monitored this for several years, and "it is what it is, and we're just going to have to bite the bullet it looks like; it just depends on how big a bite we take, so to speak."

B. Resolution #00-012 Supporting Greater Burgess Community Association.

C. Resolution #12-112 Request status of Southern Evacuation Lifeline, Councilmember Smith.

(Items 8.B. and 8.C. deferred by motion, see Item 3. Agenda Approval above.)

D. Any matters of concern or information to be discussed by Town Council.

Ms. Dodge said there are usually at least two and sometimes three police officers at our meeting. Tonight there is only one. She did not think there was anyone in the audience that council had to be afraid of, so in her opinion it is a waste of manpower and boring for the officers that are required to stand guard for councilmembers that don't need it. Ms. Dodge asked if other member felt the same way. Mayor Samples agreed saying he would really like to have the police officers on their off time, when they are not being paid, come in and sit down to listen so they know what is going on in town. *(laughter)* He believed time could be better served elsewhere, and believed the practice began with the last administration, although he did not recall having a discussion or taking any action to require officers' presence. Occasionally, an officer's presence is required for crowd control. Mayor Samples agreed with Ms. Dodge, and asked for other comments. Mr. Stevens agreed with Ms. Dodge and Mayor Samples, saying the police chief attended the meetings and was well capable of taking care of the council. He believed it would be better for officers to be out in the field patrolling. Ms. Kohlmann said there is a need at time for police officers. She personally did not believe the officers were needed, because the chief is present she felt perfectly safe in the meetings. Mr. Johnson disagreed saying that he was probably one of the "most laid back people" in town, and hopefully he did not have any enemies, but you never know who might come through the doors. If an officer is in the front of the room, and someone comes in the back that wants to do harm to anyone, the chief will not be able to get there in time. He reminded council that not too long ago a person stood at the podium that made comments about an issue and several days later went into town hall and made comments about brains on the wall, and brains on the desks tops. Mr. Johnson said we are living in that type world and he felt comfortable having one officer at the door. The police chief attends as a department director. Ms. Mabry agreed with Mr. Johnson, but for a different reason. As a councilmember she was not comfortable directing staff from the dais. Ms. Mabry told the

chief she did not like officers at the door, and Chief Frederick explained that he believes this a best police practice. He was doing his job keeping the council and residents safe. Ms. Mabry said if Chief Frederick changes his mind, she would be happy with that decision, too. Ms. Mabry reiterated that she was not comfortable directing the chief on where to station his officers. Mayor Samples asked if council could agree that unless there are special circumstances or unless an individual makes a specific request that no more than one officer be on duty at the back door. Mayor Samples said when new officers join the police department, they are welcomed to attend meetings to learn more about government. **COUNCIL CONCURRED.**

Mayor Samples said that green lasers will be discussed at some point in time. Mr. Price said that the county is working an ordinance. Ms. Fellner and Chief Frederick have been working with the City of Myrtle Beach on its ordinance. The town prefers to work together with the county and city to adopt an ordinance that is more easily enforced.

Mayor Samples reminded members and the public that a special meeting is scheduled on Wednesday, September 12th at 6:00 p.m.

9. **PUBLIC COMMENTS.**

"Glenn Curtis, 257 Palladium, just south west of Sand Lane. Having the extra police officer, you know, it's a couple of extra bucks. I'm looking up here at you guys, well the mayor, you're dead center. Anybody that comes through, why don't you nail them? Solve the problem. You got a clear shot." (*laughter)*

"Mayor, council persons, my name is Sara Saunders, 313 6th Avenue South. I've never spoken at a council meeting before, so be patient with me. But I think it's time for me to speak about a concern that I have. We have listened to information tonight about everything from coyotes to scavenger hunts and all of it's valid. It's important and needs to be discussed. We spent about 15-minutes, 20-minutes or so on each thing, and that's the way it should be. But we have had a citizen that's told us he has been vandalized, burglarized and had other attempts nine times at his home in the last two years. This is just not acceptable for a sweet little family beach like Surfside. No one has said a word about trying to help him, anything to happen with him, or to do any assistance for him. I would like for you to look into this situation, because it could happen to me, and if I see that you've helped him, I know that you'll be there for me. Thank you for your time." (*applause*)

"Tom Dodge, 15th Avenue North. I would like to defer the deferral of the defer deferral. That's a joke! Okay. We're still spraying for mosquitoes, let's use something that kills them, not makes them bigger and more plentiful. It was embarrassing to me, a 20-year plus town resident, taxpayer to have seen the conditions of our town on Labor Day. If it hadn't been for the Surfside Steppers, there would have only been about a hundred people at the end of summer music on Surfside Drive. I did not see it advertised anywhere. I did not. I was there for over two and a half hours and only saw three council people. Where were the rest of you? The grass had not been cut in that area of the celebration for some time. It was embarrassing. The infield at Martin Park looked like the surface of the moon, and the grass was not cut. The grass was not mowed on Lakeside Drive at Floral Park near the bocce courts. The garbage can at the bocce court had not been emptied for a long time and it smelled terrible. These are areas our visitors come to and they should have looked and smelled better. Shame on the public works department."

"Harry Kohlmann, 1610 South Ocean Boulevard. I first would like to thank Ms. Sara Saunders, because I thought I was in a time warp. I talked about all the crime that happened to me and not one person on council asked the chief, 'do you have a program?' I was in shock. I just want to make it perfectly clear that I wasn't, nor are I am, bashing the police department or its officers. They do great work. On some of the incidents at my home, the offenders were caught. But due to trespass laws that are in place now, there wasn't much the officers could do. If the residents of this town were further educated on what is needed to prosecute trespassers, it would be a great tool for both the residents and the police. That's why we need a program. Now if the chief has a program, I'm sure it's a great program.

But why not get it out there?" Mayor Samples, "Excuse me, if you don't mind me interrupting." Mr. Kohlmann, "Yes." Mayor Samples, "I would make a suggestion that, you know, that might be something that you could help him write up for the newsletter that we plan on distributing to everybody in town, and, and take it as what I'm suggesting, a constructive way to address the issue." Mr. Kohlmann, "I understand that, but I first would like to know if he even has a program. He said he had one." Mayor Samples, "Chief, you got a program?" Chief Frederick, (speaking from audience) "It is held up by the accreditation process. It is a program I've used with other agencies (**.)" Mr. Kohlmann, "If it doesn't..." Chief Frederick, "I don't want to get into a back and forth with Mr. Kohlmann here, but it's a little complex (**) lot of issues (**) here, but I'd be glad to meet with him. It's the first I've heard of it tonight, be glad to meet with him. There are (**.)" Mayor Samples, "Let me, let me, let me make a suggestion. Let me make a suggestion. I think it's something that should be shared, and I'm not putting you on the spot. But as I understood, it was something that was quoted from a report back under the previous administration, and, and you know, I think it'd be something to bring forward and make us all aware of, okay? So, it's a good thing summer has ended, but bring, bring it forward and since it was reported to council as part of a written report, and bring us up to speed, okay." Mr. Kohlmann, "Thank you. I just also would like to possibly start a neighborhood crime watch program." Mayor Samples, "Just one of the reasons, and I shouldn't be talking, but, but I, I, that's okay. Tom Higgins, who many of you may remember, when Tom Higgins got old, crime watch went away." Mr. Kohlmann, "I also heard it was because another chief came in and didn't want it. No, not this chief. It was chiefs ago, and he didn't want, want them, so that's why they also disappeared." Mayor Samples, "Well, and I can tell you more about it, because Tom and I were very close, and a, yep." Mr. Kohlmann, "I don't think it's a bad thing. You know, it could be different parts of the program. Can dos and can't dos, but I think it's a good thing for education, for people to know what's happening in their community (*two speaking at once)...*" Mayor Samples, "Agree a 100-percent." Mr. Kohlmann, "Thank you." Mayor Samples, "And I apologize for interrupting, but I felt that, and I'll speak plainly during, during council comments, but I will take a moment to say where we have issues we need to work together to constructively resolve those issues. There, and this is what's this council wants to do, and rest assured, that's what the staff wants to do, and everybody's gone a have to pull the weight including the people that we're trying to serve, cause we can't please everybody. We'll never please everybody. There are some people that it wouldn't matter what you did, you just cannot please them. This town is in very good shape, rest assured. Do we have our issues and problems? Certainly, certainly. We're gone a make every attempt to improve what we do. Having said that, we'll go back to the agenda, and I apologize to my members for taking a moment."

"My name is Mariann Croll. I live at 723 2nd Avenue North. I just want to make one comment on behalf of our public works system in this town. We hear a lot of things that are detrimental and negative about our people that work in this town. I've lived here 34 years, and I've seen a lot of changes in this place, but they've been good changes, and I'm sure there's been some that weren't so good, but I have seen the street workers working daily and the police past by my house at least twice a day. They're patrolling around the town to protect our town. They're doing what they're supposed to do, and the, and the town workers are so friendly. If I'm sitting on the porch, they'll wave to me. They don't ignore me, you know that, and I think we as a town need to let them know we appreciate what they do do. They can't do everything right, but they don't do everything wrong, and I just think we need to give them the credit that is due our public works system, and our police chief here, I couldn't ask for a better person. I went to him with two different problems on a friendly basis, and they got done, and I think if we do that in the right manner, then I think we'll get a lot more done in this town that we do need to do, and I appreciate our public works system." (*applause)*

"Denise Brown-Richardson, 1022 Bay Drive, Surfside Beach, South Carolina. I just have a question that I've been wondering about, and I, I apologize for being totally uninformed, but in the recycling department, I visited, you know, our local establishments and things, and I see the businesses throwing away glass in with their mixed trash and things and aluminum cans and this type of thing. Do we have anything in place that, how can I say this, encourages them to recycle those items instead of putting them in the bulk trash and that type of thing?" Mayor Samples, "I saw you shake your head no." Mr. Adair, (from audience floor) "There's nothing mandatory about recycling in South Carolina. We provide (**) cans to everybody (**) maybe some (**) mandatory coming down the pipe (**.)" Mayor Samples, "We do make a, do we make it available in terms of ... so if a business wishes to recycle..." Mr.

Adair (from podium) "Every new business that's opened in the town gets a visit from our sanitation people with a blue can with instructions on what goes in it." Mayor Samples, "So I think that's the answer, is, it's available, but it's not mandatory." Ms. Brown-Richardson, "Well, in trying to maintain Mother Earth and a healthy environment, I would encourage us to do a little bit more; cooperation from the, getting a little bit more cooperation from the businesses and letting them know that we want to be responsible with our land, our (**) our businesses and such. Also I too want to commend the police department. There was a situation near where I live that was just abhorrent. A sexual predator, and different pedophile information and pictures and pornography going on, and I appreciate the officers for taking care of that and I encourage them to keep an eye out for our children, for our residents and everything. I also want to say that in my neighborhood, I live in a good neighborhood, y'all, but in my neighborhood every time we've ever had to call the police to an issue, they have been very responsive, very respectful, and were there very quickly, and I appreciate that. We have a wonderful community and it just takes everybody working together for the betterment. I agree with the lady here that we are very quick to say that something is wrong. I think we should be more appreciative of what is right and the efforts that people put in of you council people because we realize that you take up a lot of time and energy, and a, I thank you for that, but we each as individuals need to do our part also, and put your per; your place, yourself in the place of that person trying to do their job and try to do everything that you should and you can to help your neighbor and be a good citizen. Thank you."

10. **COUNCIL COMMENTS.**

Mr. Johnson, "I really don't have a lot to add to tonight's comments. Thanks everyone for coming out. We live in a great town and thank you for doing everything that you all do to make it that way."

Ms. Dodge, "I appreciate the comments from everybody. Everything is not all right in our town, and some people bring that out. But we do work hard to try to make it better, and that, that's what towns do. I'm very proud of Surfside Beach all, also. I'm proud of the residents of Surfside Beach, because they turn out and they talk about what their concerns are for their town. That's very important, because it lets everybody know what you think, and sometimes what you think is what somebody else is thinking as well. Thank you all. I really appreciate you."

Ms. Kohlmann, "Well, now everybody knows that I'm a victim of all those crimes, so I might as well speak about it. The police officers here do respond very quickly. They're very professional, but I heard you just say put yourself in somebody else's shoes and I've said it before, I'm due for new shoes. I don't think there's a person in this room, not one of you, that would be able to withstand what it feels like. Not one of you. I mean you spend your money on cameras and motion sensors and you have children that are petrified, petrified, and they're not little babies, but they're scared. So I'm not bashing the police, and I don't think anybody in here will when they get up and say they're frustrated that that's bashing the police. It isn't. It's being frustrated, and, and I do believe that if we can open up the communication and there is communication, I can email the chief and the chief emails me back, and, but there are things that we need to just all just kind of be more approachable on. And I'm not bashing the police. I'm frustrated and I'm afraid sometimes. You wake up at three o'clock in the morning with some man under your house with a knife, you'd be frustrated too. So, before you start saying that everybody's always bashing them, just, just kind a take the whole thing totally together and I don't think it's bashing, because I think everybody has a great respect for law enforcement in this town. So, please remember that."

Mr. Stevens, "I just want to say one thing about police and the fire department. I would like everybody for just a moment to bow their heads and remember tomorrow is the anniversary of 9-11 and let's have a moment of silence for the police and firemen who are the fallen heroes from 9-11. (*moment of silence)* Thank you. That's all I have to say."

Ms. Mabry, yes, I do have something to say tonight. We've been a new council for about four months. In that time we've had 21 council meetings, counting today; four P&Z meetings; one stormwater meeting; two stormwater education meetings; three Keep Surfside Beautiful meetings; two parking committee meetings; three recreational meetings; two finance committee meetings; one A-tax committee meeting; one full day of hurricane preparedness where all council had to go to class over at the fire

station; two full days of budget retreat, and one hurricane preparedness meeting that was the other night. We've had over 40 meetings in four months. That's over ten a month. So we are busy. We have balanced the budget for the first time in four years. The finance committee has been meeting one time a month to continue to look for ways to better serve the citizens while keeping the financial health of this town secure. This council has been more open and willing to share all information with the citizens than ever before. You know it pretty much when we know it. We discuss everything in the open right here in council. There are hours and hours worth of preparation that our staff has to get ready for all these meetings. They, we don't just go in a room and they just happen. They have spent, department heads spend hours; they go to the *ad hoc* committee meetings as well, so and along with doing their other job. So all the work that we have given them, all the committees, and these all these extra things, they've had to be a very, very big part of, they give us the information so that we can better do our jobs, so that we can better serve you. So it is a big task and they have really stepped on the plate. I want to talk about our first responders. They go far beyond what we imagine that they do on a day-to-day basis. They're always prepared to jump in to extremely difficult situations from wrapping a young woman in their arms providing safety from the most inhumane circumstances to giving comfort to someone who's just lost a life partner of over 50-years, standing in temperatures over 100 degrees to help with fatal car accidents, to removing rapists from our community. This does not include the community service, speaking engagements, youth groups touring the fire and police departments several times a month, and many other projects, and many times they provide public speakers for community groups. So if they're not writing as many tickets as you feel they should be, maybe we should reflect on some of the real work that is being done in this town, and I want you to look at the leadership that we have. I have never, ever, I don't think you can go anywhere and you can find any better leaders than we have in our town, any better employees that are willing to serve. I am so proud of the progress that our staff makes on a daily basis. They make us look good. We could not do our job without them. When you'll enjoy your beaches, when you enjoy your parks, when you enjoy all the things that we have, our staff takes care of that. So when you, and one of the things that I want to say, when I heard about what some of the police department does, I was amazed. When I hear that I know of a four-year old little boy that every time he goes by that fire department he declares that's where his friends work. So you don't get that everywhere, you get that here. So I'm gone a be the biggest advocate for our police department, for our fire department, and for our staff that you can find." (*applause)*

Mayor Samples, "Well, I want to wish happy birthday to our town clerk, Ms. Debra Herrmann, who celebrates the big '3-0,' the big '3-0' this week! (*laughter and applause)* We wish you a safe trip."

11. EXECUTIVE SESSION

Pursuant to FOIA §30-4-70(a)(1) to consider appointments to (i) Surfside Beach Business Committee; (ii) Recreation/Special Events Committee, and (iii) Non-voting Town Councilmember to Keep Surfside beach Beautiful Committee.

Mr. Johnson moved to enter executive session at 9:07 p.m. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

Mr. Johnson moved to reconvene regular session at 9:30 p.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

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

Ms. Kohlmann moved to appoint Donna Nathlar, Amelia Toney, Lee Zulanch, Joe Cotter, Bert Krassin, Chance Hall, and Sammy Truett to the Surfside Beach business committee, and to appoint Councilmember Stevens as the non-voting councilmember. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

Ms. Kohlmann moved to appoint Ron Saunders and Glen Curtis to the recreation/special events committee. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

Ms. Kohlmann moved to appoint Ms. Dodge as the non-voting councilmember to serve on the Keep Surfside Beach Beautiful committee. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

11. **ADJOURNMENT.**

Mr. Johnson moved to adjourn the meeting at 9:32 p.m. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Respectfully submitted,

Debra E. Herrmann, CMC, Town Clerk

Approved: September 25, 2012

Douglas F. Samples, Mayor

Mary Beth 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 Comments and Council Comments are transcribed verbatim without grammar corrections. When used given names are replaced with surnames.

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SURFSIDE BEACH TOWN COUNCIL
SPECIAL COUNCIL MEETING MINUTES
AUGUST 31, 2012◆ 9:00 A.M. AT SURFSIDE BEACH PIER
RECONVENE AT 9:32 A.M. AT TOWN COUNCIL CHAMBERS

1. **CALL TO ORDER.** Mayor Samples called the meeting to order at 9:00 a.m. at the Surfside Beach Pier to perform a site inspection with the town engineer. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens were in attendance. A quorum was present. Staff present: Administrator Fellner. Others present: Town Engineer Strickland and Town Attorney Moss. After completion of the pier site inspection, the meeting recessed. Mayor Samples reconvened the meeting in Town Council Chambers at 9:32 a.m. All those present at the site inspection were present in chambers along with Town Clerk Herrmann.

2. **PUBLIC COMMENTS – Agenda Items.** There were no public comments.

3. **BUSINESS.** Pier Project to Meet ADA (American with Disabilities) Standards, Earthworks Group, Steve Strickland, P.E.

Mr. Johnson moved to suspend the rules to allow discussion. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

Mr. Johnson asked if Mr. Strickland could explain the two options so there is no confusion.

Mr. Strickland said Option 2 and Option 2-Revised consist of similar elements in the ADA ramp. Basically, the ramp will start in front of Pier Outfitters, go to the north to a landing, go towards the east to a landing, come back to the west to a landing, and then the final approach will be up adjacent to the Pier Outfitters building. At the top of that ramp, the two options are to either take a left to go into the front of the Pier Outfitters building, which is the revised option with a new door into that building, or to continue straight and land on a revised platform that would be the original Option 2. The original Option 2 was to remove the existing ramp and rebuild that as a platform so there would be a level landing at the front of the pier, allowing the ramp to end on that landing. Original Option 2 also had a set of stairs that would go straight to the landing if the ramp was not needed for access. The idea was that any pier visitor would have one entry point and then choose to go right to use stairs or go left to use the ramp. Original Option 2 included restrooms, but he now understands that the pier restrooms are adequate to meet ADA requirements. Therefore, neither option requires restrooms, which results in the platform size being decreased where the ramp and stairs land in front of the pier. There is flat sand on the north side of the ramp; a 4- to 5-foot sand dune is situated on the south side of the existing ramp that must be protected and maintained. If the existing ramp is razed, one additional vehicle parking space can be added at about where it is situated and four or five golf cart parking spaces where the ramp presently sits. Regardless of whether the ramp is razed, the existing handicapped parking will be converted to approximately five new parking spaces. The three existing handicapped spaces situated by the restrooms will be moved in front of the ramp. Two or three new spaces will be gained in the center parking aisle, because the pavement will be extended to the baseline. From a cost perspective, if the existing ramp remains, it will eliminate the demolition cost, platform reconstruction cost, nor the new stair cost. The entry door into the existing building was budgeted at $2,500 and $1,000 for an awning. The door is on the northeast side of the building, which makes an awning for protection from weather essential to help keep maintenance costs low.

Mayor Samples said that there is an expansion to the fishing pier in both options. Mr. Strickland said from the permitting standpoint, it might be wiser to go ahead and request a 25- to 30-foot by 36-foot size, and then actually build according to budgetary constraints. Mayor Samples called for consensus on construction of the fishing pier deck. **COUNCIL CONCURRED.**

Mayor Samples asked if there was agreement that the ADA ramp should be 8-feet wide. Mr. Johnson said no.

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Mr. Smith asked for the engineer's recommendation as to whether it should have a 5-foot turning radius or an 8-foot width that would create a 7.5-foot radius. Mr. Strickland there were two elements on the ramp. The foundation consisting of two driven pilings, about $500 each, and pile caps about $500 - $700 installed with bolts, etc. The width of the foundation is inconsequential, because placement does not impact costs. The square footage of the deck will change based on the piling placement. Mr. Strickland recommended using 6-foot if less than 8-foot was used, because that will place handrails at 6-foot and grab rails that are mounted inside the handrail at just over 5.5-foot.

Mayor Samples was concerned about aesthetics when visitors go to the pier. A ramp is needed to meet the ADA requirement, which the existing ramp does not meet. Mr. Strickland said from a physical movement and logistical standpoint for materials, when vendors, fishermen, or other pull carts up the ramp, more room would be better. Whether the ramp is 5-, 6- or 8-foot should be adequate. The minimum design requirement is a 5-foot circle throughout the ramp to allow wheelchair maneuverability.

Mr. Smith asked whether the landing platforms would remain at 8-feet regardless of the ramp width. Mr. Strickland said the landing platforms would be dimensionally similar to the pier; i.e. 6-foot wide ramp would have a 6-foot x 6-foot landing, a 5-foot wide ramp would probably keep a 6-foot x 6-foot landing because the landings will be where two-way traffic passes. Mr. Smith asked if the existing ramp were kept using Option 2-Revised, then the 6-foot ramp would probably be very adequate. Mr. Stevens replied, "Correct."

Mr. Stevens asked if $32,000 would be a savings on the Option 2-Westside if the existing ramp were kept. Mr. Stevens said correct; the requirement to build the access platform on the west side would change because the restrooms were being removed.

Mayor Samples pointed out that $100/square foot, which is the basis for all of the preliminary estimates, is high. Any savings discussed by altering the plans would be high also, because the actual cost based on the engineers most recent review... Mr. Strickland interrupted and said about $70/square foot is probably a more realistic amount. Mayor Samples said in other words, about 30-percent less than the amounts being discussed.

Mr. Stevens said the access platform west side $32,000; demolition of existing ramp $8,760; entry stairs $11,200, and the ADA bathroom $25,000 total $87,560. He asked if a good savings would be 70-percent of that amount. Mayor Samples said possibly. Mr. Stevens anticipated a $60,000 savings if the existing ramp was kept, and added "to the taxpayer."

Ms. Kohlmann understood Mr. Strickland to say that if the existing ramp were kept, that parts of it must be reconfigured, and asked what that might involve. Mr. Strickland said keeping the existing ramp would require that a level landing platform where the new door will enter into Pier Outfitters.

Mayor Samples asked if the existing ramp would meet the new ramp. Mr. Strickland said they would not connect. Mayor Samples said the existing ramp would be below the new landing. Mr. Strickland said correct, because where the entry into Pier Outfitters is located requires a landing level with the existing floor.

Ms. Kohlmann asked if how costly that would be. Mayor Samples said council should understand that if the alternative option is chosen and the landing and ramp are made level, there will be additional cost to level the ramp. Mr. Strickland said that was correct. The most conservative amounts were used for demolition of the existing ramp and the access platform. The existing foundation will be inspected to determine whether it can be used for the ramp along with some modifications for the platform. Mayor Samples asked what "conservative" meant. Mr. Strickland said actual cost could be significantly less than estimated.

Mr. Stevens said the existing ramp goes 10-feet into the buildings, and asked if the existing pilings would have to be replaced. Mr. Strickland believed the pilings might provide an adequate foundation on which to build the decking. Until engineering designs were completed, he couldn't say for

certain. He believed a joist system could be installed to support the new structure without replacing the pilings. The cost estimates include demolition with all new materials; however, every effort would be made to save the town money.

Mr. Smith moved to reconvene regular session. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

Mr. Smith moved to direct the engineer to prepare proper permitting documents using Option 2-Revised with a 6-foot ADA ramp, with a door into Pier Outfitters with an awning, and no demolition of the existing ramp. Mr. Stevens seconded.

Ms. Stevens had viewed the site multiple times considered it from a business owner's perspective. He supported keeping the existing ramp.

Ms. Mabry said keeping the existing ramp would cause the loss of several desperately needed parking spaces. She believed the aesthetics alone were worth some money. She believed the pier would look like "wood city" with either option, which would not be attractive. She asked that council consider aesthetics while performing mandated upgrades. She supported the motion that includes a 6-foot ramp, but believes there were other things to consider. The ramp is the only way to get onto the pier, so of course it is used to deliver merchandise and to go on and off the pier. There are other options, and she reiterated that in her opinion, the stairs would be much more attractive, and allow addition parking.

All voted in favor. **MOTION CARRIED.**

3. **EXECUTIVE SESSION.** Pursuant to FOIA §30-4-70(2) to discuss a contractual matter.

Mr. Smith moved to enter into executive session at 9:59 a.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.** Mr. Smith moved to reconvene regular session at 10:30 a.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.** Mayor Samples stated that no action was taken during executive session.

11. **ADJOURNMENT.** Mr. Smith moved to adjourn the meeting at 10:30 a.m. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

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 Comments and Council Comments are transcribed verbatim without grammar correction. When used, given names are replaced with surnames.

SURFSIDE BEACH TOWN COUNCIL
SPECIAL COUNCIL MEETING MINUTES
SEPTEMBER 12, 2012◆ 9:00 A.M.
TOWN COUNCIL CHAMBERS

1. **CALL TO ORDER.**

Mayor Samples called the meeting to order at 6:00 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens were in attendance. A quorum was present. Staff present: Administrator Fellner.

2. **PUBLIC COMMENTS – AGENDA ITEMS.** There were no public comments.

3. **BUSINESS.** Contract Negotiation to be discussed in Executive Session.

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

Ms. Mabry moved to enter executive session at 6:01 p.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

Mr. Johnson moved to reconvene regular session at 7:15 p.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

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

5. **ADJOURNMENT.**

Mr. Stevens moved to adjourn the meeting at 7:16 p.m. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

Clerk's Note: Minutes taken by Administrator Fellner in the absence of the town clerk who was attending Municipal Clerks and Treasurers Institute.

Respectfully submitted by,

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

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

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.**

Draft

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.

Draft

Proclamation Number 12-76

World Day of Bullying Prevention

Whereas; **STOMP Out Bullying**™ the leading national anti-bullying and cyber bullying organization for kids and teens in the United States was created in 2005 and has garnered international exposure with its efforts to focus on reducing and preventing bullying, cyber bullying, sexting, and other digital abuse, educating against homophobia, racism and hatred, decreasing school absenteeism, and deterring violence in schools, online and in communities across the country; and

Whereas; **STOMP Out Bullying**™ teaches effective solutions on how to respond to all forms of bullying; educates kids and teens in schools and online; provides help for those in need and at risk of suicide; raises awareness through peer mentoring programs in schools; produces public service announcements by noted celebrities; produces social media campaigns, and educates parents on how to keep their children safe and responsible online; and

Whereas, Blue Shirt Day™ **- World Day of Bullying prevention** is an initiative of **STOMP Out Bullying**™, is held the first Monday of October annually, and participants are encouraged to wear either a **STOMP Out Bullying**™ limited edition blue shirt or their own blue shirt to make a statement across the globe that bullying and cyber bullying will no longer be accepted in our schools, our playgrounds, in our communities or online; and

Whereas; the Town of Surfside Beach's own **Patrick Kohlmann**, is an official team ambassador of **STOMP Out Bullying**™,

teen

Now, Therefore, I, Douglas F. Samples, Mayor of the Town of Surfside Beach, do hereby proclaim October 1, 2012 as

Blue Shirt Day™ World Day of Bullying prevention

in the Town of Surfside Beach, and present this Proclamation to Patrick Kohlmann to declare that the Town of Surfside Beach supports the efforts of **STOMP Out Bullying**™, and further, I urge all citizens to celebrate **Blue Shirt Day**™ and to support **STOMP Out Bullying**™ efforts to prevent bullying everywhere.

Dated this 25th day of September 2012.

Draft

_____

The Hon. Douglas F. Samples, Mayor

Attest: _____

Debra E. Herrmann, CMC, Town Clerk

Proclamation Number 12-76

BLUE SHIRT DAY™ - STOMP OUT BULLYING™

WHEREAS; STOMP OUT BULLYING™ -bullying and cyber bullying organization for kids and teens in th ted in 2005 and has garnered international exposure with its effort d preventing bullying, cyber bullying, sexting, and other digital homophobia, racism and hatred, decreasing school absenteeism n schools, online and in communities across the country; and

could this be changed to "WORLD DAY OF BULLYING PREVENTION"?

WHEREAS; STOMP OUT BULLYING™ teaches effective solutions on how to respond to all forms of bullying; educates kids and teens in schools and online; provides help for those in need and at risk of suicide; raises awareness through peer mentoring programs in schools; produces public service announcements by noted celebrities; produces social media campaigns, and educates parents on how to keep their children safe and responsible online; and

WHEREAS, BLUE SHIRT DAY™ WORLD DAY OF BULLYING PREVENTION is an initiative of **STOMP OUT BULLYING™**, is held the first Monday of October annually, and participants are encouraged to wear either a **STOMP OUT BULLYING™** limited edition blue shirt or their own blue shirt to make a statement across the globe that bullying and cyber bullying will not longer to acceptable in our schools, our playgrounds, in our communities or onlin

will no longer be accepted in our schools.

WHEREAS; th n's own **PATRICK KOHLMANN**, is an official team ambassa **BULLYING™**,

NOW, THERE ples, Mayor of the Town of Surfside Beach, do hereby proclaim Octo

BLUE SHIRT DAY™ WORLD DAY OF BULLYING PREVENTION

in the Town of Surfside Beach, and present this Proclamation to Patrick Kohlmann to declare that the Town of Surfside Beach supports the efforts of **STOMP OUT BULLYING™**, and further, I urge all citizens to celebrate **BLUE SHIRT DAY™** and to support **STOMP OUT BULLYING™** efforts to prevent bullying everywhere.

DATED this 25th day of September 2012.

Thank you :)

The Hon. Douglas F. Samples, Mayor

Attest:

Debra E. Herrmann, CMC, Town Clerk

12.76

From: LoveOurChildrenUSA <loveourchildrenusa@loveourchildrenusa.org>
To: 'Beth Kohlmann' <bk374@aol.com>
Subject: info for proclamation and thank you!!
Date: Thu, Sep 6, 2012 2:07 pm

Blue Shirt Day™ World Day of Bullying Prevention is an initiative of STOMP Out Bullying™ the leading national anti-bullying and cyberbullying organization for kids and teens in the U.S.

Observed on the first Monday of every October (this year Monday, October 1st),Blue Shirt Day™ World Day of Bullying Prevention was created to signify the importance of National Bullying Prevention Awareness month in October.

On this annual day, STOMP Out Bullying™ asks everyone to wear a Blue Shirt in solidarity making it the day that Bullying Prevention is heard around the world. To date hundreds of thousands of students, schools and businesses in the U.S. have participated in this global event, with friends from the U.K., Portugal, Canada, Germany and Korea joining the fight against bullying.

Whether one wears the STOMP Out Bullying™ 2012 limited edition blue shirt or their own blue shirt, they are making a statement across the globe that bullying and cyberbullying will no longer be accepted in our schools, our playgrounds, in our communities or online.

Students can also participate on this special day by holding activities in their schools and using STOMP Out Bullying's Online Student Participation Toolkit on October 1st, as well as during National Bullying Prevention month and throughout the year.

STOMP Out Bullying™ is proud to have two Teen Ambassadors from South Carolina. Patrick Kohlmann who has been instrumental in helping to raise awareness in bullying prevention and Blake Graham.

STOMP Out Bullying™ was created in 2005 and has garnered international exposure. It focuses on reducing and preventing bullying, cyberbullying, sexting and other digital abuse, educating against homophobia, racism and hatred, decreasing school absenteeism, and deterring violence in schools, online and in communities across the country. It teaches effective solutions on how to respond to all forms of bullying; as well as educating kids and teens in school and online, providing help for those in need and at risk of suicide, raising awareness, peer mentoring programs in schools, public service announcements by noted celebrities, and social media campaigns. An additional focus educates parents on how to keep their children safe and responsible online.

The organization has a HelpChat Line that offers help to students who are bullied or at-risk for suicide. This can be found at www.stompoutbullying.org. Since the line's launch in June 2011, it has helped over 4,000 students and saved the lives of 61 to date. The organization has helped hundreds of thousands of students resolve bullying and cyberbullying issues since its inception.

For more information about Blue Shirt Day™ World Day of Bullying Prevention and other useful resources, the organization's web site is www.stompoutbullying.org.

State of South Carolina

Governor's Proclamation

WHEREAS, feeling safe at school is critical to learning yet each day, thousands of students across our state and nation stay home from school because of their fears of being bullied; and

WHEREAS, students who are bullied may have difficulty concentrating on their lessons, suffer from a loss of self-esteem and confidence, and experience a drop in grades, while those who witness bullying events often feel helpless, unsafe and afraid; and

WHEREAS, in addition to reporting more physical symptoms such as headaches and stomachaches, victims of bullying experience depression, anxiety and other mental health issues more than their peers; and

WHEREAS, raising awareness of bullying as a communitywide issue with long-term damaging effects on victims as well as witnesses can help lead to effective and lasting solutions for students, schools and communities across the Palmetto State.

NOW, THEREFORE, I, Mark Sanford, Governor of the Great State of South Carolina, do hereby proclaim October 3 - 9, 2010, as

BULLYING PREVENTION WEEK

throughout the state and encourage all South Carolinians to recognize the devastating effects bullying can have on individuals, schools and communities and to work together to keep our schools free of bullying.

MARK SANFORD
GOVERNOR
STATE OF SOUTH CAROLINA

Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending 08/31/12 (Revised)

Ideal Remaining %: *83%*

Revenues	**August 2012**	**YTD FY 2012-13**	**FY 12-13 Budget**	**Over/(Under) Budget**	**August 2011**	**YTD FY 2011-12**
Property Taxes	$ 16,059	$ 41,872	$ 2,184,000	(2,142,128)	$ 36,149	$ 52,645
Licenses & Permits	14,263	26,973	1,493,000	(1,466,027)	37,437	62,314
Franchise Fees	16,620	33,240	584,600	(551,360)	17,280	33,240
Fines	25,649	45,462	195,000	(149,538)	23,187	43,452
Interest	400	875	10,000	(9,125)	459	1,181
Intergovernmental	-	-	281,720	(281,720)	-	-
Recreation Revenue	5,236	7,303	51,500	(44,197)	2,871	9,207
Other Revenue	1,080	1,620	25,000	(23,380)	1,313	1,700
Other Financing Sources	-	-	997,567	(997,567)	-	-
Total Revenue	$ 79,307	$ 157,345	$ 5,822,387	(5,665,042)	$ 118,696	$ 203,739
			YTD Remaining %:	***97.3%***		

Expenditures

Salaries & Benefits					***Prior year salary information has been corrected.***	
Salaries	$ 227,156	$ 364,420	$ 2,760,899	(2,396,479)	**$ 205,498 ***	**$ 361,350**
Benefits	81,438	143,283	1,088,280	(944,997)	77,196	141,110
Total Salaries & Benefits	$ 308,594	$ 507,703	$ 3,849,179	(3,341,476)	$ 282,694	$ 502,460
			YTD Remaining %:	***86.8%***		

Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending 08/31/12 (Revised)

Ideal Remaining %: *83%*

Operating Expenditures						
Administration	$ 3,653	$ 12,639	$ 132,634	(119,995)	$ 7,112	$ 13,517
Finance	13,207	14,914	70,992	(56,078)	1,446	11,960
Court	1,547	4,997	36,675	(31,678)	3,850	5,945
Facilities	1,788	3,506	27,791	(24,285)	2,918	4,541
Police	18,874	34,174	265,426	(231,252)	20,450	42,808
Fire	4,005	10,850	124,715	(113,865)	6,249	12,190
Building & Zoning	2,441	15,302	72,631	(57,329)	4,710	16,993
Grounds	2,101	5,921	65,679	(59,758)	6,577	9,404
Public Works	6,849	24,567	462,830	(438,263)	22,009	38,111
* Underground wiring project						
Fleet Maintenance	1,390	8,070	29,539	(21,469)	6,004	10,862
Recreation & Special Events	2,034	8,276	124,761	(116,485)	11,884	16,200
Non Departmental	4,603	12,394	98,305	(85,911)	7,681	14,698
Total Operating Expenditures	$ 62,492	$ 155,610	$ 1,511,978	(1,356,368)	$ 100,890	$ 197,229
			YTD Remaining %:	***89.7%***		
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	**$ (291,779)**	**$ (505,968)**	**$ 461,230**		**$ (264,888)**	**$ (495,950)**
Capital Building	$ -	$ -	$ 6,500	(6,500)	$ -	$ -
Debt Service	-	-	518,543	(518,543)	-	-
Total Expenditures	$ 371,086	$ 663,313	$ 5,886,200	(5,222,887)	$ 383,584	$ 699,689
Net Operating	**$ (291,779)**	**$ (505,968)**	**$ (63,813)**		**$ (264,888)**	**$ (495,950)**
Capital Replacement (Equipment)	$ (47,950)	$ (48,929)	$ (79,000)	$ (30,071)	$ (2,334)	$ (17,411)
Capital Improvements (Paving/Sidewalks)	-	-	-	-	-	(1,119)
Transfer to Hospitality - Parking fines	(3,541)	(8,075)	(45,000)	(36,925)	(8,778)	(14,986)
Net Revenue over/(under) Expenditures	**$ (343,270)**	**$ (562,972)**	**$ (187,813)**		**$ (276,000)**	**$ (529,466)**

Finance Department Report: August 2012

Finance Committee:
The Finance committee is scheduled for its next meeting on Thursday September 27th at 3:00pm. The public is invited to attend, topics to include Insurance costs and Fund Balance assignments.

Business License:

- August 2012 Activity ***(28) New Accounts***: New business In-Town (4); New business Out-of-Town (8); New Rentals (9); New Contractors (7); Additional business inquiries (13)
- Business License revenue for August 2012 is $3,673 which is down from prior year's $8,438.

- The business license office mailed just over 100 letters to businesses with unpaid business personal property (furniture, fixtures & equipment) taxes. The Town's ordinance section 4-5 (c) requires, as a condition of license renewal that, "*all assessments and personal property taxes on business property due and payable to the town have been paid*". Any questions regarding this should be directed to;
    - Horry County Treasurer (to pay) (843) 915-5470
    - Horry County Auditor (for disputes or questions)(843) 915-5472

Taxes:
Current real estate, personal property and vehicle tax collections from Horry County for August 2012 were $12,068 which is down from $31,585 last year. YTD income including penalties and prior year collections are $41,872 down from $52,645.

Hospitality & Local Accommodations Taxes:
Hospitality and Local Accommodations taxes received in the month of August were $141,997 and $36,860 which were down from prior year's $150,226 and $43,071.

Enterprise Funds:
In August 2012, the Sanitation Fund collected $116,432 in service charges, which is up slightly from $116,339 last year. In August, the Pier Enterprise fund collected $53,896 in revenue, which is slightly lower than the $53,936 received in the prior year.

FY 2011-2012 Audit:
The auditor's still have to complete their 60 day testing and then a final budget amendment will be brought to Town Council for approval. As noted previously, the only budget amendment anticipated is for the underground wiring project on Ocean Blvd. The Town's auditor's Harper, Poston, & Moree, CPAs, are available for any questions.

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 08/31/12

Ideal Remaining %: *83%*

Revenues	**August 2012**	**YTD FY 2012-13**	**FY 12-13 Budget**	**Over/(Under) Budget**	**August 2011**	**YTD FY 2011-12**
Property Taxes	$ 16,059	$ 41,872	$ 2,184,000	(2,142,128)	$ 36,149	$ 52,645
Licenses & Permits	14,263	26,973	1,493,000	(1,466,027)	37,437	62,314
Franchise Fees	16,620	33,240	584,600	(551,360)	17,280	33,240
Fines	25,649	45,462	195,000	(149,538)	23,187	43,452
Interest	400	875	10,000	(9,125)	459	1,181
Intergovernmental	-	-	281,720	(281,720)	-	-
Recreation Revenue	5,236	7,303	51,500	(44,197)	2,871	9,207
Other Revenue	1,080	1,620	25,000	(23,380)	1,313	1,700
Other Financing Sources	-	-	997,567	(997,567)	-	-
Total Revenue	$ 79,307	$ 157,345	$ 5,822,387	(5,665,042)	$ 118,696	$ 203,739
			YTD Remaining %:	***97.3%***		

Expenditures

Salaries & Benefits						
Salaries	$ 227,156	$ 364,420	$ 2,760,899	(2,396,479)	$ 7,060	$ 12,697
Benefits	81,438	143,283	1,088,280	(944,997)	77,196	141,110
Total Salaries & Benefits	$ 308,594	$ 507,703	$ 3,849,179	(3,341,476)	$ 84,256	$ 153,807
			YTD Remaining %:	***86.8%***		

Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending 08/31/12

Ideal Remaining %: *83%*

Operating Expenditures						
Administration	$ 3,653	$ 12,639	$ 132,634	(119,995)	$ 7,112	$ 13,517
Finance	13,207	14,914	70,992	(56,078)	1,446	11,960
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Building & Zoning	2,441	15,302	72,631	(57,329)	4,710	16,993
Grounds	2,101	5,921	65,679	(59,758)	6,577	9,404
Public Works	6,849	24,567	462,830	(438,263)	22,009	38,111
* Underground wiring project						
Fleet Maintenance	1,390	8,070	29,539	(21,469)	6,004	10,862
Recreation & Special Events	2,034	8,276	124,761	(116,485)	11,884	16,200
Non Departmental	4,603	12,394	98,305	(85,911)	7,681	14,698
Total Operating Expenditures	$ 62,492	$ 155,610	$ 1,511,978	(1,356,368)	$ 100,890	$ 197,229
			YTD Remaining %:	***89.7%***		
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	**$ (291,779)**	**$ (505,968)**	**$ 461,230**		**$ (66,450)**	**$ (147,297)**
Capital Building	$ -	$ -	$ 6,500	(6,500)	$ -	$ -
Debt Service	-	-	518,543	(518,543)	-	-
Total Expenditures	$ 371,086	$ 663,313	$ 5,886,200	(5,222,887)	$ 185,146	$ 351,036
Net Operating	**$ (291,779)**	**$ (505,968)**	**$ (63,813)**		**$ (66,450)**	**$ (147,297)**
Capital Replacement (Equipment)	$ (47,950)	$ (48,929)	$ (79,000)	$ (30,071)	$ (2,334)	$ (17,411)
Capital Improvements (Paving/Sidewalks)	-	-	-	-	-	(1,119)
Transfer to Hospitality - Parking fines	(3,541)	(8,075)	(45,000)	(36,925)	(8,778)	(14,986)
Net Revenue over/(under) Expenditures	**$ (343,270)**	**$ (562,972)**	**$ (187,813)**		**$ (77,562)**	**$ (180,813)**

Town of Surfside Beach
Finance Department Report
August 31, 2012

Ideal Remaining %: *83%*

General Fund	August 2012	YTD FY 12-13	FY 12-13 Budget	Over (Under) Budget	August 2011	YTD FY 11-12
Property Taxes						
Current Property Taxes	$ 12,068	$ 28,661	$ 2,150,000	$ (2,121,339)	$ 31,584	$ 45,600
Motor Carrier Taxes	2,089	2,098	4,000	(1,902)	-	1,157
Penalties & Prior Year Taxes	1,902	11,113	30,000	(18,887)	4,564	5,888
	$ 16,059	**$ 41,872**	**$ 2,184,000**	**$ (2,142,128)**	**$ 36,148**	**$ 52,645**
Licenses and Permits						
Business Licenses - Local	$ 3,674	$ 8,809	$ 675,000	$ (666,191)	$ 8,438	$ 18,651
Business Licenses - MASC	-	-	715,000	(715,000)	3,475	3,475
Animal Licenses	190	510	3,000	(2,490)	180	520
Building Permits	10,399	17,654	100,000	(82,346)	25,345	39,669
	$ 14,263	**$ 26,973**	**$ 1,493,000**	**$ (1,466,027)**	**$ 37,438**	**$ 62,315**
Franchise Fees						
Santee Cooper (Bi-Annual)	$ -	$ -	$ 265,000	$ (265,000)	$ -	$ -
GSW&SA (Monthly Installments)	16,620	33,240	195,000	(161,760)	17,280	33,240
TimeWarner (Quarterly)	-	-	115,000	(115,000)	-	-
HTC	-	-	-	-	-	-
SCANA (Annual)	-	-	9,600	(9,600)	-	-
	$ 16,620	**$ 33,240**	**$ 584,600**	**$ (551,360)**	**$ 17,280**	**$ 33,240**
Fines and Forfeits						
Police Fines	$ 20,707	$ 33,243	$ 130,000	$ (96,757)	$ 11,968	$ 23,461
Victims Assistance	1,596	4,993	20,000	(15,007)	2,440	5,040
Parking Fines-Current	3,346	7,226	45,000	(37,774)	8,778	14,951
Parking Fines-Prior	-	-	-	-	-	-
	$ 25,649	**$ 45,462**	**$ 195,000**	**$ (149,538)**	**$ 23,186**	**$ 43,452**

Town of Surfside Beach
Finance Department Report
August 31, 2012

Ideal Remaining %: *83%*

General Fund	August 2012	YTD FY 12-13	FY12-13 Budget	Over (Under) Budget	August 2011	YTD FY 11-12
Interest	**$ 400**	**$ 875**	**$ 10,000**	**$ (9,125)**	**$ 459**	**$ 1,181**
Intergovernmental Revenues						
Aid - Local Government Fund	$ -	$ -	$ 65,000	$ (65,000)	$ -	$ -
Alcohol Permits	-	-	41,500	(41,500)	-	-
Homestead Exemption	-	-	40,000	(40,000)	-	-
Merchants Inventory	-	-	11,120	(11,120)	-	-
Government Grants	-	-	7,500	(7,500)	-	-
H.C. Recreation Dept.	-	-	16,600	(16,600)	-	-
H.C. Road Maintenance	-	-	100,000	(100,000)	-	-
	$ -	**$ -**	**$ 281,720**	**$ (281,720)**	**$ -**	**$ -**
Recreation Revenue						
Recreation Registration Fees	$ 1,680	$ 1,680	$ 22,300	$ (20,620)	$ -	$ 3,050
Recreation Sponsorships	-	-	4,000	(4,000)	-	-
Other Recreation Revenues	3,556	5,623	25,200	(19,577)	2,871	6,157
	$ 5,236	**$ 7,303**	**$ 51,500**	**$ (44,197)**	**$ 2,871**	**$ 9,207**
Other Revenue						
Miscellaneous Revenues	1,080	1,620	25,000	(23,380)	1,313	1,700
	$ 1,080	**$ 1,620**	**$ 25,000**	**$ (23,380)**	**$ 1,313**	**$ 1,700**
Other Financing Sources						
Sanitation Fund	$ -	$ -	$ 54,625	$ (54,625)	$ -	$ -
Accommodations Tax Fund	-	-	46,250	(46,250)	-	-
Interest Revenue - Pier Enterprise	-	-	18,335	(18,335)	-	-
Pier Enterprise	-	-	30,477	(30,477)	-	-
Trans from Hospitality	-	-	441,880	(441,880)	-	-
Local Accommodations Tax Fund	-	-	140,000	(140,000)	-	-
Franchisee Reimbursement	-	-	266,000	(266,000)	-	-
	$ -	**$ -**	**$ 997,567**	**$ (997,567)**	**$ -**	**$ -**
Total Revenue & Other Financing Sources	**$ 79,307**	**$ 157,345**	**$ 5,822,387**	**$ (5,665,042)**	**$ 118,695**	**$ 203,740**

YTD Remaining %: ***97.3%***

Town of Surfside Beach
Finance Department Report
August 31, 2012

Ideal Remaining %: *83%*

Capital Projects Fund	August 2012	YTD FY 12-13	FY12-13 Budget	Over (Under) Budget	August 2011	YTD FY 11-12
Revenue						
Property Taxes	$ 2,389	$ 5,762	$ 268,750	$ (262,988)	$ 4,571	$ 6,584
Interest	84	168	-	168	134	292
Misc/Reimbursement	-	-	-	-	-	-
Total Revenue	$ 2,473	$ 5,930	$ 268,750	$ (262,820)	$ 4,705	$ 6,876
			YTD Remaining %:	*97.8%*		
Expenditures						
Lakes - Maint. & Enhancements	4,987	5,588	20,500	(14,912)	2,402	4,417
Water Quality/NPDES	22,149	23,872	32,875	(9,003)	-	9,494
Storm water Improvements	-	-	-	-	-	15,416
Total Expenditures	$ 27,136	$ 29,460	$ 53,375	$ (23,915)	$ 2,402	$ 29,327
			YTD Remaining %:	*44.8%*		
Net Revenue over/(under)	**$ (24,663)**	**$ (23,530)**	**$ 215,375**		**$ 2,303**	**$ (22,451)**

Town of Surfside Beach
August 31, 2012
Special Revenue Funds

Accommodations Taxes

Ideal Remaining %: *83%*

	Aug 2012	YTD 2012-2013	FY 12-13 Budget	Over (Under) Budget	Aug 2011	YTD 2011-2012
Revenues:						
Accommodations Tax	$ -	$ -	$ 450,000	$ (450,000)	$ -	$ -
Special Events/Donations	-	-	-	-	50	1,665
Interest Income	4	4	-	4	49	82
Total Revenues	$ 4	$ 4	$ 450,000	$ (449,996)	$ 99	$ 1,747
			YTD Remaining %:	***100.0%***		
Expenses:						
Police	$ 4,878	$ 10,467	$ 90,730	$ (80,263)	$ 3,423	$ 7,672
Grounds	295	1,102	12,413	(11,311)	699	1,385
Public Works/Sanitation	1,594	4,487	75,125	(70,638)	50,897	52,898
Special Events	3,700	16,380	72,871	(56,491)	3,540	18,645
Grants & Materials & Supplies	5,000	5,000	10,500	(5,500)	4,000	4,000
Fireworks Display	-	25,000	25,000	-	-	25,000
Advertising & Promotion	-	-	12,020	(12,020)	-	-
Advertising - MB Chamber (30%)	-	-	127,500	(127,500)	-	-
Transfer to Gen Fund (5%)	-	-	46,250	(46,250)	-	-
Total Expenses	$ 15,467	$ 62,436	$ 472,409	$ (409,973)	$ 62,559	$ 109,600
			YTD Remaining %:	***86.8%***		
Net Revenue(Expense)	**$ (15,463)**	**$ (62,432)**	**$ (22,409)**		**$ (62,460)**	**$ (107,853)**

Local Accommodations Taxes

	Aug 2012	YTD 2012-2013	FY 12-13 Budget	Over (Under) Budget	Aug 2011	YTD 2011-2012
Revenues:						
Local Accommodations Tax	$ 36,860	$ 36,860	$ 140,000	$ (103,140)	$ 43,071	$ 43,071
Interest Income	12	19	-	19	22	42
Total Revenues	$ 36,872	$ 36,879	$ 140,000	$ (103,121)	$ 43,093	$ 43,113
Expenses:						
Transfer to General Fund	$ -	$ -	$ 140,000	(140,000)	$ -	$ -
Net Revenue(Expense)	**$ 36,872**	**$ 36,879**	**$ -**		**$ 43,093**	**$ 43,113**

Town of Surfside Beach
August 31, 2012
Special Revenue Funds

Hospitality Taxes

Ideal Remaining %: *83%*

	Aug 2012	YTD 2012-2013	FY 12-13 Budget	Over (Under) Budget	Aug 2011	YTD 2011-2012
Revenues:						
Hospitality Fees	$ 141,997	$ 141,997	$ 625,000	$ (483,003)	$ 150,226	$ 150,226
Meter Revenue & Parking decals	20,498	51,740	125,000	(73,260)	24,104	50,935
Logo/Promotion Sales/Misc	81	1,713	-	1,713	-	-
Other Revenue (Grants/Donations)	-	300	-	300	-	-
Interest Income	218	396	-	396	345	652
Transfer from G.F. Parking fines	3,541	8,075	45,000	(36,925)	8,778	14,986
Total Revenues	$ 166,335	$ 204,221	$ 795,000	$ (590,779)	$ 183,453	$ 216,799
			YTD Remaining %:	***74.3%***		
Expenses:						
Admin - Parking	$ -	$ -	$ -	$ -	$ 781	$ 1,329
Police - Community Services	8,774	15,519	119,555	(104,036)	14,342	24,800
Police - Meters	7,832	20,053	99,159	(79,106)	7,303	14,692
Fire	-	-	16,380	(16,380)	-	1,307
Grounds	821	1,796	22,500	(20,704)	1,839	17,459
Recreation	121	616	28,600	(27,984)	93,528	94,223
Capital Building Improvements	-	-	75,000	(75,000)	1,875	4,142
Transfer to General Fund	-	-	441,880	(441,880)	-	-
Total Expenses	$ 17,548	$ 37,984	$ 803,074	(765,090)	$ 119,668	$ 157,952
			YTD Remaining %:	***95.3%***		
Net Revenue(Expense)	**$ 148,787**	**$ 166,237**	**$ (8,074)**		**$ 63,785**	**$ 58,847**

Town of Surfside Beach
August 31, 2012
Enterprise Funds

Sanitation Fund

Ideal Remaining %: *83%*

	Aug 2012	YTD 2012-2013	FY 12-13 Budget	Over (Under) Budget	Aug 2011	YTD 2011-2012
Revenue:						
Sanitation Fees	$ 116,432	$ 234,668	$ 1,064,135	$ (829,467)	$ 116,339	$ 232,393
Other Income(Grants, Sale of F/A)	506	1,019	-	1,019	-	
Interest Income	176	342	1,500	(1,158)	322	651
Total Revenues	$ 117,114	$ 236,029	$ 1,065,635	$ (829,606)	$ 116,661	$ 233,044
			YTD Remaining %:	***77.9%***		
Expenses:						
Salaries & Operating Expenses	$ 72,594	$ 142,536	$ 944,812	$ (802,276)	$ 75,135	$ 147,790
Depreciation Expense	-	-	125,000	(125,000)	-	-
Transfer Gen Fund	-	-	54,625	(54,625)	-	-
Total Expenses	$ 72,594	$ 142,536	$ 1,124,437	$ (981,901)	$ 75,135	$ 147,790
			YTD Remaining %:	***87.3%***		
Net Operating	$ 44,520	$ 93,493	$ (58,802)		$ 41,526	$ 85,254

Pier Enterprise Fund

Ideal Remaining %: *83%*

	Aug 2012	YTD 2012-2013	FY 12-13 Budget	Over (Under) Budget	Aug 2011	YTD 2011-2012
Revenue:						
Income Rents/Leases	$ 17,500	$ 24,768	$ 74,773	$ (50,005)	$ 10,000	$ 20,000
Other Income-Admissions	8,616	20,289	50,000	(29,711)	10,627	20,360
Other Income-Fishing	19,498	41,969	100,000	(58,031)	19,897	38,842
Meter Income	8,204	22,429	80,000	(57,571)	13,317	25,822
Interest Income	78	141	-	141	95	180
Total Revenues	$ 53,896	$ 109,596	$ 304,773	$ (195,177)	$ 53,936	$ 105,204
			YTD Remaining %:	***64.0%***		
Expenses:						
Salaries & Operating Expenses	$ 101	$ 832	$ 20,256	$ (19,424)	$ 7,004	$ 8,377
Depreciation Expense	-	-	66,125	(66,125)	-	-
Interest Expense (Loan)	-	-	18,335	(18,335)	-	-
Transfer A-Tax	-	-	-	-	-	-
Transfer G F	-	-	30,477	(30,477)	-	-
Total Expenses	$ 101	$ 832	$ 135,193	$ (134,361)	$ 7,004	$ 8,377
			YTD Remaining %:	***99.4%***		
Advance due G F - Principal	-	-	163,000		-	-
* Re-Payment was deferred for 2 years, FY12-13 will have a payments, FY11-12 does not have a payment.						
Net Operating	$ 53,795	$ 108,764	$ 6,580		$ 46,932	$ 96,827

RECREATION DEPARTMENT
SEPTEMBER 2012
MONTHLY REPORT

ATHLETICS

Fall baseball season began Tuesday, September 18th with a rainout the first night. Games will be played Tuesdays and Thursday at 5:30 p.m. and 6:15 p.m. Season will end October 16th. All games are being played at Huckabee Complex.

There were no outside tournaments this month. There are two scheduled for October.

The update on the Surfside Beach Booster Club is as follows:

The organization will be officially Surfside Beach Youth Sports Association. They are in the process of being incorporated. They have received a federal tax ID number and have opened a checking account. They will be operating the concession stand for the fall baseball league with a limited menu of items.

SPECIAL EVENTS

Sunday Serenades have ended for the year. They will begin again Memorial weekend 2013.

The End of Summer Celebration was held on September 2nd. Entertainment was provided by TruSol. Concessions were prepared and sold by staff. Approximately 200 people attended.

The Beach Sweep was held September 15th at the pier. Volunteers totaled 168. A thank you goes out to Karate World who provided almost half of the 168. Data cards were distributed for participants and approximately 1/3 returned them. Totals included 1,566 cigarette butts, 59 cigar tips, 43 fireworks, 103 food wrappers, 69 plastic bags and 125 bottles caps. The most unusual items were two shotgun shells.

Georgetown Hospital is conducting a Health Screening on Friday, October 19th from 8:30 a.m. to 10:30 a.m. at the Civic Center. Information and forms are available at the front desk at Town Hall. Pre-registration is required for any lab work.

Applications total 95 for the Family Festival of which 18 are food vendors, 35 information and 42 arts and crafts. Again, entertainment will be the Josh Brannon Band (country) and the Mark Roberts Band (beach and oldies).

UPCOMING EVENTS

1. Skyhoundz Disc Contest – **Saturday, September 29th – 10:00 a.m. – Huckabee Complex**

2. **Surfside Beach Family Festival** – Saturday, October 6th – 10:00 a.m. to 4:00 p.m. – Surfside Drive

3. **5K Race** – Saturday, October 27th – 8:00 a.m. – at the pier (in memory of Nathan Black (brother of Officer Lee Black, Surfside Beach Police Department)

PUBLIC WORKS MONTHLY REPORT
August 23 – September 19, 2012

SANITATION DIVISION (FTEs – 9)

Residential Service – Six carts were delivered; one to an account once the certificate of occupancy had been issued and five per owner requests. Two carts were repaired, seven carts were replaced, and nine carts were removed from locations. Sanitation supervisor responded to eight calls regarding ordinance enforcement; nineteen calls regarding late put outs and/or questions about bulk/yard debris pick up, twelve miscellaneous calls and/or questions and four complaints.

Commercial Service – Service routes continue to be updated based on business needs. Eighteen businesses have reduced service days. Several accounts required ten (10) extra pick-up services due to overflow. Two accounts were notified that dumpsters needed to be replaced. Supervisor explained commercial collection schedules to one new business owner. Crew responded to two questions about ordinances and answered three miscellaneous calls.

Summer Service – Three times a week summer service ended on Sunday, September 9th in the C-3 and R-3 zoning districts. Crews have initiated "winter roll-out" service in those designated areas. Supervisor responded to five calls with questions about summer service. Additional mobys delivered to handle overflow will be removed over the next few weeks.

Caropines – Services will be discontinued the week of September 24th. All mobys and recycle carts will be removed from Caropines locations upon discontinuation of services. Sanitation supervisor responded to three miscellaneous calls with questions about Caropines service.

Recycling News – Three carts have been delivered to town residents upon request. Five carts were removed and two carts were replaced. Supervisor responded to two miscellaneous calls with questions about recycling and one complaint. Additional 65G and 95G recycle carts have been ordered.

HHW/E-Waste – Town residents will be able to drop off household hazardous and electronic waste the weekend of September 28th through 30th. Drop off site is the Public Works facility located at 740 Sandy Lane from 9:00am to 1:00pm. Informational flyers have been distributed to town residents and are also available at Town Hall.

Crew assisted with the End of Summer Celebration and the Beach Sweep.

In August we collected 594.56 tons of solid waste, 32.04 tons of mixed debris, 99.89 tons of yard debris, and 65.68 tons of recyclables.

STREETS & DRAINAGE DIVISION (FTEs –8)

The Beach – Crews continue to complete beach raking and grooming, as well as swash outlets being dug out to ensure proper water flow at least two times per week. Beach trash and recycle cans are being emptied two times a week as well as on weekends, weather permitting. Weekend beach can service will continue until the end of September.

On-going/Special Projects:

- Trimming of overhanging tree branches and plant over-growth continues throughout Town. Fire department personnel provided Public Works with a list of locations that may present potential hazards to fire apparatus and other vehicles along Town roadways. Areas of concern are being addressed in order to ensure the safety of all town residents, visitors, employees and vehicles.

- Crews are busy preparing Surfside Drive for our annual Family Festival which will take place on Saturday, October 6th. Mowing, weeding, trimming of limbs, as well as installation of mulch are being completed to get Surfside Drive ready for this major Town event.
- Painting of (30-ft from intersection) No-Parking lines has begun on Ocean Blvd.
- Crews assisted with the End of Summer Celebration and the Beach Sweep.
- 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.
- 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.
- Four reports were sent to Santee Cooper identifying street lights that were not functioning properly. One request for installation of a streetlight at 16th Avenue South was sent to Santee Cooper for processing.
- From August 22nd through September 19th Public Works assistant answered 192 incoming calls. 114 of those calls dealt with sanitation questions/concerns/complaints; 2 calls were from vendors providing product information and/or quotes; 17 calls dealt with street/drainage issues, streetlights, and questions about driveway inspections and dirt delivery; 21 calls dealt with parks/grounds issues; 13 were internal calls dealing with department and/or personnel issues and/or questions; 9 calls were received for the Public Works Director; 16 calls dealt with miscellaneous questions, wrong departments and/or telemarketers.

GROUNDS DIVISION (FTEs-4)

- Several repairs and improvements have been made to the drainage systems in the dog parks
- Ball fields at Huckabee Complex and Martin Park are being mowed, groomed, and maintained for softball and tournaments.
- Crews continue to spruce up Town properties and parks, as well as weeding and trimming.
- Lake spraying and clean-up continues as needed, weather permitting.

FLEET MAINTENANCE DIVISION (FTE-2)

From August 22nd through September 19th our mechanics completed seventy-one repairs on Town vehicles and equipment. Five vehicles had flats repaired, seven vehicles had tires replaced and three vehicles received alignments. 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 forty-two Town vehicles and/or equipment.

FACILITIES (FTE-2)

- The Floral Clubhouse has received a facelift, consisting of new windows and shutters, fresh paint, and some wooden rail replacement.

ADDITIONAL NOTES:

Congratulations to Chris Bolster in our Fleet Maintenance division for five years of service to the Town.

Public Works has reverted back to our "Winter Hours" of 7:00am to 4:00pm Monday through Friday.

Administrator's Report 9/25/12

Two reminders …

1. The **Annual Health Fair** has been scheduled for October 19th at the Civic Center from 7 AM until 10 AM. If you haven't called Debbie Ellis yet to preregister please do so at your earliest convenience. There are flyers on the desk at the back of the room for anyone interested.

2. The **Hazardous Waste and Electronics Collection** is this coming weekend Friday, Saturday and Sunday for 9 AM – 1 PM at 740 Sandy Lane. There are also flyers for this on the desk at the back of the room for anyone interested.

I have a few updates tonight but no action items …

1. To date there has been no progress in capturing the coyotes. By the end of this week the Snake Chaser will have exhausted all baiting strategies it supports. Consequently, if we have no progress by the close of this week we will be engaging another contractor on the DNR list who will try buried traps and or cages. Just a reminder to the public that it is imperative that everyone continue to stay away from this area until such time as the trapping is complete.

2. With regard to Council Chambers and the court offices, Phoenix EnviroCorp has completed their mold assessment and has concluded that due to the amount of surface mold growth and elevated moisture readings that the building warrants mold remediation. It is their position that a professional contractor who is knowledgeable in mold abatement should be retained to conduct all remediation activities and that prior to commencement of any remediation activities, the source of all water intrusions, leaks, and/or moisture problems be detected and remedied. They have laid out a protocol for mold removal and cleanup and I will be asking council at the next meeting for a consensus to move forward with the bid process. To that end I have asked the Clerk to distribute to council a full copy of their report and have placed two copies in the back for public perusal.

3. I have completed a draft of an RFQ for the Beach Services Franchise Agreement and have provided council with a copy of that which should be considered a work in progress at this point, not for public dissemination. I will come back to council at the next meeting to ask for a consensus to proceed with the RFQ, as written, using the same terms as existed in the prior franchise agreement, including all addenda.

4. Earthworks will deliver the revised permit application for the pier ADA ramp and eastward pier expansion to OCRM no later than Thursday of this week.

5. Finally, I would like to introduce Lynne Parker who is the Vice Chairman of the Events and Recreation Committee who has a presentation on some action items for which she would like a consensus of council.

Recommendations for Consideration by Council

from Recreation and Events Committee

RECOMMENDATION #1

The Committee would like Council's permission to change the Christmas Parade Route.

Reasons

- The Committee believes the parade would get more exposure on Surfside Drive and there are sidewalks on both sides of the street.
- The disbandment one block from 17 would make exiting for both participants and visitors less problematic.
- The underground utility project is proceeding from south to north and it is possible that sidewalks, etc. could still be in disrepair on the north side at this time.
  - This could be a parking and logistical inconvenience
  - This could be a potential liability involving conditions hazardous to the public

Current Parade Route

Proposed Route for 2012 Parade

Pertinent Facts

- Old route and proposed route are each 1.7 miles
- Melody Lane is .7 miles from Ocean Blvd. to 17 Business which equals approximately 3,696 feet. Last year, we used 2,925 feet to line up the parade on 5 streets.
- We would use south side of street for lineup so local residents could still access their property.
- Miriam Gaskins, Property Manager for Oceanside Village stated there would be no problem with their entrance accesses as long as the one at 17 Business was not blocked.
- Moe Wells at the Grand Theater stated there would be no problem disbanding the parade in their parking lot and has tentatively put it on their calendar.
- If council okays this we would obtain a permit from SCDOT.

Consensus

- Can we get a consensus of Council to change the Christmas Parade Route for at least this year?

RECOMMENDATION #2

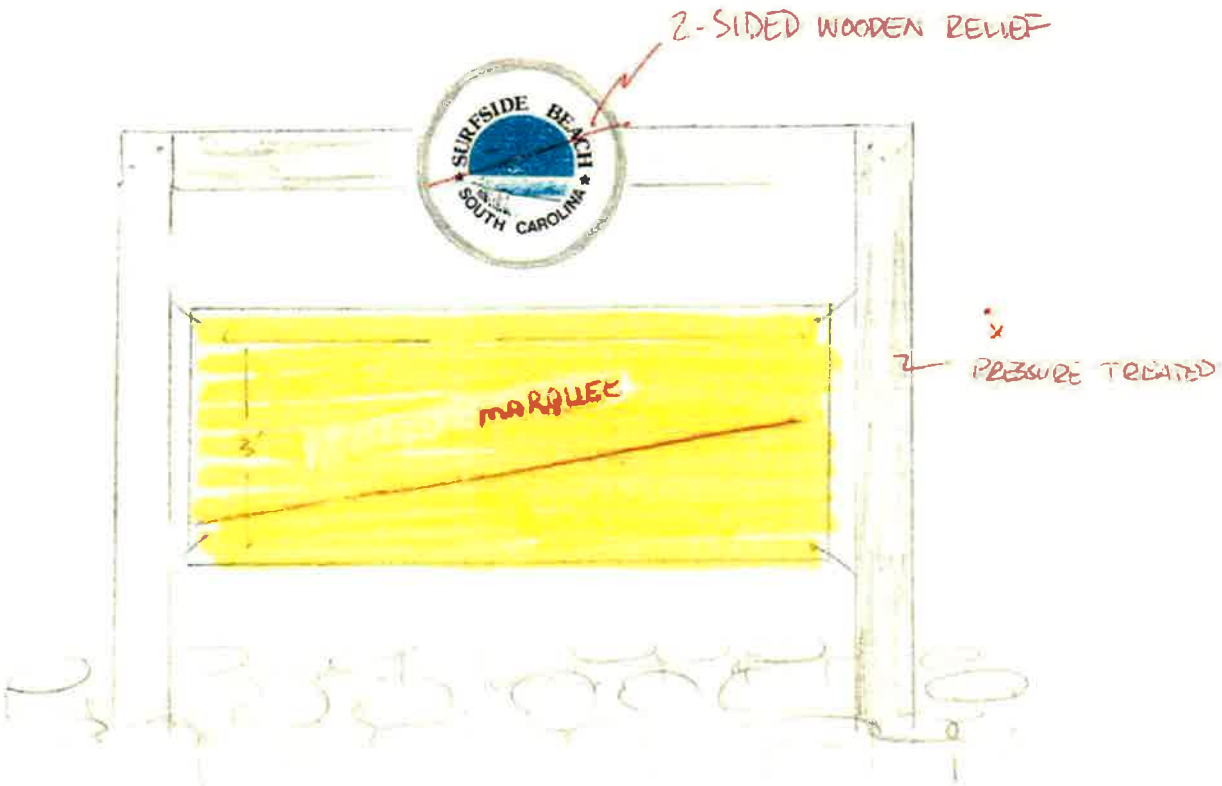
The Committee would like Council's permission to relocate the Huckabee Sports Marquee message board to the pier parking lot planter to help publicize Town Events.

Reasons

- Many residents and visitors have indicated to committee members that they do not attend events because they are unaware of when and where they are happening.
- The pier area is a focal point of the town and is highly trafficked by both residents and visitors alike.
- There is an existing area in the pier parking lot that could be utilized for this purpose.
- It is a relatively inexpensive, temporary fix until permanent signage can be agreed upon by council for that area.
  - We have been informed that the Keep Surfside Beach Beautiful Committee will be presenting recommendations to the council regarding permanent signage within the next few months.

Marquee on Glenn's Bay Road

Relocated Marquee at Pier



Pertinent Facts

- Anchors $18
- Sonotube $25
- Concrete $0 we have in-house
- 6x6's $75
- Post Bases $50
- Angle Bracket and Gussett $15
- Town Emblem sign x 2 $583.20 (best quote of two)
- Electric and Up-lighting $500
- Facilities would perform work
- Total Cost = $1266.20

Proposed Funding Source

- Take expenditure out of the Accommodations Tax Fund
- Out of the Special Events Operating Expenses
  - From the Advertising and Promotion line item
  - Currently $37,700 is budgeted for this year
  - The town has enough savings in this line item to fund this since they reduced the number of television spots for some events

Consensus

- Can we get a consensus of Council to relocate the Huckabee Sports Marquee message board to the pier parking lot planter to help publicize Town Events?

RECOMMENDATION #3

The Committee would like Council's permission to cover the lower portion of the welcome signs on Highway 17 with banners to advertise events.

Reasons

- Town Events need increased exposure
- Highway 17 is a major thoroughfare
- The banners would stand out if hung on the existing signs
- Raising the signs so banners would have greater visibility would be a minimal expenditure (less than $100)

Welcome Signs on Highway 17

Consensus

- Can we get a consensus of Council to cover the lower portion of the welcome signs on Highway 17 with banners to advertise events?

RECOMMENDATION #4

The Committee would like Council's permission to close one half of the pier parking lot for other events besides the 4th of July.

Reasons

- The pier area is an aesthetically pleasing natural focal point for the town.
- Logistically it is easier to hold events there with regard to power and water resources.
- The businesses in that area appreciate town events being held there and believe it contributes to increased sales in their respective establishments.

Events

- The Committee would like to propose closing half the pier parking lot for the following events …
  - Rotary Race (April 20th)
  - Turkey Trot (November 28th)
  - Beach Music Party (May 3rd)
  - Car Show (May 25th)
  - End of Summer Celebration (September 1st)

Form Letter Sent to Affected Businesses

Dear Sir or Madam:

The Town of Surfside Beach is considering the possibility of holding the following events in the north side of the pier parking lot during the 2013 calendar year. This would allow for open access to the pier and adjacent restaurants from both Ocean Boulevard and Seaside Drive.

April 20	Surfside Rotary Race
May 3rd	Beach Music Party
May 27th	Car Show
September 1st	End of Summer Celebration
November 28th	Turkey Trot

Please remember that our 4th of July Celebration requires that the entire parking lot be closed to automobile traffic. Access to the parking lot will, of course, be open to pedestrian traffic. This event also requires that the pedestrian/fishing section of the pier be closed.

You formerly indicated that your business has not been adversely affected by town events and subsequent closings in the pier area and that you welcome them. Your signature below confirms that statement. Please contact me if you have any concerns or questions. We hope our events continue to enhance your business opportunities.

Thank you
Debbie Ellis, Recreation Supervisor

_____ _____

Signature Date

Letter Distribution

- Pier Outfitters
- River City Cafe
- Scalise Realty
- Surf Diner
- Surfside Beach Resort

Pier Outfitters & River City Cafe

TOWN OF SURFSIDE BEACH

September 20, 2012

Dear Sir or Madam:

The Town of Surfside Beach is considering the possibility of holding the following events in the north side of the pier parking lot during the 2013 calendar year. This would allow for open access to the pier and adjacent restaurants from both Ocean Boulevard and Seaside Drive.

April 20	Surfside Rotary Race
May 3rd	Beach Music Party
May 27th	Car Show
September 1st	End of Summer Celebration
November 28th	Turkey Trot

Please remember that our 4th of July Celebration requires that the entire parking lot be closed to automobile traffic. Access to the parking lot will, of course, be open to pedestrian traffic. This event also requires that the pedestrian/fishing section of the pier be closed.

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Thank you,
Debbie Ellis, Recreation Supervisor

Curt Kremer, Pier Outfitters — Date 9/19/12

Dedicated people providing quality and responsive service to our community
115 US Highway 17 North, Surfside Beach, SC 29575-6034 · www.surfsidebeach.org
Telephone: (843) 913-6111 · Facsimile: (843) 238-5432 · Email: Town@surfsidebeach.org

TOWN OF SURFSIDE BEACH

September 20, 2012

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Thank you,
Debbie Ellis, Recreation Supervisor

Donald Flores, River City Cafe — Date 9/20/12

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Scalise Realty & The Surf Diner

TOWN OF SURFSIDE BEACH

September 20, 2012

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Thank you,
Debbie Ellis, Recreation Supervisor

Matthew Scalise — 9/19/2012
Matt Scalise, Scalise Realty — Date

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TOWN OF SURFSIDE BEACH

September 20, 2012

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Thank you,
Debbie Ellis, Recreation Supervisor

Bill Howard — 9/18/12
Bill Howard, The Surf Diner — Date

Dedicated people providing quality and responsive service to our community.
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Telephone: (843) 913-6111 · Facsimile: (843) 238-5432 · Email: Town@surfsidebeach.org

Surfside Beach Resort

TOWN OF SURFSIDE BEACH

September 20, 2012

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Thank you,
Debbie Ellis, Recreation Supervisor

Joel T. Coker
Joel Coker, Surfside Beach Resort

9-20-12
Date

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Telephone: (843) 913-6111 · Facsimile: (843) 238-5432 · Email: Town@surfsidebeach.org

Consensus

- Can we get a consensus of Council to close one half of the pier parking lot for other events besides the 4th of July?

Issue Paper for Council Consideration

Meeting Date: September 10, 2012	Prepared by: Sharon Leahey
Agenda Item: 7A	Date: September 5, 2012
Subject: To Amend §4-20.2 Classification and Rates, One-Time Project by Out of Town Contractors	

Background:
As a result of the Business License Ordinance change in 2009, certain contractors have been required to obtain a new business license for each of their projects. The contractors feel this is onerous to conducting business in town. This would allow the Town to be more business friendly to contractors.

For 2011/2012 license year there were 111 contractors out of a total 531 who were required to pull one time licenses to conform to the 2009 Ordinance change. Of the 111, ninety-three (93) contractors were really only **one** time and were not affected.

Eighteen (18) contractors were affected and in fact paid the Town $2,761 in additional fees for their multiple projects.

By implementing language changes and adding that *only one base fee shall be paid in a license year*, all contractors would be treated equally. Subsequent projects would require an *update* only.

Recommendation:
It is staff's recommendation that this ordinance change be approved.
Analysis has shown that impact on future budgets is estimated to be less than $2,800 or a decrease in contractor revenue of 2.5%

09/25/2012 Second Reading submitted for consideration without any changes.

ISSUE PAPER FOR COUNCIL CONSIDERATION

Meeting Date: March 24, 2009	Prepared by: Kim Hursey
Agenda Item: 7A	Date: March 17, 2009
Subject: To amend Chapter 4 concerning Business Licenses	

Background:

The Town's business license ordinance is amended as needed and usually in accordance with changes in the model ordinance as recommended by the Municipal Association of South Carolina. The last changes made to the Town's code were in 2004 but rates have not changed since adopted in 1994, nor have any changes been made to rates at this time. The changes presented will clarify definitions, eliminate ambiguity and duplication, and strengthen enforcement.

The primary changes to the Town's ordinance on business licensing are summarized as follows:

- Definitions added or amended: Board of Fee Appeals, Business, License Official, and Place of Business.
- License Fee: amended to clarify that a separate license is required for each place of business and each classification of business conducted from the same location.
- Inserted the rate class indexes previously omitted and correctly identified the U.S. Office of Management and Budget Standard Industrial Classification Manuals and Codes ("SIC Codes") as the Town's source for rate classification. Removed all reference to the NAICS codes.
- Added a penalty for failure to obtain a license and strengthened collection and enforcement procedures.
- Added a Board of Fee Appeals whose duties are to hear and determine appeals from the license official but cannot alter, amend or suspend the rates imposed by the Town.
- Clarified the procedure for out of town contractors and established a one-time license for out of town contractors.
- Eliminated all duplicated language in the code, eliminated specific lists of trades requiring or not requiring state licensing and replaced with applicable state and town code references.
- Special Events: amended to clarify license requirements for officially recognized Town events.

Recommendation:
The following departments and staff have reviewed and recommend approval as presented to the business license ordinance; Finance department; Business License staff, Planning, Building, and Zoning department in addition the Town's attorney reviewed and drafted the ordinance as presented.

Action:
Approve first reading of Ordinance # 09-0662 as presented.

Submitted by

Treasurer

Reviewed by

Town Attorney

Ordinance No. 12-0726
First Reading: 09/10/2012
Second Reading: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)
)
TOWN OF SURFSIDE BEACH)

AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH

TO AMEND §4-20.2 CLASSIFICATION AND RATES

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to amend the fees for contractors who perform work in the town on a per job basis during the business license year; and

WHEREAS, Town Council wishes to present a more business friendly contractor fee schedule,

NOW, THEREFORE, Section 4-20.2 *Classification and Rates* is hereby amended to read as follows:

SIC 15, 16, and 17 Contractors, construction, all types

		Income	Fee	Per $1,000.00 or Fraction Thereof
A.	Having permanent place of business within the town	First $2,000.00	$60.00	Plus $1.30 each additional $1,000.00 from work in or out of town
B.	Having permanent place of business within Horry County	First 2,000.00	90.00	Plus $1.95 each additional $1,000.00 from work within the town
C.	Having no permanent place of business within the town or Horry County	First 2,000.00	120.00	Plus $2.60 each additional $1,000.00 (nonresident double rates do not apply)

- A trailer or other temporary structure at the construction site, is not a permanent place of business under this article.

- The total fee for the full amount of a one-time project or contract of an out of town contractor shall be paid prior to commencement of ~~work-and~~ work and *(correction to delete hypen)* shall entitle the contractor to complete the job within the license period. The cost to extend the license issued for the ~~projector~~ project or contract shall require the applicant to pay the base fee in compliance with the schedule noted in [subsections] "B. and C. above". ~~Under no circumstances shall a contractor be allowed to begin another project or contract under the business licensed issued or extended.~~ All ~~new~~ additional projects require ~~a new~~ an updated business license. Only one base fee shall be paid in a license year.

- No contractor shall be issued a business license until all state and town license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

DRAFT

ISSUE PAPER FOR TOWN COUNCIL CONSIDERATION

Date Prepared: September 6, 2012 **Prepared by**: Sabrina Morris

Agenda Item: 7.C. **Meeting Date:** September 10, 2012

Subject: Request to amend the International Property Maintenance Code Chapter 3, Section 302 §302.4 to establish an allowed maximum height of 12 inches for weeds before enforcement action begins

BACKGROUND:

The Beautification Committee was asked to take up the issue of determining a maximum height weeds would get before enforcement would begin from the town. The International Property Maintenance Code, once adopted, cannot be revised except where allowed by the Code. The code gave the jurisdiction the authority to determine the height for weeds, as each jurisdiction is different in the way they want to enforce these kinds of nuisances.

The Beautification Committee met on August 15, 2012 at a publicly advertised meeting and voted unanimously to recommend 12 inches to Town Council.

ATTACHMENTS:

Ordinance for consideration

09/25/2012 Second Reading submitted for consideration without any changes.

Ordinance No. 12-0728
First Reading: 09/10/2012
Second Reading: _____

STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)	TO AMEND THE INTERNATIONAL PROPERTY
COUNTY OF HORRY)	MAINTENANCE CODE CHAPTER 3 SECTION 302 § 302.4
)	TO ESTABLISH AN ALLOWED MAXIMUM HEIGHT OF
TOWN OF SURFSIDE BEACH)	12-INCHES FOR WEEDS BEFORE ENFORCEMENT ACTION BEGINS

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled adopted the International Property Maintenance Code; and

WHEREAS, Chapter 3, Section 302 § 302.4 of the International Property Maintenance Code gives the jurisdiction the authority to regulate and decide on a maximum height for weeds before enforcement shall begin; and

WHEREAS, the Beautification Committee has voted unanimously to recommend a height of 12 inches to be the maximum height of weeds before enforcement begins ; and

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, has determined that the recommendation from the Beautification Committee is a positive and fair recommendation,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Chapter 3, Section 302 §302.4 is hereby amended to read:

> 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

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 September 2012.

_____
Douglas F. Samples, Mayor

_____
Mary Beth 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

Attest:

_____
Debra E. Herrmann, CMC, Town Clerk

Memorandum

To: Town Council
From: Debra E. Herrmann, CMC, Town Clerk
Date: September 20, 2012
Re: Recreation/Special Events Committee Member Resignation and Volunteer Appointment

Ms. Holston submitted a letter of resignation from the recreation/special events committee. Since the position was just advertised and appointments made at the last meeting, the other volunteers that submitted statements of interest are submitted again for your consideration to fill the vacancy.

FYI: Recreation/Special Events Committee - Advertising was published July 27, 2012 in The Sun News; also published on town website, town Facebook and town clerk Facebook pages, and posted on bulletin boards in town hall and council chambers.

Date	**Volunteer**
08/10/12	Pat Barnett
08/10/12	Mariann Croll

pat7107188@gmail.com

Pat Barnett
310D Lakeside Drive
Surfside Beach, SC 29575
304.710.7188

I would like to volunteer for the Recreation/Special Events Committee.

I was formerly special events marketing officer for a bank holding company, and have experience that would benefit the committee and the town.

My history with the town goes back to 1991 when I first purchased property here. Now Surfside Beach is my home, and I look forward to getting involved in the community.

Pat Barnett
08/10/2012

9-26-12 4:36pm 4m

Mariann Croll
723 2nd Avenue North
Surfside Beach, SC 29575
843.238.5578

August 10, 2012

TO WHOM IT MAY CONCERN:

Please consider me for membership on the recreation and special events committee.

Mariann Croll

Debra Herrmann

From: jojo838687@aol.com
Sent: Sunday, September 16, 2012 12:39 PM
To: aecrone134@gmail.com; gmaruca@aol.com; mfellner@surfsidebeach.org; bethkohlmann@surfsidebeach.org; ronmeadows13@yahoo.com; lynne@pendletongraphics.com; dellis@surfsidebeach.org; dherrmann@surfsidebeach.org
Subject: Re: Rec and special events committee meeting

After much thought and consideration I am writing this letter to remove myself from the Rec and Special Events Committee. Although I am more than willing for you to call upon me to volunteer for any event.

I have not been notified of meetings in a timely manner and have not received agenda following meetings. So unfortunily I feel I am unable at this time to give you what you need.

I do hope that we can work together in the future.

Thank you,

Betty Holston

-----Original Message-----
From: Anita Crone <aecrone134@gmail.com>
To: jojo838687 <jojo838687@aol.com>; gmaruca <gmaruca@aol.com>; Micki Fellner <mfellner@surfsidebeach.org>; bethkohlmann <bethkohlmann@surfsidebeach.org>; ronmeadows13 <ronmeadows13@yahoo.com>; Lynne Parker <lynne@pendletongraphics.com>; dellis <dellis@surfsidebeach.org>
Sent: Mon, Sep 10, 2012 7:59 pm
Subject: Rec and special events committee meeting

Just a reminder we will meet at 3 p.m., Thursday, Sept. 13, in the community center card room.

Resolution

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
TOWN OF SURFSIDE BEACH)

Resolution #00-012

WHEREAS, *there is a need for additional egress from the South Strand area in the event of hurricane and/or other disaster; and*

WHEREAS, *the Greater Burgess Community Association, through Robert E. Thompson, its chairman, has petitioned the South Carolina Department of Transportation and the Grand Strand Area Transportation Committee seeking approval and funding to extend Holmestown Road to the Intra-coastal Waterway and to construct a connector bridge between the end thereof to Highway 701;*

NOW, THEREFORE, BE IT RESOLVED, *that the Town of Surfside Beach by its Mayor and Town Council acknowledges the need for additional roadways and bridges for purposes of egress during natural disasters and affirms its support of the efforts made by the Greater Burgess Community Association.*

SIGNED, SEALED, AND ADOPTED THIS 12th DAY OF December 2000, 19x

MAYOR

TOWN COUNCIL

TOWN COUNCIL

TOWN COUNCIL

TOWN COUNCIL

TOWN COUNCIL

TOWN COUNCIL

ATTEST:

TOWN CLERK

Discusson Only

Debra Herrmann

From: Doug Samples [dougsamples@yahoo.com]
Sent: Monday, September 03, 2012 8:41 AM
To: Debra Herrmann
Subject: Re: Resolution #00-012 Supporting Burgess Community Bridge Request

Under discussion.

Sent from my iPhone

On Aug 31, 2012, at 8:13 AM, "Debra Herrmann" <dherrmann@surfsidebeach.org> wrote:

> In response to Mr. Thomas' public comments about the Burgess Community's efforts to get a bridge construction, the 2000 resolution adopted by council is attached below for your information.
>
> Please let me know if you wish this to be added to the agenda for the September 10th meeting.
>
> Debra
>
> Debra Herrmann, CMC, Town Clerk
>
> dherrmann@surfsidebeach.org - 843.913.6333
>
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>
> ---
>
> **From:** Canon5035 [mailto:COPIER@surfsidebeach.org]
> **Sent:** Friday, August 31, 2012 7:54 AM
> **To:** Debra Herrmann
> **Subject:** Resolution #00-012 Supporting Burgess Community Bridge Request
>
> <<...>>
>
> <2736_001.pdf>

=

Debra Herrmann

From: rodsmith@surfsidebeach.org
Sent: Monday, September 03, 2012 8:17 AM
To: Debra Herrmann
Subject: Re: FW: Resolution #00-012 Supporting Burgess Community Bridge Request

Debra

Yes

I would like this on the agenda.
I will think about what is written and make suggest changes.

Thanks
Rod Smith

Quoting Debra Herrmann <dherrmann@surfsidebeach.org>:

> In response to Mr. Thomas' public comments about the Burgess
> Community's efforts to get a bridge construction, the 2000 resolution
> adopted by council is attached below for your information.
>
> Please let me know if you wish this to be added to the agenda for the
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> Debra
>
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> dherrmann@surfsidebeach.org - 843.913.6333 Click Here to Subscribe to
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>
>

Debra Herrmann

From: Mary Beth Mabry [marybethmabry@gmail.com]
Sent: Friday, August 31, 2012 8:25 AM
To: Debra Herrmann
Subject: Re: FW: Resolution #00-012 Supporting Burgess Community Bridge Request

I would like it added for recommitment purposes. Could you just type a small statement that explains why it is in the packet.

On Aug 31, 2012 8:10 AM, "Debra Herrmann" <dherrmann@surfsidebeach.org> wrote:

In response to Mr. Thomas' public comments about the Burgess Community's efforts to get a bridge construction, the 2000 resolution adopted by council is attached below for your information.

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Debra

Debra Herrmann, CMC, Town Clerk

dherrmann@surfsidebeach.org - 843.913.6333

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From: Canon5035 [mailto:COPIER@surfsidebeach.org]
Sent: Friday, August 31, 2012 7:54 AM
To: Debra Herrmann
Subject: Resolution #00-012 Supporting Burgess Community Bridge Request

<<...>>

Debra Herrmann

From: Randle M Stevens [randlemstevensssbtc@gmail.com]
Sent: Friday, August 31, 2012 12:47 PM
To: Debra Herrmann
Subject: Re: FW: Resolution #00-012 Supporting Burgess Community Bridge Request

Debra, I am in agreement with this, and if everbody else wants it, then put it on the agenda. thanks Randle

On Fri, Aug 31, 2012 at 8:13 AM, Debra Herrmann <dherrmann@surfsidebeach.org> wrote:

In response to Mr. Thomas' public comments about the Burgess Community's efforts to get a bridge construction, the 2000 resolution adopted by council is attached below for your information.

Please let me know if you wish this to be added to the agenda for the September 10th meeting.

Debra

Debra Herrmann, CMC, Town Clerk

dherrmann@surfsidebeach.org - 843.913.6333

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From: Canon5035 [mailto:COPIER@surfsidebeach.org]
Sent: Friday, August 31, 2012 7:54 AM
To: Debra Herrmann
Subject: Resolution #00-012 Supporting Burgess Community Bridge Request

<<...>>

State of South Carolina)
County of Horry) ***Resolution #12-112***
Town of Surfside Beach)

Request Status of Southern Evacuation Lifeline

WHEREAS, in 2003 a feasibility study was made for the soon-to-be named Southern Evacuation Lifeline (SELL) to provide an alternative and improved route for coastal hurricane evacuation for the South Strand and Waccamaw Neck areas of Horry and Georgetown Counties; and

WHEREAS, in 2005 Hurricane Katrina demonstrated the need for an evacuation route and gave a new incentive to act quickly; and

WHEREAS, in 2006 the SELL Task Force was formed to use Federal and State South Carolina Department of Transportation funds to have an environmental study completed and after careful evaluation and deliberation to eventually pick an environmental friendly route; and

WHEREAS, in 2010 the SELL Task Force recommended making the evacuation route a toll road to insure early completion; but, no tolls would be collected during emergencies such as hurricanes; and

WHEREAS, on November 10, 2010 the Horry County Council agreed to ask the State Infrastructure Bank for $4 million; and

WHEREAS, in 2007 the Surfside Beach Town Council adopted Resolution #07-070 in support of the Southern Evacuation Lifeline and continues that support; and

WHEREAS, in 2012 as the Grand Strand community is approaching another hurricane season and no work has begun on the Southern Evacuation Lifeline, which would feed into and complement Interstate 73 when built;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Surfside Beach in assembly and by the authority thereof hereby request that the Horry County Council Chairman send a representative to a Surfside Beach Town Council meeting in the near future to give a report on the status of the SELL Evacuation Route, which is important for the health and safety of town residents and residents of the surrounding communities.

Signed, sealed, and adopted this the 10th day of April 2012.

_____
K. Allen Deaton, Mayor

_____
Vicki W. Blair, Town Council

_____
Robert F. Childs, III, Mayor Pro Tempore

_____
Ann Dodge, Town Council

_____
Mark I. Johnson, Town Council

_____
Douglas F. Samples, Town Council

_____
Roderick E. Smith, Town C

Item deferred by approved motion.

Discusson Only

Attest: _____
Debra E. Herrm K

Debra Herrmann

From: rodsmith@surfsidebeach.org
Sent: Tuesday, September 04, 2012 2:38 PM
To: Debra Herrmann
Subject: copy of 4/10/12 resolution with item 8 B for discussion.

Debra

With discussion item 8 B, please include a copy of the resolution supporting the SELL road that was on the agenda for the 4/10/12 town council meeting.

Resolution #12-112
Town of Surfside Beach)
Request Status of Southern Evacuation Lifeline

this resolution was deferred and never passed.

If you have a question please call

Rod Smith

SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
APRIL 10, 2012• 6:30 P.M.
TOWN COUNCIL CHAMBERS

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 and Councilmember Blair were absent. A quorum was present. Staff present: Administrator Duckett; Deputy Administrator Fellner, and Police Chief Frederick. Fire Chief Packard was on leave. Others present: Town Attorney Moss, and Town Clerk Herrmann.

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

Dr. Paul Alverson, Southern Baptist Convention Transitional Team, gave the invocation. Mayor Pro Tem Childs led the Pledge of Allegiance.

Mayor Pro Tem Childs introduced the first ever Miss Surfside Beach, Courtney Mauldin, and Miss Surfside Beach Teen, Brianna Barfield, who were recently titled through the Miss America Organization. They will be attending town events and performing community service throughout their reign.

3. **AGENDA APPROVAL.**

Mr. Smith moved to strike Business Item A. Resolution #12-112 from the agenda. Mr. Samples seconded. Mr. Smith explained that Councilmember Paul Price's mother passed away, and he could not attend this meeting. All voted in favor. **MOTION CARRIED.**

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

4. **MINUTES APPROVAL.**

Mr. Smith moved to approve the March 8 and 9, 2012 budget meeting minutes as presented. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

Mr. Smith moved to approve the March 27, 2012 regular meeting minutes as presented. Mr. Samples seconded. All voted in favor. **MOTION CARRIED.**

5. **PUBLIC COMMENTS – AGENDA ITEMS.**

There were no comments by the public.

6. **COMMUNICATIONS.**

A. Department Reports

i. Building & Zoning. Mr. Duckett presented the building and zoning report, a copy of which is on file. Mr. Samples asked if building inspections require a licensed building official. Mr. Duckett said yes. Mr. Samples said it appeared the average is seven inspections in two hours, and expressed concern that increased building activity during this time of year might hold up contractors and homeowners waiting on inspections. He appreciated that the City of Myrtle Beach was assisting the town, but wanted to insure that customer service to residents and businesses was the number one priority. Mr. Duckett said plan reviews are being done in Myrtle Beach. The inspector that comes daily brings the reviewed plans and picks up the new submissions. In most cases there is a one-day turnaround, which is the quickest

turnaround the town has ever had. Mr. Leath, Myrtle Beach city manager, has assured him that the town will have all of the assistance that it requires. Mr. Samples reiterated that work does not need to be held up.

ii. Police. Mr. Duckett presented the police report, a copy of which is on file. Mr. Smith asked how long the accreditation process would take. Mr. Duckett said about a year.

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

C. Administrator's Report – Update on Current Events. Mr. Duckett said there was no formal report, because it is election season. There is a runoff Tuesday, April 17th. He noted that mosquito spraying has started, and will be done twice weekly.

7. **BUSINESS.**

A. Resolution #12-112 – Request Status of Southern Evacuation Lifeline. This item was deleted by approved motion (See number 3 above.)

B. Resolution #12-113 – Declaration of Results – 2012 Municipal Election. Ms. Herrmann read the resolution into the record, a duly recorded copy of which is attached to these minutes and made a part hereof by reference. Mr. Smith moved to adopt Resolution #12-113. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

C. Appointment to Grand Strand Water and Sewer Advisory Board. Mayor Pro Tem Childs said that Denise Brown-Richardson was the only applicant. Mr. Smith moved to appoint Denise Brown-Richardson to the Grand Strand Water and Sewer Advisory Board. Mr. Samples seconded. All voted in favor. **MOTION CARRIED.** Mayor Pro Tem Childs announced that the appointment of Denise Brown-Richardson was confirmed.

8. **DISCUSSION.**

There was no discussion to come before this meeting.

9. **PUBLIC COMMENTS.**

"Harry Kohlmann, 1610 South Ocean Boulevard. I know that council can't do anything right now, but maybe the administrator with the public works can do something. We have a sanitation health problem in the rental zone. Unfortunately, the parking starts, you go into full effect for the parking on March 1st. But April 1st is when the tourists come and we only start the three-day pick up, I believe, on May 13th. You still have another month to go. You go down at the rental area there are garbage cans overflowing. Our sanitation has already come by, it was ten plastic bags next to a garbage can, they came by and picked them up. So, I just don't like (**) the problems out there. The solution would be to either bring another garbage can to them or next year start the season on April 1st. This way we'll have three pickups. Thank you."

10. **COUNCIL COMMENTS.**

Mayor Pro Tem Childs, "Well, I think I could start. First of all, I'd like to congratulate Mayor-elect, Mr. Samples. (*applause*) And councilwoman-to-be, Mary Beth Mabry. (*applause)* Stand up, Mary Beth! Thank you. Congratulations to both of you. Mr. Johnson."

Mr. Johnson, "Thank you Mr. Mayor Pro Tem. I would just like to also congratulate the two winners and remind people that the poles are open from seven a.m. to seven p.m. April 17th. As far as the garbage problem goes, I agree with Mr. Kohlmann. I've seen it myself. There seems to a problem, and maybe that's a big problem in that there are more people coming to the beach than we anticipated, but I certainly would like for that to be addressed by town staff, and that's all."

Debra Herrmann

From: Randle M Stevens [randlemstevensssbtc@gmail.com]
Sent: Wednesday, September 19, 2012 10:35 AM
To: debra hermann
Subject: To be put on the Agenda for Discussion for Council Meeting on Tuesday:

"Discussion to Establish a Town Policy that addresses the Tasking and Communication with the New Town Attorney on all Legal
Matters."

Debra , Please put the above Item on the Discussion Section of the Town Council Agenda for Tuesday. I have discussed this with Doug and he feels thats where it should go. Randle

BOARDS, COMMISSION, AND COMMITTEES -- 09/10/2012

Member Name	Phone	Mail Address and Email Address	E-Mail	Term Begin	Term End	Calendar & Training
Accommodation Tax Advisory Committee		***Resolution June 19, 1984***				
Carolyn Harbin	458-8341	144 Harbor Lights Drive	Carolyn@surfsidebeachrealtor.com	04/14/09	04/14/13	✓
Randy Harrison (Chairman) (Lodging)	238.5464	17-B Hwy 17 So, SB 29575	randy@harrisonrealtyco.com	02/22/11	02/22/15	✓
Cecil Chandler (Culture/Arts)	843.742.9802	611-A Surfside Drive 238-1318 h	cchandler@WPDE.com	09/09/12	09/09/16	✓
Phil Murdock	655.4600	1413 S. Ocean Blvd	pmurdock@scaliserealty.com	04/26/11	04/26/15	✓
Bruxanne Hein (Vice Chairman)	333.2034	526 17th Avenue North	bruxanne@yahoo.com	09/09/12	09/09/16	✓
Tony Daniell (hand del address 823 2nd Ave No.)	714.374.4424	POB 14283 29587	tdtdaniell@mindspring.com	04/26/11	04/26/15	✓
E. J. Servant III (Lodging)	238.4900	213 S Ocean Blvd, SB 29575 (x8900)	mil@surfsiderealty.com	02/22/11	02/22/15	✓
Construction Board of Adjustments & Appeals	Ord. 08-0640	Currently no members – 5 member board	Members must have exp in trades			
Board of Zoning Appeals						
Holly Watson	238-5513	319 N. Oak Drive, SB 29575	ripper135@gmail.com	10/14/08	10/14/12	✓
Ron Ott (Chairman)	446-3929	722 7th Ave N., SB 29575	boscobear@sc.rr.com	02/23/10	02/23/14	✓
Guy Lanham	238.0410	1020 Hickory Drive	guylanham@aol.com	09/09/12	09/09/16	✓
Ralph Magliette	843.839.2863	104 Harbor Lights Drive	magliet@aol.com	07/10/12	07/10/16	✓
Darrell Willm (Vice Chair)	238.5221	1113 Cedar Drive N., SB 29575	dcwaloha@aol.com	07/10/12	07/10/16	✓
Dan Sine	843.455.6319	418 S Poplar Drive 29575	dansine@sc.rr.com	08/09/11	08/09/15	✓
Blake Davis	843.450.3331	724-B Cypress Drive 29575	realtorblake@gmail.com	10/11/11	10/11/15	✓
Election Commission – State Law Requires	**6-year terms**					
Peggy Inman	232.1880	621 8th Avenue S	maxpeg1@sc.rr.com	12/08/09	12/08/13	✓
Judy Engelhard	843.424.8758	315 6th Avenue S 29575	judyengelhard@gmail.com	07/10/12	07/10/18	✓
Judy Tuttle	238.0251	515 13th Avenue North 29575	judytuttle21@yahoo.com	10/11/11	10/11/17	✓
Grand Strand Water & Sewer Advisory Board						
Denise Brown-Richardson	843.997.0750	1022 Bay Drive	bizservice@live.com	07/01/12	06/30/14	✓
Planning & Zoning Commission						
Carrie Johnson	843.357.9404	617 9th Avenue South	cj_ins@sccoast.net	07/10/12	07/10/16	✓
Betty Lowery	340-4876	619 4th Avenue, North	blowery@sc.rr.com	03/22/11	03/22/15	✓
Marty Rhoades	421-8599	1018 Cedar Drive S	rhoadesrunner@hotmail.com	05/11/10	05/11/14	✓
Sandra Elliott	843.712.2207	611 5th Avenue N	jselliott@sc.rr.com	07/10/12	07/10/16	✓
Mikey Pruitt (Chair)	655.1434	116 S. Yaupon Drive	mikey@pruittelectric.com	05/11/10	05/11/14	✓ 2012
Mary Ellen Abrams	238.8862	311 13th Avenue North	Mabrams001@sc.rr.com	05/11/10	05/11/14	✓ 2012
Shane Watson	843.333.0346	621 Pine Drive	sawatson23@gmail.com	07/10/12	07/10/16	✓

Pursuant to #11-0698 Members may serve on multiple boards, commissions, and/or committees and may serve multiple terms.

FYI

BOARDS, COMMISSION, AND COMMITTEES -- 09/10/2012

Member Name	Phone	Mail Address and Email Address	E-Mail	Term Begin	Term End	Calendar & Training
Stormwater Committee		***Created October 10, 2000***				
Ken Harbin	458.8340	144 Harbor Lights Drive	ken@surfsidebeachrealtor.com	11/27/07	11/27/11	✓
Dan Sine (Vice Chair- 2011 & 2012)	843.455.6319	418 S. Poplar Drive	dansine@sc.rr.com	11/27/07	11/27/11	✓
P.L. Mabry	712.2157	517 15th Ave N	Pl1mabry@gmail.com	11/27/07	11/27/11	✓
Melodye Lane-Laveglia	238.8901	1510 Cedar Dr N	Melodye@Melodye.com	06/09/09	06/09/13	✓
Ken Harth (Chairman – 2012)	232.0820	1416 Spruce Drive	kah2n1@sc.rr.com	08/10/10	08/10/14	✓
Carolyn Ross	803.238.8050	615 3rd Ave S	Cjrt63@yahoo.com	03/22/11	03/22/15	✓
Harry Kohlmann	843.750.0554	1610 S Ocean Blvd	HK2624@aol.com	03/22/11	03/22/15	✓
Keep Surfside Beach Beautiful		***Resolution 12-116- June 22, 2012***				
Dora Eaddy	843.238.5783	628 Surfside Drive	None	07/10/12	07/10/16	✓
Mary Ann Hunt	843.238.1704	516 Cypress Drive	None	07/10/12	07/10/16	✓
Mary Ellen Abrams	843.238.8862	311 13th Ave N	mabrams001@sc.rr.com	07/10/12	07/10/16	✓
Al Stein	843.477.8434 h	410 Cherry Drive	surfsidebeachbum@yahoo.com	07/10/12	07/10/16	✓
Etta Stein	843.687.3274 c	410 Cherry Drive	surfsidebeachbum@yahoo.com	07/10/12	07/10/16	✓
Shelby Smith 843.828.1186 h	843.602.3118 c	911 Cedar Drive N	shelbybsmith@hotmail.com	07/10/12	07/10/16	✓
Jim Toney	843.251.3690	517 5th Avenue S	jim@homeaccents2.com	07/10/12	07/10/16	✓
Nancy Weber	843.839.9088	131 Harbor Lights Dr	nancyjweber@gmail.com	07/10/12	07/10/16	✓
Lynda Peckham	?	117 Harbor Lights Drive	genepellicci@yahoo.com	07/10/12	07/10/16	✓
Peggy Sattelmeyer	843.333.3862	519 13th Ave N	peggy.sattelmeyer@gmail.com	07/10/12	07/10/16	✓
Al Lauer	843.213.1885	124 Harbor Lights Drive	speddaddy@aol.com	07/10/12	07/10/16	✓
Terri Lauer	843.213.1885	124 Harbor Lights Drive	speddaddy@aol.com	07/10/12	07/10/16	✓
Ron Gaskins	843.241.3038	315 13th Avenue N	rgaskins3@sc.rr.com	07/10/12	07/10/16	✓
Sara Saunders	843.238.1821	313 6th Ave S	rsaunders7@sc.rr.com	07/10/12	07/10/16	✓
Jerry Strange 843.450.5906 c	843.213.3111 h	713 7th Avenue South	jstrange5@sc.rr.com	08/28/12	08/28/16	✓
Ann Dodge				09/10/12	Council	
Recreation/Special Events		***Resolution 12-117 –June 22, 2012***				✓
Gene Maruca	?	116 7th Ave S	gmaruca@aol.com	07/10/12	07/10/16	✓
Anita Crone 910.551.4591 c	843.650.7363	213 15th Ave S, Apt. B 29575	aecrone134@gmail.com	07/10/12	07/10/16	✓
Lynn Parker	864.933.5232	123 Harbor Lights Drive	lynne@pendletongraphics.com	07/10/12	07/10/16	✓
Ron Saunders 843.333.1011 c	843.238.1821	?	rsaunders7@sc.rr.com	09/10/12	09/10/16	✓
Ron Meadows 843.238.2233 w	843.238.8862 h	615 6th Ave N	ronmeadows13@yahoo.com	07/10/12	07/10/16	✓
Glen Curtis 843.6503.5979 c	843.650.9305	257 Palladium Drive 29575	Bigdaddyglen22@yahoo.com	09/10/12	09/10/16	✓
Beth Kohlmann 631.252.6157 c	843.750.0554 h	1610 S Ocean B	BethKohlmann@SurfsideBeach.org	08/28/12	Council	

Pursuant to #11-0698 Members may serve on multiple boards, commissions, and/or committees and may serve multiple terms.

BOARDS, COMMISSION, AND COMMITTEES -- 09/10/2012

Member Name	Phone	Mail Address and Email Address	E-Mail	Term Begin	Term End	Calendar & Training
Municipal Court Appointments		***§14-25-15(A)&(B) and Rule 509***				
Valerie Wentz		Associate Judge/Clerk of Court		07/25/12	07/25/16	
Valerie Riley		Associate Judge/Asst. Clerk of Court		07/25/12	07/25/16	
Parking Committee		***Resolution #12-119 adopted 07/10/2012***				
John Ard	843.421.0590 c	612B Cypress Drive	johnard47@yahoo.com	08/14/12	08/14/16	
Everett Goff 267.278-5318 c	843.213.3631 h	209 Millwood Drive	trooperev@hotmail.com	08/14/12	08/14/16	
Harry Kohlmann	843.750.0554	1016B South Ocean Boulevard	HK2624@aol.com	08/14/12	08/14/16	
Gene Maruca		116 7th Avenue S 29575	gmaruca@aol.com	08/14/12	08/14/16	
Ron Saunders 843.333.1011 c	843.238.1821 h	313 6th Avenue South	rsaunders7@sc.rr.com	08/14/12	08/14/16	
Steve Shore	843.880.0065 c	611 1st Avenue North	catchupi@aol.com	08/14/12	08/14/16	
Ralph Vint	773.551.1090 c	POB 16275 m 614 N Hollywood Dr h	ralphvint@hotmail.com	08/14/12	08/14/16	
Business Committee		***Resolution #12-118 adopted 07/24/12***				
Donna Nathlar	843.839.9494	Just for You Salon & Spa 1508 Hwy 17 Bus	justforyousas@gmail.com	09/10/12	09/10/16	
Amelia Toney	843.232.1100	Home Accents II furniture & Home Accessories, 410 Bus 17 South	sales@homeaccents.com	09/10/12	09/10/16	
Lee Zulanch 843.222.2398 c	843.477.1100	Benjamin's Bakery, 810 3rd Avenue So	benjaminsbakery@sc.rr.com	09/10/12	09/10/16	
Joe Cotter	?	Hairazors, ?	dragonflybeverage@sc.rr.com	09/10/12	09/10/16	
Bert Krassin	?	Ocean Pines HOA President 617 13th Ave So #118	Bert.krassin@gmail.com	09/10/12	09/10/16	
Chance Hall	843.650.4130	Hall's Auto Repair, 1401 Hwy 17 S	Hallson544@yahoo.com	09/10/12	09/10/16	
Sammy Truett	?	Moore & Associates ?	mooreandassociates@earthlink.net	09/10/12	09/10/16	
Randle Stevens	843.839.3768	421 1st Avenue North	RandleStevens@surfsidebeach.org	Council		
Town Council Subcommittees	**Committee**	**Member**	**Member**			
(Mayor is ex officio member of all committees)	**Finance**	Mayor Pro Tem Mabry	Councilmember Stevens			
	Infrastructure	Councilmember Smith	Councilmember Johnson			
	Organizational	Councilmember Dodge	Councilmember Kohlmann			

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

PUBLIC NOTICE: Town Council Finance Subcommittee Meeting, Thursday, September 27, 2012 at 3:00 p.m. in Town Hall.

TOWN COUNCIL REGULAR MEETING

COUNCIL CHAMBERS

TUESDAY, SEPTEMBER 25, 2012 • 6:30 P.M.

AGENDA

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

2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
   Pastor Marty Parker, Glenns Bay Baptist Church confirmed

3. **AGENDA APPROVAL**

4. **MINUTES APPROVAL** –
   A. ✓ Regular Meeting September 10, 2012 ✓P
   B. ✓ Special Meeting August 31, 2012 ✓P
   C. ✓ Special Meeting September 12, 2012 ✓P
   D. ✓ Special Meeting September 18, 2012 ✓P
   print for signature

5. **PUBLIC COMMENTS** – 3-minutes per speaker

6. **COMMUNICATIONS**
   A. ✓ Employee Recognition - Chris Bolster, 5-Year Service Award done ✓
   B. ✓ Proclamation #12-76, ~~STOMP Out Bullying™ Day~~, Patrick Kohlmann, Teen Ambassador done ✓
   World Day of Bullying Prevention
   C. Department Reports
      i. Finance
      ii. ✓ Recreation
      iii. ✓ Public Works
   C. Administrator's Report – Update on Current Events

7. **BUSINESS**

   A. ✓ Second Reading Ordinance No. 12-0726, Amend §4-20.2 Classification and Rates, One-Time Project by Out of Town Contractors ✓Print
   B. ✓ Second Reading Ordinance No. 12-0728, Amend Chapter 3, §§302 & 032.4 International Property Maintenance Codes – Maximum Weed Heights ✓Print.
   C. ✓ Recreation/Special Events Committee Appointment (1) (Deferred until after Executive Session)

8. **DISCUSSION** Task/comm w/ Town Atty - Stevens ✓

A. ✓ Resolution #00-012, Supporting Greater Burgess Community Association, Mayor Pro Tem Mabry, and Councilmembers Smith and Stevens

B. ✓ Resolution #12-112, Request Status of Southern Evacuation Lifeline, Councilmember Smith

C.

D. Any matters of concern or information to be discussed by Town Council.

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

10. **COUNCIL COMMENTS**

11. **EXECUTIVE SESSION**

Pursuant to FOIA §30-4-70(a)(1) to consider an appointment to the Recreation/Special Events Committee. Volunteers are Pat Barnett and Mariann Croll.

12. **ADJOURNMENT**

Reminders

Administration
→11/08/11 Administrator identify issues and permitting fee relating to permitting docks (concurred)
→detailed breakdown of contract services (05/10/2012)
→update golf cart laws by end of September
→evaluate Section 2-61(j) that *requires* annual written reports from boards, commissions and committees, except *ad hoc* committees - committees all recommend to town council; any committee may address council at any time by contacting clerk to be placed on agenda (October discussion)
→Beach Services franchise expires 03/2013 - RFP?

B&Z
→copy of draft land use element to town council when available 06/11/2012
→list of all addresses that change on the final zoning maps (05/10/2012)

Finance
→Motion approved: transfer $45,000 per year from hospitality funds for the next ten years into a beach renourishment fund; Ms. Hursey said a resolution would restrict the funds and an ordinance would commit the funds; she would bring options to council for consideration. (05/10/2012)
→staff to evaluate health plan and make a recommendation at the end of current policy term (05/10/2012)

→recommendation to be presented to council to establish emergency funds (05/10/2012)

Public Works
→Presentation to town council sometime in August about sanitation program (06/25/2012)
→Parking Management Vendor: Council agreed that more information about a vendor should be presented for its consideration. (Budget Meeting 03/08/12)
→Mr. Samples asked Mr. Adair for a list of the streets and estimated costs for the repairs that need to be done. (Budget Meeting 03/08/12)
-Council requested copy of DDC underground wiring oversight contract (05/10/2012)
-Staff to bring proposal to increase expenditures for anticipated pier improvements (05/10/2012)
→Staff to evaluate sanitation rates and bring a recommendation to town council for FY2013-2014 (05/10/2012)
→Report from staff on average number of miles paved annually for the past three years using CTC funds (05/10/2012)
→Report on new parking meters; cannibalization use, costs, etc. (07/24/2012)

Recreation
→research the cost of reusable banners that could be used to advertise special events (05/10/2012)
→evaluate staff time and town costs for Guy Daniels surf off (08/28/2012)

Police
→07/24/2012 Ordinance to address placards for golf carts

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English

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subject	PUBLIC NOTICE: 09/25/2012 Town Council Meeting Agenda
from field	Surfside Beach Info mailinglist@surfsidebeach.org
to field	
reply to	
message	The September 25th, Town Council meeting agenda and supporting documents are attached, and are also published at **http://www.surfsidebeach.org/agenda-2012.html**; a printed copy is available in the town clerk's office for public inspection prior to the meeting. The public is invited to attend all meetings. Time is allotted at all regular meetings for public comments on agenda items and general comments. This transmission is pursuant to the Freedom of Information Act §30-4-80. *If you cannot open the attachments, please choose the **"PREFERENCES"** link below and check the "HTML" box when the screen opens. This should correct the problem for future publications.*
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embargo	2012-09-20 13:01:00
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sent	2012-09-20 13:52:18
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template	0
processed	554
as text	531

as html	23
as pdf	0
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Attachments for this message	
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Filename:	09252012_tc_agenda_8b_res_12_112_request_status_southern_evacuation_lifeline.pdf
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Mime Type:	application/pdf
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Debra Herrmann

From: Surfside Beach Info [mailinglist@surfsidebeach.org]
Sent: Thursday, September 20, 2012 1:37 PM
To: dherrmann@surfsidebeach.org
Subject: PUBLIC NOTICE: 09/25/2012 Town Council Meeting Agenda
Attachments: 09252012_tc_agenda.pdf; 09252012_tc_agenda_4a_09102012_minutes_draft.pdf; 09252012_tc_agenda_4c_09122012_special_minutes_draft.pdf; 09252012_tc_agenda_4b_08312012_special_minutes_draft.pdf; 09252012_tc_agenda_4d_09182012_special_minutes_draft.pdf; 09252012_tc_agenda_6a_employee_award.pdf; 09252012_tc_agenda_6b_proc_12_76_bully_prevention.pdf; 09252012_tc_agenda_6ci_finance.pdf; 09252012_tc_agenda_6cii_recreation.pdf; 09252012_tc_agenda_6ciii_public_works.pdf; 09252012_tc_agenda_7a_2nd_reading_ord_12_0726_one_time_contractor_fee.pdf; 09252012_tc_agenda_7b_2nd_reading_ord_12_0728_weed_height.pdf; 09252012_tc_agenda_7c_rec_spec_events_appointment.pdf; 09252012_tc_agenda_8a_res_00_012_supporting_burgess.pdf; 09252012_tc_agenda_8b_res_12_112_request_status_southern_evacuation_lifeline.pdf

The September 25th, Town Council meeting agenda and supporting documents are attached, and are also are published at http://www.surfsidebeach.org/agenda-2012.html; a printed copy is available in the town clerk's office for public inspection prior to the meeting.

The public is invited to attend all meetings. Time is allotted at all regular meetings for public comments on agenda items and general comments.

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

If you cannot open the attachments, please choose the "PREFERENCES" link below and check the "HTML" box when the screen opens. This should correct the problem for future publications.

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POWERED BY PLIST

Photos submitted
by Ms. Burgess
Pier at Tybee Island
Georgia

OLD FASHIONED
PIZZA
Burgers
Hot dogs
Nachos
SOFT DRINKS
Riptide GRILL
Riptide GRILL
Tybee
PIER & P
Georgia's Peac

16A

HAZARDOUS HOUSEHOLD WASTE and UNWANTED ELECTRONICS DROP OFF EVENTS

for Town of Surfside Beach RESIDENTS ONLY!

Beginning in 2012 these items, which are banned from curbside collection, may be dropped off on the last weekend in April and September.

Drop Off Dates: 2012 – April 27-29th/September 28-30th

2013 – April 26-28th/September 27-29th

2014 – April 25-27th/September 26-28th

2015 – April 24-26th/September 25-27th

Drop off items at the Surfside Beach Public Works Facility, 740 Sandy Lane from 9 a.m. to 1 p.m.

HHW Items ACCEPTED include:

Paints	Pesticides	Herbicides
Solvents	Gasoline Mixtures	Aerosols
Batteries	Corrosive Materials	
Cleaning Products	Fluorescent bulbs	

Items NOT ACCEPTED include:

Medical waste, Explosives, Radioactive materials

E-Waste Items ACCEPTED include:

Computers	DVD Players
Fax Machines	Printers
Monitors	Stereos
Televisions	VCRs

Items NOT ACCEPTED include:

Large appliances (including refrigerators & air conditioners)

For more information, call the Town of Surfside Beach at (843) 913-6360

Phoenix EnviroCorp

August 30, 2012

Dennis Todd
Town of Surfside Beach
115 Hwy 17 North
Surfside Beach, SC 29575

RE: PEC Job # 21-12-190-IAQ-M; Town of Surfside Beach Courthouse, 115 Hwy 17 North, Surfside Beach, SC – Mold investigation

Enclosed are the results of the mold investigation conducted at the above referenced facility on August 23, 2012. This investigation included the collection of non-viable air and surface samples, a visual assessment for mold growth and water damage, collection of moisture content measurements, and an assessment of relative humidity levels.

Background Information: Phoenix EnviroCorp (PEC) was retained to conduct a mold investigation and to draft a remediation protocol. The client reported issues with mold growth within the courthouse, most recently with growth behind the wallpaper in the court room. The walls of the left side offices were removed approximately 8 years ago due to mold growth.

Note: "Front" is determined by facing Hwy 17 North from inside of the building.

Mold Testing – Air: Spore trap air samples were collected to determine airborne mold spore levels. Samples were collected within the court room, front right employee restroom, rear right unisex restroom, left rear office, left central office, and left front office. *All air samples were collected from centralized locations (within their respective areas) and within the breathing zone.* Two samples were also collected outside of the building for comparative purposes.

Results indicated acceptable airborne mold levels in all sampling locations.

Mold Testing – Surface: Non-viable surface samples were collected from areas of suspect mold growth. Sampling locations and results are as follows:

Location	Result
Court room – front wall drywall from behind wallpaper	Moderate *Stachybotrys*
Court room – water damaged ceiling tile	Very Light *Cladosporium*
Left rear office – wood ceiling truss above drop ceiling tile	Light *Cladosporium* Heavy *Penicillium/Aspergillus*

Moderate and **Heavy** concentrations indicate mold growth. **Very light** and **Light** concentrations are generally indicative of normal indoor conditions.

Mold Descriptions: Whether or not a mold is considered allergenic or mycotoxin-producing, individuals who are highly sensitive to mold and/or those with compromised immune systems may be affected by its presence. Occupants should discuss any health concerns with a qualified physician.

4020 Shipyard Boulevard • Wilmington, NC 28403 • (910) 397-0370 • Fax (910) 313-6094

FYI

Cladosporium Can be considered allergenic.

Penicillium/Aspergillus Considered highly allergenic. Some species of both *Penicillium* and *Aspergillus* are known to produce mycotoxins; however, due to the nature of the non-viable sampling method utilized, the species were not identified. Indicator of high water activity in that its growth is dependent on high moisture content within the surface on which it is growing.

Stachybotrys Species known to produce mycotoxins. Indicator of high water activity in that its growth is dependent on high moisture content within the surface on which it is growing.

Visual Inspection: PEC's visual inspection noted the following (see enclosed photographic documentation):

Court room

- Mold growth on the drywall behind wallpaper throughout
- Water staining in lower left corner of left window on the front wall
- Drywall cracking at top right corner of left window on the front wall
- Water damage and mold growth on the ceiling tile near the ceiling HVAC supply vent on the left side of the room; Rust to the metal ceiling tile grid above the drop ceiling in this same area
- Water damage to the ceiling tile in the central section of the room
- Large gaps around the right exit door

Front right employee restroom/foyer to restroom

- Water damage to the ceiling tile around the HVAC supply vent in the foyer
- Bowing and light water damage to the ceiling tile around the HVAC supply vent in the restroom
- Rust around the ceiling supply vent above the drop ceiling

Rear right unisex restroom/foyer to restroom

- Water damage and mold growth on the ceiling tile around the HVAC supply vent

Left rear office

- Suspect mold growth/debris on the window frame
- Water damage to the ceiling tile near the left wall
- Condensation on the white pipe above the drop ceiling and suspect mold growth on the ceiling truss adjacent to the pipe

Moisture Readings: Moisture readings were collected of components with either a Delmhorst moisture meter (D) or the Tramex Survey Encounter (T). *Readings are denoted with either a D or T to indicate which meter was used.* For the Delmhorst moisture meter, normal moisture content should range between 10-12% in drywall components and be below 15% for wood products. For the Tramex Survey Encounter, moisture content below 50% is considered normal for drywall components and below 18% for wood products.

Moisture content measurements were as follows:

Court room

- Front wall drywall (exterior wall) – 40-70% (T)
- Left wall drywall (interior wall) – 25-40%
- Rear wall drywall – 60-80% (T)
- Right wall drywall adjacent to bathrooms (interior wall) – 20-23% (T)
- Right wall drywall near exit (exterior wall) – 40-60%

Front right employee restroom

- Front wall drywall – 40% (T)
- Left wall drywall – 20% (T)
- Right wall drywall – 40-60% (T)

Rea right unisex restroom/foyer to restroom

- Right wall drywall in restroom – 20-25% (T)
- Left wall drywall in restroom – 0% (T)

- Rear wall drywall in restroom – 20% (T)
- Right wall drywall in foyer – 15-18% (T)

Left rear office

- Rear wall drywall – 12% (D)
- Right wall drywall – 15% (D)
- Left wall drywall – 35% (D)
- Front wall drywall – 5% (D)

Left central office

- Left wall drywall – 35% (D)
- Front wall drywall – 5% (D)
- Right wall drywall – 12-15% (D)
- Rear wall drywall – 5% (D)

Left front office

- Left wall drywall (exterior wall) – 15% (D)
- Right wall drywall – 5% (D)
- Front wall drywall (exterior wall) – 12% (D)
- Rear wall drywall – 5% (D)

Rear entrance/rear left closet

- Left and rear wall drywall (exterior walls) – 35% (D)

Readings indicate that exterior walls are holding excessive moisture. Readings of the interior walls are generally within acceptable ranges.

Relative Humidity (RH): *Temperature and relative humidity readings were collected in the same locations as the spore trap air samples.* RH levels within the building ranged from 61.8-72.2%. Per the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) Standard 62-1999, relative humidity should range between 30% and 60%.

Conclusions: Air sampling did not identify an airborne mold problem within building. However, the surface mold growth, in combination with the elevated moisture readings, indicates that the courthouse warrants mold remediation. Enclosed is a remediation protocol that outlines specific mold removal and clean up activities. A professional contractor who is knowledgeable in mold abatement should be retained to conduct all remediation activities.

The areas of water damage on the ceiling tiles are possible indicators of either roof leaks or condensation from pipes above the drop ceiling. Prior to commencement of any remediation activities, the source of all water intrusions, leaks, and/or moisture problems should be detected and remedied. If not remedied, mold can be expected to return.

All of the relative humidity readings within the court room, counsel chamber, and Judge's chamber were high. PEC recommends that the HVAC system shall be checked for proper function and operation by a professional HVAC consultant, paying special attention to humidity and/or condensation issues. This consultation shall include, but not be limited to, proper sizing of the system, proper ventilation of all interior areas, and detecting and correcting leaks within the system.

All penetrations leading to non-climate controlled environments should be checked to ensure proper installation of fixtures, proper sealing of penetrations, and for sufficient insulation around penetrations. Special attention should be paid to the right side exit door within the court room where large gaps are apparent. Improper installation of fixtures, improper sealing around penetrations, or inadequate insulation can allow non-climate controlled air to infiltrate the interior environment creating a condition that can be conducive to mold growth.

In the remediation protocol, all wallpaper within the court room will be removed. PEC does not recommend re-installing wallpaper, especially on exterior walls. Wallpaper traps moisture between

itself and its sustaining surface, and with the exterior walls already holding moisture, it is likely that mold growth will return if wallpaper is re-applied.

On the building's exterior, there is an opening in the brick and siding in the front left area. This may allow moisture into the wall cavity, creating or exacerbating the moisture issue within the exterior walls. Also, the gutter and air conditioning drain pipe are emptying right next to the building's foundation. These should be directed farther away from the building's foundation.

After remediation activities are completed, but before put back of removed components, post remediation verification testing should be conducted. Not only will this ensure that mold levels are of acceptable levels, but will also ensure that the outlined remediation activities have been successfully completed. Upon notice, PEC will conduct post remediation verification testing at an additional cost to the initial investigation that has already been completed.

Should you have any questions, please do not hesitate to call.

Thank you,

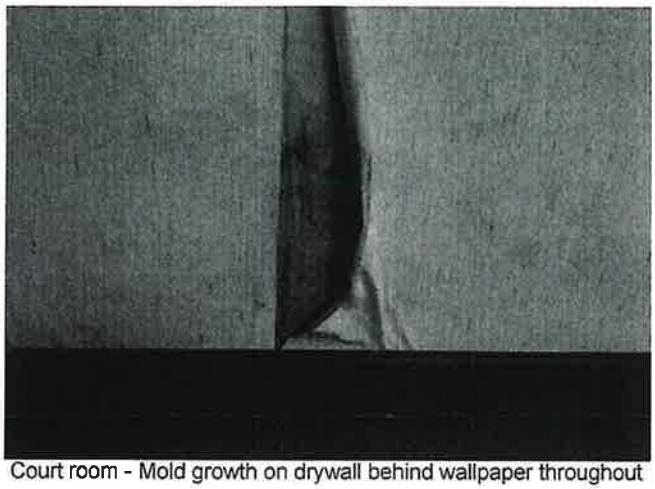
Eric Mauritz

Eric Mauritz, Industrial Hygiene Technician

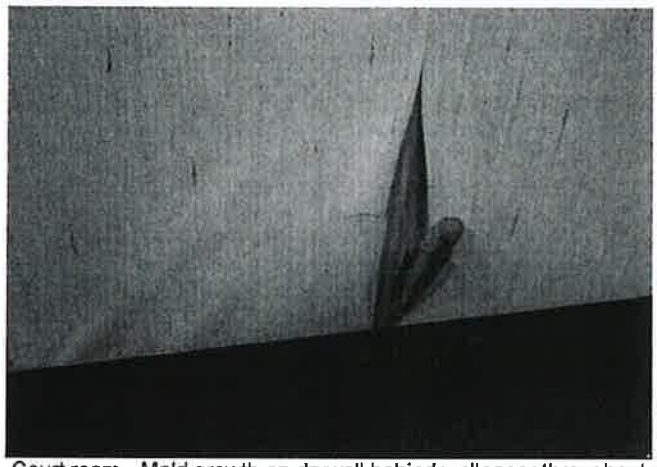
Warren Plautz

Warren Plautz, CIEC

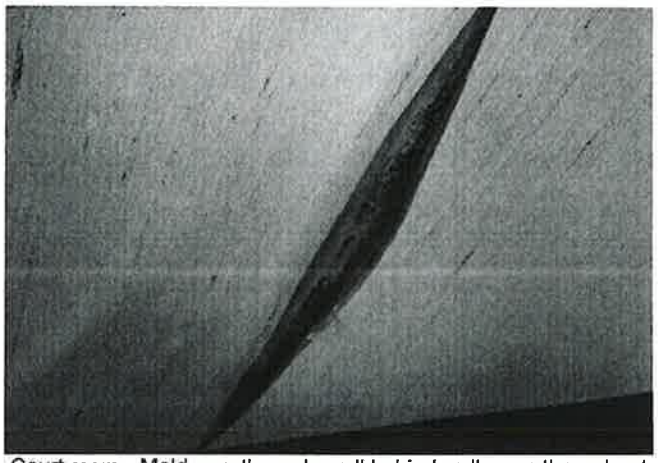
Enclosures



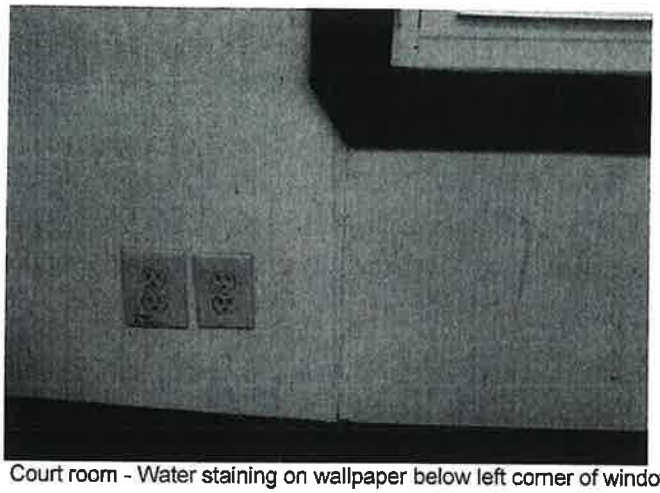
Court room - Mold growth on drywall behind wallpaper throughout



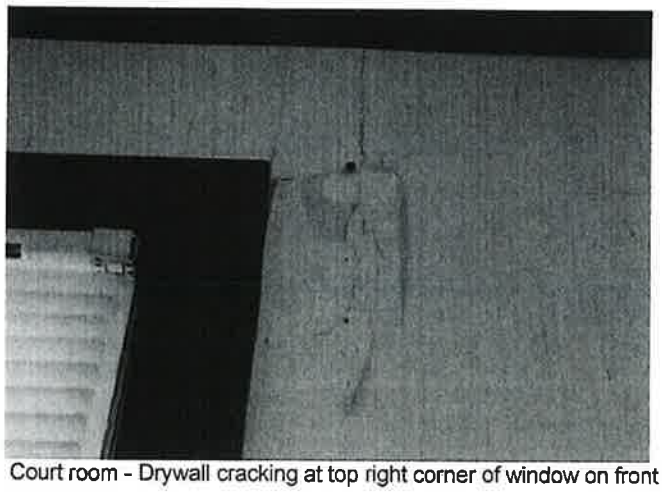
Court room - Mold growth on drywall behind wallpaper throughout



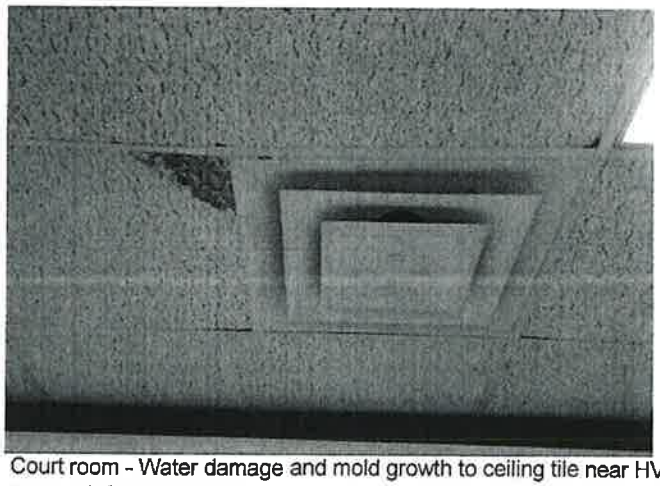
Court room - Mold growth on drywall behind wallpaper throughout



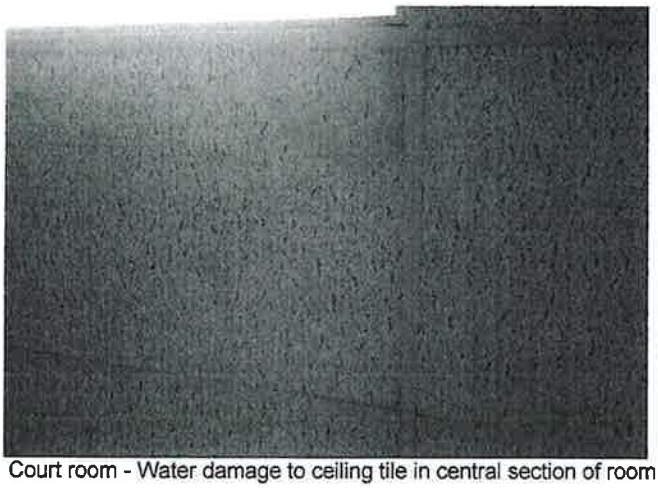
Court room - Water staining on wallpaper below left corner of window on front wall



Court room - Drywall cracking at top right corner of window on front wall

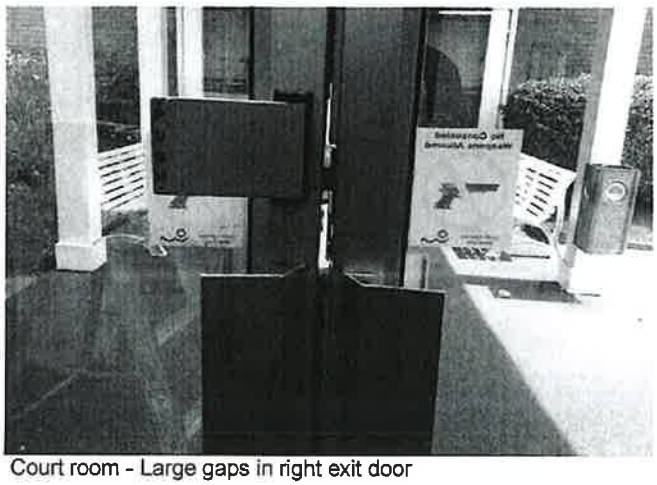


Court room - Water damage and mold growth to ceiling tile near HVAC supply vent on left side of room

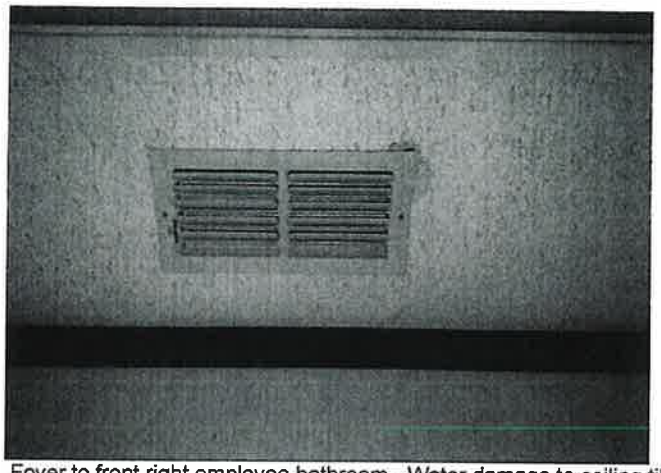


Court room - Water damage to ceiling tile in central section of room

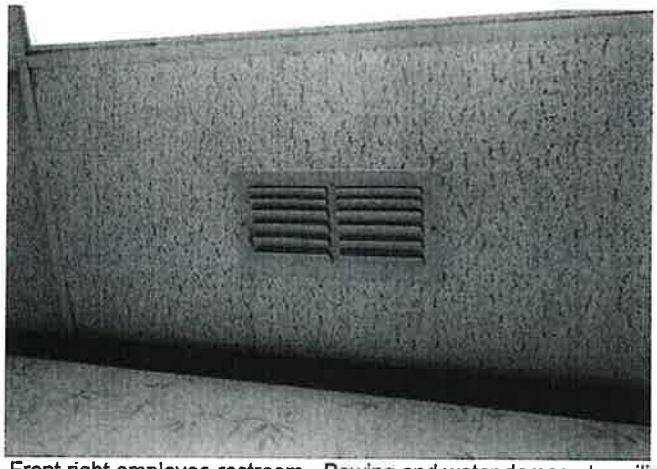
Court room - Rust on metal ceiling tile grid above the drop ceiling



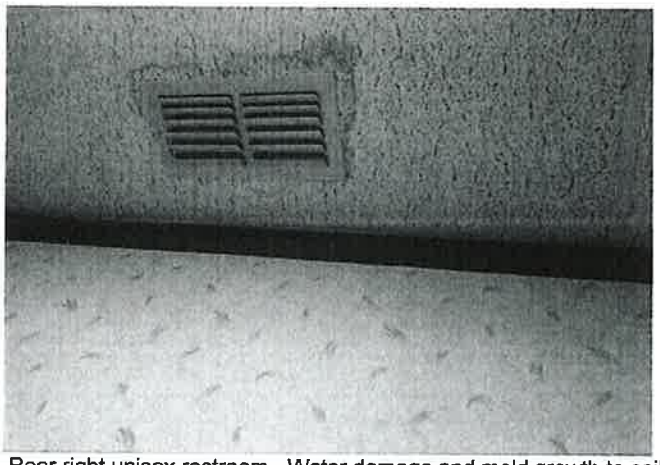
Court room - Large gaps in right exit door



Foyer to front right employee bathroom - Water damage to ceiling tile around HVAC supply vent

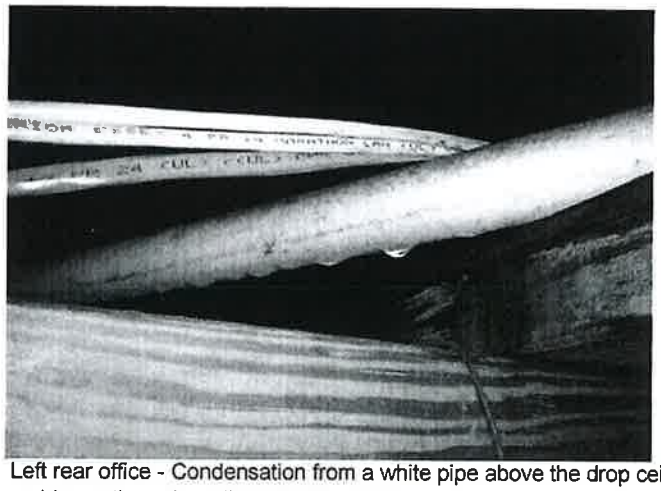


Front right employee restroom - Bowing and water damage to ceiling tile around HVAC supply vent



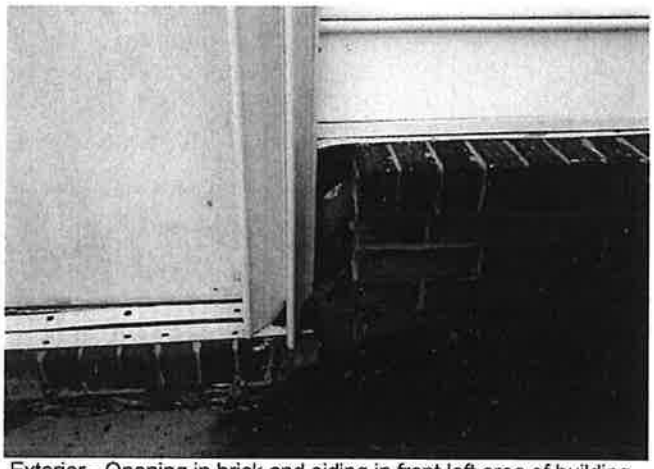
Rear right unisex restroom - Water damage and mold growth to ceiling tile around HVAC supply vent

Left rear office - Water damage to ceiling tile near left wall



Left rear office - Condensation from a white pipe above the drop ceiling and mold growth on the adjacent ceiling truss

Exterior - Gutter draining next to building's foundation



Exterior - Opening in brick and siding in front left area of building

Spore Trap Report

Attn: Marlene Stewart	Date Sampled: 08/23/12
Phoenix Enviro Corp	Date Received: 08/27/12
4020 Shipyard Blvd.	Date Analyzed: 08/27/12
Wilmington, NC 28403	Date Reported: 08/27/12
	Date Revised:
	Project Name: Town of Surfside Beach
	Project Number: 21-12-190-IAQ-M
	SEEML Reference # : 120827017

TEST METHOD: DIRECT MICROSCOPY EXAMINATION AT 400X (100% OF TRACE ANALYZED) SEEML SOP 1

Client Sample ID	082312-EM-01			082312-EM-02			082312-EM-03		
Location	Court Room			Front Right Employee Restroom			Rear Right Employee Restroom		
Lab Sample ID	120827017-098			120827017-099			120827017-100		
Detection Limit (spores/m^3)	40			40			40		
Hyphal Fragments	3	120							
Pollen									
Spore Trap Used	M5			M5			M5		
	raw ct.	spores/m^3	%	raw ct.	spores/m^3	%	raw ct.	spores/m^3	%
Alternaria									
Ascospores							1	40	8
Aureobasidium									
Basidiospores	4	160	40	2	80	50	5	200	42
Bipolaris/Drechslera									
Botrytis									
Chaetomium									
Cladosporium	5	200	50	1	40	25	5	200	42
Curvularia									
Epicoccum									
Cercospora									
Fusarium									
Nigrospora									
Penicillium/Aspergillus				1	40	25			
Rusts									
Smuts/Periconia/Myxomy							1	40	8
Stachybotrys	1	40	10						
Stemphylium									
Torula									
Ulocladium									
Colorless/Other Brown 2									
Oidium									
Zygomycetes									
Pithomyces									
Background debris (1-5)3	3			3			3		
Sample Volume(liters)	25			25			25		
TOTAL SPORES/M^3	10	**400**		4	**160**		12	**480**	
Quality Control									

Comments: Condition of the sample(s) upon receipt: Acceptable.

1=Total % may not equal 100 due to rounding.

2 = Colorless,other Brown are spores without a distinctive morphology on spore traps and non-viable surface samples.

3 = Background debris is the amount of particulate matter present on the slide and is graded from 1-5 with 1 = very light, 2= Light, 3 = Medium, 4 = Heavy, 5 = Very Heavy. The higher the rating the more likelihood spores may be underestimated. A rating of 5 should be interpreted as minimal counts and may actually be higher than reported.

The reporting limit is 1 Spore/sample.

Disclaimer: This report relates only to the samples tested

Respectfully submitted, SEEML, Inc.

Sam Kalaf

Sam Kalaf, Approved Laboratory Signatory

506 Laurens Road #A
Greenville, SC 29607
Phone: (864) 233- 3770
Fax: (864) 233- 3779
AIHA EMLAP # 173667

Spore Trap Report

Attn: Marlene Stewart	Date Sampled: 08/23/12
Phoenix Enviro Corp	Date Received: 08/27/12
4020 Shipyard Blvd.	Date Analyzed: 08/27/12
Wilmington, NC 28403	Date Reported: 08/27/12
	Date Revised:
	Project Name: Town of Surfside Beach
	Project Number: 21-12-190-IAQ-M
	SEEML Reference # : 120827017

TEST METHOD: DIRECT MICROSCOPY EXAMINATION AT 400X (100% OF TRACE ANALYZED) SEEML SOP 1

Client Sample ID	082312-EM-04			082312-EM-05			082312-EM-06		
Location	Left Rear Office			Left Central Office			Left Front Office		
Lab Sample ID	120827017-101			120827017-102			120827017-103		
Detection Limit (spores/m^3)	40			40			40		
Hyphal Fragments									
Pollen									
Spore Trap Used	M5			M5			M5		
	raw ct.	spores/m^3	%	raw ct.	spores/m^3	%	raw ct.	spores/m^3	%
Alternaria									
Ascospores	1	40	6	1	40	9			
Aureobasidium									
Basidiospores	1	40	6	1	40	9			
Bipolaris/Drechslera	1	40	6						
Botrytis									
Chaetomium									
Cladosporium	6	240	33	9	360	82	3	120	100
Curvularia	1	40	6						
Epicoccum									
Cercospora									
Fusarium									
Nigrospora									
Penicillium/Aspergillus	8	320	44						
Rusts									
Smuts/Periconia/Myxomy									
Stachybotrys									
Stemphylium									
Torula									
Ulocladium									
Colorless/Other Brown 2									
Oidium									
Zygomycetes									
Pithomyces									
Background debris (1-5)3	3			3			3		
Sample Volume(liters)	25			25			25		
TOTAL SPORES/M^3	18	**720**		11	**440**		3	**120**	
Quality Control									

Comments: Condition of the sample(s) upon receipt: Acceptable.

1=Total % may not equal 100 due to rounding.

2 = Colorless,other Brown are spores without a distinctive morphology on spore traps and non-viable surface samples.

3 = Background debris is the amount of particulate matter present on the slide and is graded from 1-5 with 1 = very light, 2= Light, 3 = Medium, 4 = Heavy, 5 = Very Heavy. The higher the rating the more likelihood spores may be underestimated. A rating of 5 should be interpreted as minimal counts and may actually be higher than reported.

The reporting limit is 1 Spore/sample.

Disclaimer: This report relates only to the samples tested

Respectfully submitted, SEEML, Inc.

Sam Kalaf

Sam Kalaf, Approved Laboratory Signatory

506 Laurens Road #A
Greenville, SC 29607
Phone: (864) 233- 3770
Fax: (864) 233- 3779
AIHA EMLAP # 173667

Spore Trap Report

Attn: Marlene Stewart	Date Sampled: 08/23/12
Phoenix Enviro Corp	Date Received: 08/27/12
4020 Shipyard Blvd.	Date Analyzed: 08/27/12
Wilmington, NC 28403	Date Reported: 08/27/12
	Date Revised:
	Project Name: Town of Surfside Beach
	Project Number: 21-12-190-IAQ-M
	SEEML Reference # : 120827017

TEST METHOD: DIRECT MICROSCOPY EXAMINATION AT 400X (100% OF TRACE ANALYZED) SEEML SOP 1

Client Sample ID	082312-EM-07			082312-EM-08					
Location	Outside of Building - Front			Outside of Building - Rear					
Lab Sample ID	120827017-104			120827017-105					
Detection Limit (spores/m^3)	40			40					
Hyphal Fragments									
Pollen				1	40				
Spore Trap Used	M5			M5					
	raw ct.	spores/m^3	%	raw ct.	spores/m^3	%			
Alternaria									
Ascospores	137	5480	76	201	8040	87			
Aureobasidium									
Basidiospores	14	560	8	6	240	3			
Bipolaris/Drechslera									
Botrytis									
Chaetomium									
Cladosporium	4	160	2	6	240	3			
Curvularia									
Epicoccum									
Cercospora									
Fusarium									
Nigrospora									
Penicillium/Aspergillus	10	400	6	16	640	7			
Rusts									
Smuts/Periconia/Myxomy	16	640	9	2	80	1			
Stachybotrys									
Stemphylium									
Torula									
Ulocladium									
Colorless/Other Brown 2									
Oidium									
Zygomycetes									
Pithomyces									
Background debris (1-5)3	3			3					
Sample Volume(liters)	25			25					
TOTAL SPORES/M^3	181	**7240**		231	**9240**				
Quality Control									

Comments: Condition of the sample(s) upon receipt: Acceptable.

1=Total % may not equal 100 due to rounding.

2 = Colorless,other Brown are spores without a distinctive morphology on spore traps and non-viable surface samples.

3 = Background debris is the amount of particulate matter present on the slide and is graded from 1-5 with 1 = very light, 2= Light, 3 = Medium, 4 = Heavy, 5 = Very Heavy. The higher the rating the more likelihood spores may be underestimated. A rating of 5 should be interpreted as minimal counts and may actually be higher than reported.

The reporting limit is 1 Spore/sample.

Disclaimer: This report relates only to the samples tested

Respectfully submitted, SEEML, Inc.

Sam Kalaf

Sam Kalaf, Approved Laboratory Signatory

506 Laurens Road #A
Greenville, SC 29607
Phone: (864) 233- 3770
Fax: (864) 233- 3779
AIHA EMLAP # 173667

Direct Microscopic Examination Report

Attn: Marlene Stewart	Date Sampled: 08/23/12
Phoenix Enviro Corp	Date Received: 08/27/21
4020 Shipyard Blvd.	Date Analyzed: 08/27/12
Wilmington, NC 28403	Date Reported: 08/27/12
	Project Name/Number: Town of Surfside Beach/21-12-190-IAQ-M
	SEEML Reference # : 120827017

TEST METHOD: Direct Microscopy Examination at 400X - Seeml SOP 7

Client Sample ID	082312-EM-09	082312-EM-10	082312-EM-11	
Location	Court Room - Front Wall Drywall	Court Room - Water Damaged Ceiling Tile	Left Rear Office - Wood Ceiling Truss	
SEEML Sample ID	120827017-106	120827017-107	120827017-108	
Sample Type	Tape	Tape	Tape	
	Quantification *	Quantification *	Quantification *	
Hyphal Fragments	**M**	**VL**	**M**	
Pollen				
General Impressions **	**FG**	**MFG**	**FG**	
Fungal Spore:				
Alternaria				
Acremonium				
Arthrinium				
Ascospores				
Basidiospores				
Botrytis				
Chaetomium				
Cladosporium		**VL**	**L**	
Cercospora				
Curvularia				
Drechslera/Bipolaris				
Epicoccum				
Geotrichum				
Nigrospora				
Pen./ Asp			**H**	
Peronospora/Oidium				
Pithomyces				
Rusts				
Smuts/Myxomycetes				
Stachybotrys	**M**			
Stemphylium				
Tetraploa				
Torula				
Ulocladium				
Fusarium				
Quality Control				

Comments:Condition of the sample(s) upon receipt: Acceptable.

*** Quantification of fungal growth are graded VL through VH with VL = Very Light Fungal Growth, L = Light Fungal Growth, M = Moderate Fungal Growth, H = Heavy Fungal Growth & VH = Very Heavy Fungal Growth**

**** General Impressions: NFG = No Fungal Growth, FG = Fungal Growth, MFG = Minimal Fungal Growth Or Growth in vicinity, ND = No Fungal Spores Detected**

Disclaimer: This report relates only to the samples tested.

Respectfully submitted, SEEML, Inc.

Sam Kalaf, **Approved Laboratory Signatory**

506 Laurens Road #A
Greenville, SC 29607

Phone: (864) 233- 3770
Fax: (864) 233- 3779

Phoenix EnviroCorp
4020 SHIPYARD BLVD.
WILMINGTON, NC 28403

CHAIN OF CUSTODY

Seem Rec 120827017

LABORATORY TEST REQUEST

Lab ID 098-108

CONTACT: Eric Mauritz	TELEPHONE (910) 397-0370 FAX (910) 313-6094 EMAIL: mstewart@phoenixenvirocorp.com	DATE SHIPPED: 8/24/2012
PEC Job #: 21-12-190-IAQ-M	SITE ADDRESS: Town of Surfside Beach, 115 Hwy 17 N, Surfside Beach, NC	

SAMPLE TYPE:	NUMBER OF SAMPLES:	TURN AROUND TIME SPECIFIED:
Spore Trap - Micro-5	8	_X_Same Day ____24 hr ____48 hr ____3 Day
Surface Sample - Tape Lift	3	

SPECIAL INSTRUCTIONS:

Sample #	Sample Area	Sample Date	Sample Volume	Lab Analysis Requested
082312-EM-01	Court room	8/23/2012	25 L	M5
082312-EM-02	Front right employee restroom	8/23/2012	25 L	M5
082312-EM-03	Rear right unisex restroom	8/23/2012	25 L	M5
082312-EM-04	Left rear office	8/23/2012	25 L	M5
082312-EM-05	Left central office	8/23/2012	25 L	M5
082312-EM-06	Left front office	8/23/2012	25 L	M5
082312-EM-07	Outside of building - front	8/23/2012	25 L	M5
082312-EM-08	Outside of building - rear	8/23/2012	25 L	M5
082312-EM-09	Court room - front wall drywall from behind wallpaper	8/23/2012	1 cm sq	T
082312-EM-10	Court room - water damaged ceiling tile	8/23/2012	1 cm sq	T
082312-EM-11	Left rear office - wood ceiling truss above the drop ceiling tile	8/23/2012	1 cm sq	T

CHAIN OF CUSTODY RECORD

DATE	CONDITION OF SAMPLE	SAMPLES RECEIVED BY	SAMPLES RELEASED BY
8/24/2012	SEALED/GOOD	SIGNATURE	SIGNATURE Eric Mauritz
8-27-12 10:30		SIGNATURE (LAB)	SIGNATURE

* Cond. of Samples are Acceptable

Phoenix EnviroCorp

MOLD/BIOLOGICAL CONTAMINANT REMEDIATION PROTOCOL

Date: August 30, 2012

For: Dennis Todd
Town of Surfside Beach
115 Hwy 17 North
Surfside Beach, SC

Remediation Contractor: Not determined

On-Site Consultant: Phoenix EnviroCorp (PEC)
4020 Shipyard Boulevard
Wilmington, NC 28403
Eric Mauritz, Industrial Hygiene Technician
(910) 397-0370

Approved Signatory: Warren Plautz

Warren Plautz, CIEC

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1.0 SCOPE OF WORK

1.1 Initial Mold Investigation and Sampling

See sample data collected on August 23, 2012.

1.2 Related Documents

SEEML, Inc. analytical reports dated August 27, 2012.
Phoenix EnviroCorp investigative report dated August 30, 2012.

1.3 Project Description

The procedures covered by this program include the enclosure and drying of the said structure, the removal, handling, and disposal of building components compromised by mold/fungal growth, and the cleaning and disinfecting of existing building materials. Procedures for reconstruction are not considered in these specifications. Reconstruction of interior portions may not be conducted until procedures for remediation have been completed, the control areas have been inspected, and testing has returned acceptable post remediation results. Reconstruction of exterior portions may be conducted during the restoration to ensure that water intrusion is abated. This includes the opening in the brick and siding in the front left area, and directing the gutter and air conditioning drain pipe away from the building's foundation.

The objectives covered by the program include the remediation of materials shown to have surface contamination, water damage, and/or exposure to elevated airborne mold spore levels, without subjecting the workers, installation employees, and occupants to microbial contaminants. In addition, contract employees, occupants, and materials will be appropriately protected during the removal process so that present and future exposures will not occur.

This design is provided as a suggested directive. Any deviations from the design should be addressed to the CIEC/CIE/IH for consideration. Any requests for addendum or amendment to this report shall be submitted to the on-site consultant for approval. At present there are no Federal or State requirements regarding microbial remediation projects; however, OSHA General Construction Code of Federal Regulations (29 CFR 1926) and the OSHA General Duty Clause do apply.

Remediation shall be completed as close to the date that this protocol was drafted, as the specifications outlined within represent conditions at the time the investigative services were conducted. Due to the volatility of mold, the current protocol may not reflect all necessary remediation if conditions are allowed to continue. Further, if time lapses allowing conditions to change, it will become increasingly difficult to obtain successful clearance testing results.

SECTION 2.0 WORK PROCEDURES

2.1 Project Set Up

- The owner will supply temporary power for remediation equipment. The existing electrical system may be utilized, with permission of the owner. Determining specific electrical load/safety requirements, including, but not limited to, the use of a temporary GFCI electrical panel box, shall be the responsibility of the abatement contractor.
- HVAC unit(s) should be shut down and isolated.
- 6-mil polyethylene sheathing shall be erected to separate primary control areas (PCA) from remaining areas. Control areas shall be selected so that damaged building materials may be removed and cleaned, and structural components may be treated and dried.
- HEPA Air Filtration Devices shall be utilized for each separate control area. Critical barriers shall consist of 6-mil polyethylene so that primary control areas are isolated from remaining areas. HEPA filtration units shall be exhausted from the PCA to the outside of the facility through windows/doors. Dehumidification units must be installed in the PCA to sufficiently dry components.
- A remote wash off station shall be set up to allow for employees to wash hands and faces after egress from the work area.
- Ingress/Egress to the control area(s) shall be, at minimum, sealed with a 2-way polyethylene air lock.
- Entrances to the structure shall be marked as indicated in Section 7.4 of this document.

2.2 Local Exhaust System

- Once sealed, the primary control area shall be ventilated with a local HEPA air filtration device that will ensure a minimum of four (4) air changes per hour. The air filtration device should be placed within the containment work area.
- Local HEPA exhaust should be utilized where cleaning of contents is required and/or in the immediate vicinity of remediation activities of building materials.
- In interior sections requiring surface area cleaning, local HEPA filtration may be exhausted within the area in order to scrub microbials from ambient air. This process shall only be conducted after fine cleaning has been completed.
- Negative pressure within the contained work area shall be maintained throughout the project until clearance is obtained.
- Negative air machines should be exhausted to exterior portions of the building to adequately ensure that negative pressure is achieved.
- Negative air pressure within the work area should be tested and recorded at initiation of the project and hourly thereafter by use of a manometer to ensure the desired pressure of -0.02 inches of water, which is comparable to four changes per hour.
- Dehumidification devices with HEPA filtration may be incorporated as filtration devices in conjunction with true HEPA filtration devices; they may not replace the true HEPA filtration devices.

Note: Formula for determination of adequate HEPA filtration:

Total feet per minute=Volume of work area (ft^3)/15 minutes
#AFD Units needed=(Total feet per minute)/Capacity of Unit (ft^3)

- At initiation of final cleaning stages, relative humidity shall be at 40% (+/-3%) and moisture content of wooden components shall be at or below 15% as determined by Delmhorst moisture meter or equivalent meter. Moisture mapping and direct read T/RH shall be recorded by the remediation

contractor until the specified levels have been achieved. Control areas shall be dehumidified during cleaning and mold remediation activities to ensure removal of surface moisture created during application of water. Drying of structural components that have been treated with encapsulating anti-microbial agents will be necessary.

- Moisture levels shall be recorded and documented by the remediation contractor upon successful completion of dehumidification.

2.3 Remediation Specifications

- Prior to commencement of mold remediation activities by the remediation contractor, the source of all water intrusions, leaks, and/or moisture/humidity problems shall be remedied by the owner. The following shall also be administered by the building owner prior to mold remediation activities:
  - The HVAC system shall be checked for proper function and operation by a professional HVAC consultant, paying special attention to humidity and/or condensation issues. This consultation shall include, but not be limited to, proper sizing of the system, proper ventilation of all interior areas, and detecting and correcting leaks within the system.
  - All penetrations leading to non-climate controlled environments should be checked to ensure proper installation of fixtures, proper sealing of penetrations, and for sufficient insulation around penetrations. Improper installation of fixtures, improper sealing around penetrations, or inadequate insulation can allow non-climate controlled air to infiltrate the interior environment creating a condition that can be conducive to mold growth. Special attention should be paid to the right side exit door within the court room.

  If these issues are not remedied prior to commencement of mold remediation activities, they shall be resolved immediately after remediation. If water intrusions, leaks, and/or moisture/humidity problems are not corrected, mold growth can be expected to return.
- All remediation procedures listed that involve the removal of building materials shall employ polyethylene critical barriers, negative air pressure, and HEPA filtration (i.e. primary control areas).
- The remediation contractor shall ensure that the filters are properly capped prior to switching off the air scrubbers. If the filters are not properly capped, the backflow can cause mold spores to re-release back into the control area, essentially re-contaminating an area that has already been cleaned.
- All remediation activities shall be conducted in a manner that does not allow dissemination of mold spores. Remediation procedures shall begin from the side of the control area furthest away from air filtration devices.
- Cleaning procedures shall be repeated until the area is visibly free of dust and debris.
- Engineering controls set up during the remediation process shall remain in place until remediation has been completed and acceptable post remediation sampling results have been achieved.
- The remediation contractor may elect to group together primary control areas for ease of installation of critical barriers.
- Per the requirements of Federal ASHERA regulations, building materials that will be disturbed during renovations or demolition require testing for asbestos content. The building owner shall provide documentation to verify that no asbestos-containing materials are being disturbed.
- If cleaning procedures outlined in this remediation plan outweigh the cost of replacement for selected items, the remediation contractor shall give the owner the option to clean or disposed of those items.
- Reinstallation of building materials and/or components shall only be conducted once acceptable post remediation results are obtained.
- Any chemicals used on this project shall be EPA approved and used only as directed by the manufacturer. MSDS shall be available for review upon request.

HVAC System

- The HVAC system shall be shut down prior to remediation activities.
- The spaces that are climate-controlled by the HVAC units shall be maintained under proper humidity levels while the system is not in operation.
- All HVAC supply/return vents shall be isolated with a critical barrier consisting of one layer of 6-mil poly. Prior to isolating the vents, the register covers (diffusers) shall be removed and the supply shall be isolated at the metal boot. Once isolated, the registers and surrounding building materials shall be cleaned.
- In areas where ceiling supply vents are either affected by rust or have mold growth, the exterior duct insulation shall be removed and disposed in the immediate area of the vent. The exterior of the duct system shall be thoroughly cleaned. Particular attention shall be addressed during the reinstallation of the insulation, ensuring it is affixed to the old insulation securely. Exposed metal ducts can cause condensation problems. Prior to removal of the insulation, the duct system shall be isolated (poly enclosure with local HEPA filtration, or wrapped with 6-mil poly utilizing local HEPA filtration) in a manner that does not allow for the dissemination of mold spores during removal.
- The system shall remain off until acceptable post remediation results are obtained.

Note: "Front" is determined by facing Hwy 17 North from inside of the building.

Primary Control Areas

- Critical barriers, negative air pressure, and HEPA filtration should be established to isolate the court room, front right employee restroom and associated foyer, rear right unisex restroom and associated foyer, left rear office, left central office, left front office, and rear entrance/rear left closet as Primary Control Areas.
- All non-affixed furnishings and contents shall be removed from the established control areas prior to commencement of removal activities as they do not require cleaning. Any furnishings or contents that remain and are exposed to remediation activities shall be cleaned as outlined in general specifications for primary control areas.

Within the court room:

- Wallpaper shall be removed and disposed from all walls.
- Crown molding, chair railing, and base molding from all walls shall be removed. Window trim from the front and rear walls shall be removed. Door trim from the right wall shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- Drywall and associated insulation from the front, right, and rear walls shall be removed and disposed, initiating at floor level and extending up three (3) feet and spanning the length of the walls. Once removed, the back side of the remaining drywall shall be assessed for mold growth/water damage. If noted, drywall removal shall continue until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the front right employee restroom:

- Crown molding, base molding, and door trim from all walls shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- The sink cabinet from the right wall shall be detached and treated as outlined in general specifications.

- Drywall and associated insulation from the front and right walls shall be removed and disposed, initiating at floor level and extending up three (3) feet and spanning the length of the walls. Once removed, the back side of the remaining drywall shall be assessed for mold growth/water damage. If noted, drywall removal shall continue until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the foyer to the front right employee restroom:

- Crown molding, chair railing, base molding, and door trim from the right wall shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- Drywall and associated insulation from the right wall shall be removed and disposed, initiating at floor level and extending up three (3) feet and spanning the length of the walls. Once removed, the back side of the remaining drywall shall be assessed for mold growth/water damage. If noted, drywall removal shall continue until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the rear right unisex restroom:

- Crown molding, base molding, and door trim from the right wall shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- The sink cabinet from the right wall shall be detached and treated as outlined in general specifications.
- Drywall and associated insulation from the right wall shall be removed and disposed, initiating at floor level and extending up three (3) feet and spanning the length of the walls. Once removed, the back side of the remaining drywall shall be assessed for mold growth/water damage. If noted, drywall removal shall continue until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the foyer to the rear right unisex restroom:

- Crown molding, base molding, and chair railing from the right wall shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- Drywall and associated insulation from the right wall shall be removed and disposed, initiating at floor level and extending up three (3) feet and spanning the length of the walls. Once removed, the back side of the remaining drywall shall be assessed for mold growth/water damage. If noted, drywall removal shall continue until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the left rear office:

- The wall-mounted air conditioning unit shall be detached and moved from the control area prior to removal activities.
- Crown molding, chair railing, base molding, door trim, and window trim from all walls shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- All drywall and associated insulation from the left wall shall be removed and disposed.
- An exploratory cut shall be made in the right wall. This horizontal cut shall be made at the midpoint of the wall (as measured from floor to ceiling), span the length of the wall, and measure approximately 18" inches in size. All associated insulation shall also be removed. The wall cavity and back side of the drywall shall then be assessed for mold growth and water damage. If noted, components shall be either cleaned or removed until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the left central office:

- Crown molding, chair railing, base molding, door trim, and window trim from all walls shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- All drywall and associated insulation from the left wall shall be removed and disposed.
- An exploratory cut shall be made in the right wall. This horizontal cut shall be made at the midpoint of the wall (as measured from floor to ceiling), span the length of the wall, and measure approximately 18" inches in size. All associated insulation shall also be removed. The wall cavity and back side of the drywall shall then be assessed for mold growth and water damage. If noted, components shall be either cleaned or removed until damage is no longer observed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the left front office:

- Crown molding, chair railing, base molding, door trim, and window trim from all walls shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- All drywall and associated insulation from the left and front (exterior) walls shall be removed and disposed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

Within the rear entrance and rear left closet:

- Crown molding, chair railing, base molding, door trim, and window trim from all walls shall be removed. Trim shall be treated as outlined in general specifications for primary control areas.
- All drywall and associated insulation from the left and rear (exterior) walls shall be removed and disposed.
- All affected ceiling tiles shall be removed and disposed.
- All remaining components shall be cleaned as outlined in general specifications. This includes, but is not limited to, components exposed in wall cavities, cavities above the drop ceiling, and remaining ceiling tiles and grid.

General Specifications for Primary Control Areas

- Cleaning of components/materials shall consist of a method that thoroughly removes visible mold growth, settled concentrations of mold spores, and/or dust and debris (e.g. HEPA vacuum, wet wipe, or other approved method), followed by dehumidification and/or drying.
- The contractor shall use precaution where specifications outline the use of wet methods for cleaning of materials and components. If the contractor determines that wet methods will damage materials/components, those items shall be HEPA vacuumed only.
- Non-porous, semi-porous, and porous furnishings and contents that remain shall be cleaned. If items cannot be cleaned efficiently, the abatement contractor shall consult with the owner.
- All porous cloth items that remain can be washed shall be cleaned in a household washer/dryer. Specialty items that cannot be washed can be cleaned by a dry cleaner that specializes in cleaning materials affected with mold. If porous articles cannot be cleaned efficiently, the abatement contractor shall consult with the owner.
- Plumbing lines and drains shall be isolated with a 6-mil poly critical barrier and secured with tape.
- The water line to toilets shall be shut off and the toilets shall be drained of all standing water.
- Exterior surfaces of electrical appliances, electrical equipment, and light fixtures that remain shall be cleaned.
- All wall/ceiling cavity insulation shall be disposed in areas that specify the removal of mold and/or water damaged drywall/plaster/wood panels.
- Base molding, crown molding, chair railing, door/window trim, cabinets, and vanities that are specified for removal shall be detached. The abatement contractor shall consult with the owner to determine if these items shall be cleaned or disposed.
- In areas that require removal of drywall around doors, the door casing(s) and jamb(s) should be assessed to determine if they have sustained mold/water damage. If so, they shall be cleaned.
- All penetrations within the wall/ceiling cavities that adjoin unaffected areas, including exterior wall cavities, shall be cleaned and then sealed with a 6-mil poly critical barrier, extending six (6) inches on all sides.
- Remaining non-porous, semi-porous, and porous building components within the wall/ceiling cavities shall be cleaned. If cleaning of porous components is not sufficient and if it is feasible without compromising their integrity, those materials shall be removed and disposed.
- Wood structural components within the wall/ceiling cavities shall be cleaned. Any wooden structural components within the wall/ceiling cavity with mold stains or mold growth in pitted surfaces shall be HEPA sanded to eliminate embedded mold growth.
- All joints or sills (where the structural system meets, where the sill plate meets the floor) shall be aggressively disturbed to remove embedded mold growth and spores.
- Remaining non-porous, semi-porous, and porous building components not specified for removal shall be cleaned. If cleaning of porous components is not sufficient and if it is feasible without compromising their integrity, those materials shall be removed and disposed.
- Carpet and padding shall be removed and disposed. If the owner so elects, the carpet can be cleaned.

2.4 Removal Procedures

The contractor shall maintain surfaces of the control area free of accumulation of dust and debris. Additionally, they shall restrict the spread of dust and debris, keeping waste from being distributed over the work area. Materials shall be removed in a fashion to ensure that previously cleaned areas are not recontaminated (i.e. working from one end of the control area to the other). The contractor may be required to re-clean areas based on a visual inspection by the CIEC/CIE/IH, if the areas are not visibly clean.

Contaminated building materials that have been removed, and additional materials and debris generated during remediation, shall be bagged or wrapped with 6-mil polyethylene sheeting, sealed with duct tape, and carried to the waste container prior to visual inspection by the CIEC/CIE/IH. Products shall be bagged and sealed directly after removal from unaffected building components.

Areas shall be allowed to dry for a period of time until specified RH and moisture levels have been achieved. Any remaining building products that are directly impacted by remediation shall be tested for moisture content. Structural components (wall studs) shall be tested for moisture content. If moisture content is in excess of 15% in these materials, dehumidification shall be required until moisture levels are at or below 15%, and RH is at or below 40% +/-3% (for all interior areas). The remediation contractor shall record water content of all wooden or cellulosic products in the impacted areas, as well as temperature and RH.

2.5 Cleanup Overview

The contractor shall personally review the cleaning process prior to contacting the CIEC/CIE/IH for the post remediation testing. If accumulations of debris and dust are significant, the CIEC/CIE/IH will require re-cleaning and sampling will not be conducted.

The CIEC/CIE/IH shall make a visual inspection and conduct post remediation sampling after the final cleaning is complete.

2.6 Post Remediation Verification Testing

HEPA filtration devices shall be allowed to operate for approximately 24 hours prior to conducting post remediation sampling in any of the areas where remediation has been conducted.

Post remediation air monitoring and sample collection shall be collected utilizing viable and/or non-viable sample methods. Air samples shall be collected in representative areas of the individual control areas. Surface sampling shall be left to the discretion of the IAQ consultant.

Sampling will be conducted in areas directly impacted by remediation procedures, where general cleaning was conducted, and would indicate the removal of an indoor reservoir. Acceptable post remediation status should be achieved through interpretation of air sampling results, which will be based on indoor/outdoor ratios, in combination with surface samples collected, moisture readings, RH data, visual observations, and known factors associated with the remediation project.

SECTION 3.0 AIR MONITORING

3.1 Responsibilities of the CIEC/CIE/IH

Monitoring of airborne concentrations will be performed in accordance with the requirements of this program. Prior to conducting air sampling and/or surface sampling for clearances, the CIEC/CIE/IH shall conduct a visual inspection of the area for dust and debris. Water content shall be assessed and recorded. Temperature and RH shall be recorded during the air sampling phase of clearance. All air monitoring will be conducted in such a manner as to provide a valid representation of airborne mold levels both inside and outside the work areas. If analysis of air samples indicates that airborne concentrations exceed acceptable limits, the contractor will be required to conduct a re-cleaning.

3.2 Personal Monitoring

No personal monitoring will be conducted by the CIEC/CIE/IH unless the remediation contractor requests monitoring for OSHA compliance. Presently there are no guidelines (PELs or TLVs) for microbial contaminants. The remediation contractor, to determine if OSHA personal sampling may be required during application of anti-microbial agents, should review MSDS sheets.

3.3 Sample Integrity and Reporting

Samples will be sealed, labeled, and a chain of custody initiated according to laboratory procedures.

Sample results shall be available within seven (7) days of the completion of collection of all samples and will include the following information:

- Site Address
- Sample Number
- Location Sampled
- Analytical Method
- Collection Date(s)
- Person Taking Sample(s)
- Additional Comments (if any)
- Analyst Signature

SECTION 4.0 MATERIAL REPLACEMENT

4.1 Material Replacement

The general contractor/replacement contractor may begin material replacement after the CIEC/CIE/IH informs all parties of acceptable post remediation sample results.

With ongoing construction activities ambient air levels are expected to be elevated over what might be normally expected. Additional testing should not be necessary after remediation procedures have been completed and successful results have been obtained. In the event of another water intrusion (i.e. broken pipe line, improper HVAC function, or building envelope compromise), an investigation should be conducted within 24 to 48 hours of the event. Proper drying, if initiated within this time frame, should minimize the potential for microbial growth.

SECTION 5.0 SPILL CLEANUP REQUIREMENTS

5.1 Spills

MSDS shall be kept on site for all chemical products brought to the site by the remediation contractor. In the event of a chemical spill, the contractor shall initiate cleanup immediately. The contractor shall mop up any liquid with rags or other conventional absorbent. The spent absorbent shall be properly contained and disposed of as waste.

SECTION 6.0 WASTE CONTROL

6.1 Waste Disposal

Waste shall be disposed of at a locally selected landfill. Waste bags should be checked for integrity and hauled in an enclosed truck/vehicle or container to ensure that transportation to the landfill does not pose a potential hazard to the environment.

SECTION 7.0 SUPPLEMENTAL INFORMATION

7.1 Applicable Publications

The publications listed below form part of this program. Written programs should accompany all referenced CFR publications. IICRC and NYCDOH guidelines for work procedures shall be followed by the remediation contractor. A copy of the NYCDOH protocols should be on-site, along with this design, for reference by the site supervisor. ACGIH, IAQA, and ASHRAE publications shall be utilized as guidelines for interpretation by the CIEC/CIE/IH. This design shall be reviewed by the remediation supervisor prior to initiation of set-up for the project. Any questions regarding this project may be addressed with the on-site consultant listed for Phoenix Enviro.

The CIEC/CIE/IH may make copies of all publications listed available to the remediation contractor upon request.

Code of Federal Regulation (CFR Publications)

29 CFR 1910.134	Respiratory Protection
29 CFR 1910.145	Specifications for Accident Prevention, Signs and Tags
29 CFR 1926.28	Personal Protective Equipment
29 CFR 1926.59	Hazard Communication
29 CFR 1926.96	Occupational Foot Protection
29 CFR 1926.100	Head Protection
29 CFR 1926.101	Hearing Protection
29 CFR 1926.102	Eye and Face Protection
29 CFR 1926.403	Electrical General Requirements
29 CFR 1926.416	Safety General Requirements
29 CFR 1926.852	Demolition, Chutes
29 CFR 1926.1091	Record Keeping Requirements

Supplemental Guidelines

IICRC S520 2nd ed.	Standard and Reference Guide for Professional Water Damage Restoration
NYCDOH	Guidelines on Assessment and Remediation of Fungi in Indoor Environments
ACGIH	Bioaerosols: Assessment and Control
IAQA 01-2000	Recommended Guidelines for Indoor Environments
ASHRAE 62.2-2007	Ventilation for Acceptable Indoor Air Quality in Low-Rise Residential Buildings

7.2 Definitions

Air Lock: A system that permits ingress and egress between a control area and non-control area, or other work areas, without allowing air movement between areas (e.g. three stage decon, three-way polyethylene flaps).

Air Sample: Refers to samples collected with spore trap air sample media (e.g. Micro-5, Cyclex D, or equivalent); also referred to as a non-viable air sample. May also refer to a sample collected on a disposable petri dish with agar media by means of an Andersen Impactor (or equivalent) and sampling pump; also referred to as air culture (viable) sample. Sample media to be used in project is described under Section 2.6 (Post Remediation Verification Testing).

Area Monitoring: The sampling of airborne microbial concentrations outside the exclusion boundary, which may reach the breathing zone of the contractor or installation employees.

Asbestos Containing Materials (ACM): Refers to asbestos containing building materials that contain more than 1% asbestos by Polarized Light Microscopy (PLM) or Transmission Electron Microscopy (TEM).

Biocide: Refers to chemical agents that are specifically designed to eliminate viable microbial contamination, with a phenol equivalent efficiency (e.g. Sodium Hypochlorite, Quaternary Ammonia Compounds).

Blower Door Test: Refers to the testing of static pressure and draw of air through the HVAC in Cubic Feet per Minute (CFM) to rate the efficiency of the system.

Clearance Monitoring: Refers to air, bulk, or swab sampling conducted as a means to demonstrate that the area specified for remediation has been completed by the contractor, left with present acceptable mold spore levels, and ready for re-construction.

Control Area: The area where microbial contaminants removal is performed, which is isolated by physical boundaries to prevent unauthorized entry of personnel, thereby preventing exposure to or the spread of microbial contaminants. Physical boundaries will be established and located such that the airborne contaminants are not allowed to escape the boundaries.

HEPA: High Efficiency Particulate Air. Refers to ventilation devices that are specifically designed to filter ambient air to an efficiency of 99.97%.

HVAC: Refers to the Heating, Ventilation, and Air Conditioning system.

Industrial Hygienist: Refers to a person who practices industrial hygiene, and may act as a competent person in regards to visual inspection of contaminated surfaces and clearance air and/or swab/bulk sampling. May also refer to a Certified Industrial Hygienist (CIH) as defined by the American Board of Industrial Hygiene (ABIH), a Certified Indoor Environmental Consultant as defined by the American Indoor Air Quality Council (AIAQA), or a Certified Indoor Environmentalist (CIE) as defined by the Indoor Air Quality Association (IAQA).

Microbial Contaminant: Refers to viable mold, fungi, pollen, bacteria, and or particulate, or their metabolites, that may be causative of epidemiological, immunotoxic, dermotoxic, neurotoxic, or

enterotoxic disorders in the human population, or may be considered a pathogen or an opportunistic pathogen.

Non-Porous Materials: Refers to building materials with solid surfaces that may be successfully treated and cleaned by means of HEPA vacuuming or other approved method. Materials include flooring, hard goods, plastic, vinyl, and some wallboard systems.

Porous Materials: Refers to building materials and household goods that may allow microscopic particles (3-20 micron) to become trapped within the material that will not allow adequate cleaning. Materials include carpet, mattresses, and clothing.

Primary Control Area (PCA): Refers to a section of a facility that has been isolated by 6-mil polyethylene barriers where specific engineering controls (e.g. HEPA filtration, negative air pressurization, dehumidification) are required. In general it is the area where remediation of water and mold damaged building materials is to be conducted.

Refrigerant Dehumidifier: Device used to remove water content from air and materials.

Relative Humidity (RH): Refers to the ratio of water vapor in the atmosphere to the amount required to saturate it at a given temperature.

Secondary Control Area (SCA): Refers to a section of the facility where engineering controls are to be utilized; however isolation with polyethylene critical barriers may not be necessary. In general, it is an area that has been affected by mold contamination where specialized cleaning procedures are required, yet no remediation of damaged building components is required.

Semi-Porous Materials: Refers to materials that may be somewhat porous yet they may still allow for adequate cleaning. Materials wooden beams and some wallboard systems.

Swab Sample: Refers to collection of a sample onto a sterile swab for analysis of mold, fungi, and bacteria by viable and/or non-viable analysis.

Tape-Lift Sample: Refers to collection of a sample onto clear scotch tape for analysis by direct microscopic examination (non-viable).

7.3 Quality Assurance

Medical Examinations

Before potential exposure to microbial contaminants, the remediation contractor will provide workers with a comprehensive medical examination as required by 29 CFR 1910.134 as outlined by the Medical Monitoring Program.

Medical Records

The remediation contractor will maintain complete and accurate medical records on employees as required by OSHA and the contractor's Medical Monitoring Program. The contractor may be asked to provide a copy of all medical records for approval by the consultant's representative.

Training

Each employee working on this contract shall be trained prior to the time of initial job assignment in accordance with mold specific and chemical specific training as indicated by the OSHA General Duty Clause and the Hazard Communication Standard. Each employee shall also receive training required by Federal guidelines listed in Section 7.1 of this document and project specifications.

Hazard Communication Program

The remediation contractor has established and implemented a Hazard Communication Program as required by 29 CFR 1910.1200 and may be asked to provide a copy of this written program. Hazard Communication training must include occupational hazards as directly related to working with fungi/mold and contamination of building components by fungal contamination, specific training for chemical hazards associated with biocide usage, and site specific MSDS sheets for commercial detergents and biocides utilized on the job site.

Respiratory Protection Program

The remediation contractor has established a Respiratory Protection Program, which complies with 29 CFR 1910.134. Physical examinations and fit testing are required for use of respiratory protection greater than an N-95 dust mask. Workers removing building materials contaminated by mold growth, applying anti-microbial agents, or workers subjected to exposures to anti-microbial agents shall be required to wear, at minimum, a tight fitting negative pressure ½ mask respirator with P-100 filters. Therefore the OSHA Respiratory Protection Standard applies.

Analytical Testing Laboratory

Analysis of culturable biological samples collected on this project must be conducted by a laboratory that participates in the Environmental Microbiological Proficiency Analytical Testing Program (EMPAT) of the American Industrial Hygiene Association (AIHA) and has shown to be proficient by proficiency analytical testing (PAT) samples. Analysis of non-viable air and surface samples must be conducted by an individual who is certified by the McCrone Research Institute, for analysis of fungal spore identification by microscopy.

7.4 Materials and Equipment

Equipment

The contractor will make available to employees a complete set of personal protective equipment (PPE) as required by this program for entry into the controlled area. All personnel while in the control area or handling microbial contaminated waste will wear protective clothing, respirators, and other PPE.

Respirators

Contractor will furnish the appropriate respirator in accordance with 29 CFR 1910.134 and approved by NIOSH for protection in environments that contain microbial contaminants. The selected respirator for this project shall be a tight fitting negative pressure ½ respirator equipped with HEPA cartridge (P-95, P-100). At minimum, an N-95 dust mask may be utilized during fine cleaning activities; however, the tight fitting ½ mask respirator shall be utilized during application of anti-microbial agents or biocides.

Special Clothing

Employees will be provided with and required to wear: whole body disposable protective clothing, full body tyvek suits with head coverings, and latex gloves *(see table)* during all activities in the controlled area.

Chemical	Recommended Rubber Glove
Sodium Hypochlorite	Neoprene or Nitrile
Phenolic Compounds	Neoprene
Quaternary Ammonia Compounds	Polyvinyl Chloride (PVC)
Detergents	Latex

Eye Protection

The contractor will provide chemical-resistant goggles to personnel engaged in cleaning and treatment activities, and require them to be worn during application of anti-microbial agents and biocides.

Warning Signs and Labels

Standard approved warning signs will be erected at all approaches to the control area as specified in 29 CFR 1910.145.

Anti-Microbial Agents

Anti-microbial agents utilized in interior quarters of the facility shall consist of quaternary ammonia compounds. No phenolic compounds shall be used in interior quarters with exception of Micro Ban Plus. Approval must be granted by the CIEC/CIE/IH prior to application. Anti-microbial agents shall be EPA approved. Commercial grade detergents shall be used to remove fungal contamination during cleaning phases prior to anti-microbial application.

TOWN OF SURFSIDE BEACH
Beach Services Agreement

NOTICE

The Town of Surfside Beach is requesting qualifications from skilled contractors to provide a wide range of beach services under the auspices of a franchise agreement. The initial period of the agreement with the Town would be for a four (4) year period which would commence the 1st day of April 2013 and expire the 31st day of March 2017. Also included is a three (3) year option to renew.

The "Scope of Work" is clearly defined in the current ordinance (Appendix: pages 1 - 10). The request for qualifications is subject to conditions and provisions set forth in this package and all responders must complete the "Beach Services Questionnaire" (pages 8 - 10 of this document) to be considered eligible. Responses must be received at Town Hall, located at 115 Highway 17 North, Surfside Beach, S.C. 29575 no later than Monday, October 29, 2012 at 2 PM. The sealed qualification packages will then be publicly opened. The contractor must be qualified to provide the services as described and specified in the package. Faxed or e-mailed proposals will not be considered and late qualifications arrivals will be ineligible.

PLEASE ADDRESS MAILED QUALIFICATIONSS TO:

Attn: Joseph Smith
Town of Surfside Beach
115 U. S. Highway 17 North
Surfside Beach, South Carolina 29575

Also, please show the following Qualifications Number in the lower left hand corner of the envelope. Thank you.

QUALIFICATIONS NUMBER: #BCHS-1001

Signature_____

Title_____

CONFIDENTIAL
FYI

NOTICE
UPON EXECUTION THIS DOCUMENT, EXCEPTIONS, SPECIAL TERMS AND CONDITIONS SHALL CONSTITUTE A BINDING CONTRACT

SECTION I. SCOPE OF WORK

BACKGROUND

The Town of Surfside Beach is requesting qualifications from skilled contractors to provide a wide range of beach services under the auspices of a franchise agreement. The initial period of the agreement with the Town would be a four (4) year period which would commence the 1st day of April 2013 and expire the 31st day of March 2017. Also included is a three (3) year option to renew which would extend the franchise agreement through March 31, 2020. The agreement would be in accordance with current ordinance which is included in the Resource Appendices in the last section of this bid.

RFQ REQUIRED DOCUMENTATION

1. A signed notice form (page 1)
2. A completed qualifications form (pages 5 & 6)
3. A completed affidavit (page 7)
4. Detailed answers to all questions on the "Beach Services Questionnaire" (pages 8 - 10)
5. After award, franchisee must obtain insurance and produce a certificate of liability naming the town as an additional insured in the amount of $1,000,000 for personal injury and $1,000,000 for each occurrence. The insurer must have a rating of A or higher.

SECTION II. GENERAL CONDITIONS

I. GENERAL INFORMATION

1.1 Qualifications Due Date

Sealed qualifications must include two (2) complete copies and must be received no later than Monday, October 29, 2012 at 2:00 PM. Qualifications will not be accepted after this time. The Town reserves the right to seek new qualifications when such is reasonably in the best interest of the Town. Qualifications will be examined promptly after opening, and the name of each responder will be announced to all present.

It is not a practice of the town to enter into a franchise agreement until the Town Administrator and interested parties have had ample time to review each set of qualifications and apprise the Town Council of the results. Once those requirements have been satisfied, a franchise agreement will be drafted for signature at the earliest possible date.

1.2 Addendum and Amendment to Qualifications

Any amendments to these qualifications will be published as an addendum and posted on the town website at http://www.surfsidebeach.org/bids.html.

It is the responsibility of the responder to check the webpage prior to submitting their RFQ to ascertain if any addenda have been issued, to obtain all such addenda, and to return the executed addenda with the qualifications.

1.3 Hold Harmless

The successful responder shall agree to release, indemnify and hold harmless the Town of Surfside Beach and any and all Town of Surfside Beach agents or staff from and against any and all liabilities, claims, suits, damages, charges, or expenses (including attorneys' fees, whether at trial or appeal) which the Town may suffer, sustain, incur or in any way be subjected to by reason of or as a result of any act, negligence or omission on the part of the successful responder, its agents or employees, in the execution or performance of the obligations assumed under, or incidental to, the contract into which the successful responder and the Town will enter, except when caused solely by the fault, failure or negligence of the Town, its agents or employees.

II. CONTENT OF QUALIFICATIONS

2.1 Questions

Questions relative to the interpretation of specifications or the qualifications process shall be addressed to the Town Administrator, Micki Fellner, either by phone (843.913.6111) or via email (mfellner@surfsidebeach.org).

2.2 Qualifications Signature Form

Complete the Qualifications Form provided in this package on pages 5 and 6. This form must be signed by an authorized representative of the firm.

When the responder is a corporation, the president or vice president signing must set out the corporation name in full beneath which he/she shall sign his/her name and give the title of his/her office.

III. EVALUATION BASIS

3.1 Ability to meet all required specifications

3.2 Qualifications to perform the scope of work

3.3 Possess all necessary equipment and licenses required by law, where applicable

IV. CONTRACT REQUIREMENTS

4.1 This is for a four (4) year franchise agreement with a three (3) year option to renew.

4.2 The Town reserves the right to verify all qualifications, including but not limited to responses to the "Beach Services Questionnaire".

QUALIFICATIONS FORM

(Failure to furnish all requested data will be cause for considering responder non-responsive and may render submitted qualifications invalid on that basis.)

PROPOSAL TO: Submit qualifications from skilled contractors to provide a wide range of beach services under the auspices of a franchise agreement.

SUBMITTED TO: **Town of Surfside Beach**
Surfside Beach, South Carolina

SUBMITTED BY: _____
Responder's Name (Please print or type)

_____
Address (Please print or type)

_____
City, State and Zip Code

1. The undersigned, hereinafter called responder, in compliance and accepting all of the terms and specifications of the "General Conditions", proposes and agrees, if awarded the contract, to enter into an agreement with the owner in the form of agreement included in the contract documents, to furnish all services necessary to complete this contract to the full and entire satisfaction of the owner.

2. **THIS RFQ WILL REMAIN OPEN FOR:** Sixty (60) days after the Qualifications Opening.

3. **IN SUBMITTING THIS RFQ, RESPONDER REPRESENTS THAT:**

   (a) Responder has become thoroughly familiar with the terms and conditions of the proposed contract documents accepting the same as sufficient to indicate and convey understanding of all the conditions and requirements under the contract.

   (b) This qualifications is genuine and not made in the interest of, or on the behalf of, any undisclosed person, firm or corporation, and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; responder has not directly or indirectly induced or solicited any other responder to submit a false or sham qualifications; responder has not solicited or induced any person, firm, or corporation to refrain from offering a

proposal; and responder has not sought by collusion to obtain for himself any advantage over any other responder or over owner.

(c) That no member of Town Council or other officers or employees of said owner is interested directly or indirectly in the qualifications or in any portion of the qualifications, nor in the contract or any part of the contract, which may be undersigned on the basis of such qualifications.

SIGNATURE OF RESPONDER/RESPONDER'S REPRESENTATIVE

_____

(Name)

_____

(Title)

_____

(Date)

Authorized Signature:_____**Date:**_____

AFFIDAVIT

(This Affidavit is part of the qualifications)

STATE OF _____

COUNTY OF _____

Being duly sworn, deposes and says that he resides at_____

_____

that the (give title)_____

Who signed the above qualifications, that he was duly authorized to sign, and that the qualifications is the true offer of the responder and that all the declarations and statements contained in the qualifications are true to the best of their knowledge and belief.

_____
(Affiant)

Subscribed and Sworn to before me this_____**day of**_____**, 2012.**

_____
(Notary Public)

My Commission Expires

_____**, 20**____**.**

(SEAL)

BEACH SERVICES QUESTIONNAIRE

Note: All information and equipment will be verified by the Town before franchise agreement is awarded.

1. Name of the company to be used for your service:

_____

2. List any Law Suit(s) that are currently pending involving your Beach Service:

_____

_____

_____

3. Submit a letter of financial stability from your Bank, Loan Institution or Certified CPA Audit: (please attach)

4. List all drownings that have occurred in your service area in the past five (5) years:

_____

_____

_____

5. Submit three (3) references:

_____

_____

_____

6. Submit three (3) letters of recommendation: (please attach)

7. Submit what Beach Service experience your company has:

A) How many years of water safety service in Horry County_____

B) How many years of water safety service outside of Horry County_____

C) Number of full time employees_____

D) Number of seasonal employees_____

E) Other_____

8. Submit equipment inventory list of your service:

A) Number of Lifeguard Towers_____

B) Number of Water Safety Flags_____

C) Number of Guard Umbrellas_____

D) Number of First Aid Kits_____

E) Number of Rescue Buoys_____

F) Number of Hand Held Radios_____

G) Number of Vehicle and type use for the service_____

9. Submit a list of the Training Standards and Certifications that are used by your service:

A) CPR-PR_____

B) FIRST AID_____

C) OPEN WATER_____

D) Any training curriculum your service uses:

_____

_____

_____

E) Other Standards or Certifications that that you offer which will enhance the level of safety:

_____

_____

_____

10. Submit your Blood Borne Pathogen Plan and Occupational Health Provider your service uses:

A) Certified Occupational Health Provider Company Name:

_____

B) Certified Health Provider's Name:

_____

C) A letter of proof that you have complied with all the requirements of OHSA to include the dates and shot records to meet employee compliance over the past three (3) years: (please attach)

RESOURCE APPENDICES

I. **Franchise Ordinance Beginning April 1, 1998 (Appendix pages 1 – 7)**

II. **Addenda to Franchise Ordinance Beginning April 1, 1998 (Appendix pages 7 – 10)**

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >>

ARTICLE V. - BEACH SERVICES

DIVISION 1. - BEACH SERVICES, LIMITED
DIVISION 2. - ADDENDUM II
DIVISION 3. - ADDENDUM III
DIVISION 4. - ADDENDUM IV
DIVISION 5. - ADDENDUM V

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >> DIVISION 1. - BEACH SERVICES, LIMITED >>

DIVISION 1. - BEACH SERVICES, LIMITED

WHEREAS, mayor and council for the Town of Surfside Beach, herein called town, have determined in the interest of the health, safety and general welfare of the citizens, residents and visitors of the town, that a franchise for the operation of a beach service and the furnishing of lifeguards on the public beaches within the town, should be granted unto a suitable and proper person, firm or corporation; and

WHEREAS, mayor and council have determined that BEACH SERVICES, LIMITED, herein called franchisee, of Surfside Beach, South Carolina, is a suitable corporation unto whom such a franchise should be granted.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT: For five dollars ($5.00) and the mutual promises and covenants contained herein, the town does hereby grant an exclusive beach service franchise unto the within-named franchisee for the purposes herein mentioned, such franchise to be operated under the following terms and conditions:

ARTICLE I

Section 1. The franchisee shall have the right and privilege of conducting upon the public beaches of the town as herein designated and hereafter call public beaches, a beach service business which consists of the rental to the general public for profit of umbrellas, chairs, floats, canvas cabanas, waverunners, water craft rides (Banana Boat), sale of advertisement space on umbrella, chairs and sale of frozen drink products

Section 2. The term "public beach" shall mean that portion of the ocean beach between, and including, the oceanfront private property line and the low water mark of the Atlantic Ocean, within the town limits.

Section 3. This grant shall not be construed to permit trespass upon private property by the franchisee.

Section 4. The franchisee shall not conduct any business activities upon the public beaches other than those enumerated in section 1 hereof.

Section 5. The franchisee shall conduct the business activities enumerated in this article in a dignified manner. No pressure, coercion, persuasion or hawking shall be practiced by the franchisee or its employees, to influence the general public to utilize its services or purchase its merchandise.

ARTICLE II

Section 1. This grant shall run for a period of seven (7) years, beginning on the 24th day of APRIL, 1998

and shall end on the 1st day of APRIL, 2005, unless earlier terminated as provided herein

Section 2. This grant and any portion hereof shall not be alienated, conveyed, sold, leased, granted, donated, or in any manner whatsoever, or by whatever name or form, assigned by the franchisee to any other person, firm or corporation without approval of the mayor and town council, which approval shall not be unreasonably withheld.

Section 3. The franchisee shall pay to the town the prescribed franchise fee of five (5) percent each year in accordance with the applicable town codes, except that no franchise fee shall be due and payable for the year 2004. The financial books and records of the franchisee are subject to audit by the town upon demand by the town.

(Ord. No. 04-0539, 10-26-04)

Section 4. The town shall notify the franchisee of any breach in writing. Failure to correct such breach or to undertake measures with due diligence and good faith correct such breach within a reasonable time after notice, will result in the town having the option of terminating this agreement upon written notice. The franchisee may appeal the use of this remedy to the mayor and town council, whose decision shall be final.

Section 5. Assuming all agreements contained herein have been well and truly complied with, the town provides the franchisee an exclusive option to extend the service of the franchisee to the town for an additional three (3) years from the date of termination hereof. Furthermore, the town reserves the right to begin negotiation of an additional seven (7) year contract during the extension-option termination date. Franchisee must exercise this option in writing, at least six (6) months prior to expiration of this contract.

ARTICLE III

Section 1. The franchisee shall provide at least one (1) lifeguard, and one (1) lifeguard stand at approved locations. The franchisee agrees that there shall be at least nine (9) lifeguards and lifeguard stands on duty at all times during the prescribed season. The town administrator must approve the location of such stands, with advice from the police chief. During the life of the franchise, the town may require the addition of one (1) lifeguard stand location per year at another place on the public beaches as necessary for the safety and welfare of the general public. The town shall solicit the input of the franchisee with regard to the need and/or location of additional lifeguard stands. Nothing shall prevent the franchisee from adding lifeguard stands, as it deems necessary.

Section 2. Such lifeguard stands, and such lifeguards as are required under Section 1 hereof, shall be in place, manned and fully operational in compliance with the following schedule:

(a) All stands (100%) specified in Section 1 hereof, shall be operational from June 15 through the first two (2) full weeks in August. For the purposes of this document, a full week shall be one that begins on Monday and ends on Sunday;

(b) At least six (6) stands and one (1) roving guard shall be operational by the Friday preceding Memorial Day through the end of the Labor Day holidays.

Section 3. The lifeguards mentioned in this article shall be on duty at the locations mentioned herein from 9:00 a.m. until 5:00 p.m. on each day such lifeguard stand is to be in place, manned and fully operational, except that such lifeguard shall not be required to remain upon the public beaches during times of lightning storms or other severe atmospheric conditions, which present a threat to life and safety. Lifeguards shall remain in the general vicinity of their respective stations unless relieved by the parks and recreation director. Unsafe ocean water conditions shall not be construed to constitute "other severe atmospheric conditions".

Section 4. Lifeguards shall be uniformly and neatly attired in uniform supplied by the franchisee, and approved by the town annually. All lifeguards shall wear only the supplied uniform when on duty.

Section 5. Lifeguards shall at all times, be neat, clean in appearance and uniformed, and conduct themselves in a courteous manner to the general public and agents of the town.

Section 6. Lifeguards shall carry at all times while on duty, a signaling whistle, and each lifeguard shall know the whistle signal system established by the franchisee for communication between lifeguards.

Section 7. No guard shall wear any part of his uniform while drinking beer, wine or any alcoholic

beverages, nor in a place where beer, wine or any alcoholic beverages are consumed, nor shall any guard permit any part of this uniform to be worn by any other person while on duty or off duty.

Section 8. The primary duty of a lifeguard is to protect the safety of the general public in the use of the public beaches and the ocean waters of the town. It is mandatory that the lifeguard's attention be focused on the duty. Therefore, lifeguards shall not:

(a) Sit or lean on anything other than the lifeguard stand;

(b) Conduct lengthy conversations with persons in a manner of such fashion as to impair the performance of safety duties;

(c) Permit persons at the stand other than agents of the town, beach patrol members, lifeguards, lifeguard assistants employed by the franchisee, persons seeking first aid, and persons transacting equipment rental business;

(d) Read while on duty;

(e) Turn his back on the ocean or permit others to stand so that his view of the ocean is obstructed;

(f) Allow the area around the stand to be littered at any time while on duty.

The franchisee shall inform the lifeguards of the requirements in Sections 5, 6, 7, and 8 above, and to the best of the franchisee's ability, enforce said provisions.

Section 9. Guards shall remain at their lifeguard stands, and patrol areas while on duty, except that they may leave the beach to use the bathroom, and take a forty-five (45) minute lunch break, provided the guard has notified either the beach patrol or the guards at the adjacent stand, prior to leaving the beach. Lunch breaks for lifeguards shall be staggered alternately between duty stands so that not less than one-half take such break at the same time. It is the franchisee's responsibility to monitor the health of its lifeguards, and not to assign a lifeguard who is ill or physically unable to execute his/her responsibilities.

Section 10. Any lifeguard who pleads guilty, is found guilty, or forfeits bond on any offense against the laws of the town, the State of South Carolina, or the United States of America, which offense occurred while the lifeguard was or was supposed to be on duty, shall be immediately dismissed. Failure to dismiss the employee as prescribed, will be a breach of this contract (Article II, Section 4).

Section 11. Any lifeguard drinking beer, wine or any alcoholic beverages, or using any controlled substance (as defined in S.C. Code 1976, § 44-53-10 et seq.), while on duty, and any lifeguard under the influence of beer, wine or any alcoholic beverages or any such controlled substance while on duty, and any lifeguard under the influence of any narcotic drug or substance (whether legal or illegal) while on duty, shall be immediately dismissed. Failure to dismiss an employee as prescribed will be a breach of this contract (Article II, Section 4).

(Ord. No. 05-0573, 9-27-05)

Section 12. If a lifeguard, or any employee of the franchisee, observes a violation of the law or a violation of the beach rules, he shall report such violation immediately to the operator of the beach patrol vehicle, who shall thereafter, report such violation immediately to the police dispatcher or police-beach patrol.

Section 13. The franchisee agrees to maintain the beach in a clean and orderly fashion, and keep it well policed of trash and debris, and remove same from the beach to the nearest approved disposal receptacle for pick-up. It is understood and agreed that such clean up extends to the area of the lifeguard where chairs and umbrellas are placed, from the low water mark to the crest of the primary ocean front dune system. The town will supplement this service with a twice-weekly beach cleaning. The franchisee shall empty and remove all trash and litter deposited in approved disposal receptacles, at least twice weekly on Mondays and Fridays, and at such other times as may be necessary. The town will remove all trash and litter deposited along the beach access and street-ends. It is understood and agreed, however, that unusual amounts of debris deposited upon the beach as a result of hurricanes, extraordinary high tides, or other acts of God, will not be the sole responsibility of the franchisee, and that the town will provide back-up debris and trash pick-up when requested and approved by the town administrator, as a result of such unusual circumstances.

Section 14. The town, in conjunction with the requirements of Article III, Section 13, will furnish trash disposal services from approved disposal receptacles and along the beach access street-ends. The town will furnish a mobile dumpster disposal receptacle to the franchisee, for use by the franchisee, in the dumping of disposal receptacles, which have become full. The franchisee will report to the parks and recreation director, any disposal receptacle furnished by the town, which has become worn and/or unsightly.

Section 15. The franchisee will abide by, and enforce town ordinances on the Strand and in the water, such as:

(a) Boat regulations.
(b) Animals on the Beach.
(c) Alcohol on the beach.
(d) Trash and litter.
(e) Solicitation.
(f) Any other ordinances as are authorized by the town administrator or his designee.

ARTICLE IV

Section 1. All lifeguard stands mentioned herein shall be of design and construction that is structurally sound and approved by the town. Such stands shall be a part of the safety equipment required herein

Section 2. Each supervisor vehicle shall be equipped with a first aid kit as directed by the town.

Section 3. Each lifeguard stand shall be equipped with a set of water condition warning flags as is directed by the town, and the appropriate flag from such set shall be clearly displayed.

Section 4. Each lifeguard stand shall be equipped with a torpedo-type rescue buoy, which rescue buoy shall be located in a clearly visible and unobstructed point on or near the lifeguard stand.

Section 5. Each lifeguard stand will be equipped with an operational radio or telephone device, which device shall permit communication with adjacent stands, and the supervisor beach patrol vehicle and police department. Such communication equipment shall be kept operational at all times.

Section 6. Each lifeguard stand shall be equipped with such other and further rescue and/or safety equipment as the town, with input from the franchisee, may direct.

Section 7. The rental equipment of the franchisee shall be located at the lifeguard stand, but such equipment shall, under no circumstances, be located in such a position so as to obstruct the lifeguard's view of the ocean nor with a zone ten (10) feet to the front and sides of the lifeguard chair section of the stand.

Section 8. The franchisee shall maintain a clear zone of ten (10) feet to the front, sides and rear of each stand in which no objects other than the lifeguard's safety equipment shall be permitted, and in which no person shall be permitted to sit or loiter.

Section 9. During the times and periods stands are required to be operational, the franchisee shall keep each and every stand and patrol area of the beach occupied by a qualified lifeguard, unless as otherwise prescribed herein.

Section 10. All lifeguard stands with accessory boxes, which are discontinued, shall be removed from the beach within one (1) week of the discontinuance of the stand.

Section 11. The town reserves the exclusive right to direct the franchisee in the physical location of lifeguard stands. The town may, at its sole option, require stands to be moved or relocated for the safety and welfare of the general public. The town shall obtain input from the franchisee prior to moving any stand(s).

ARTICLE V

Section 1. Lifeguards furnished by the franchisee shall be at least sixteen (16) years of age, and shall hold and maintain in full force and effect, a current Advanced Red Cross Lifesaving Certificate or equivalent, and copies of such certificate shall be furnished to the town administrator, or his designated appointee, annually, prior to the lifeguard going on his stand

Section 2. Lifeguard shall be trained and tested as follows:

(a) During the first two (2) weeks of the lifeguard's employment, each lifeguard shall, in the presence of the town's parks and recreation director, undertake and successfully pass, the Advanced Red Cross Lifesaving Test or demonstrate lifesaving abilities in a locally prepared lifesaving test at the option of the recreation director, at a time and place designated by the town.

(b) Each lifeguard shall be fully instructed in the techniques of surf rescue operations at least once each year, in the presence of town parks and recreation director, such instruction to be completed during the first two (2) weeks of the lifeguard's employment, at a time agreeable to town recreation director.

(c) Every lifeguard shall successfully complete once weekly, unless excused ahead of time for medical or personal reasons by the recreation director, from Memorial Day Week to Labor Day week, a surf rescue exercise employing the use of the torpedo buoy, and every lifeguard shall likewise successfully complete once weekly, a man-carrying exercise over a distance of at least fifty (50) yards. Any lifeguard who fails to successfully complete these exercises, shall be immediately dismissed, and shall not be re-employed.

(d) All replacement lifeguards shall be required to meet the foregoing provisions.

(e) The franchisee shall keep a record of the conduct record to the town administrator, or his designated appointee, on the day following the exercise. The town administrator, or his designated appointee, and the franchisee, shall mutually agree upon the time and place at which these exercises will be conducted, which place shall be upon the public beaches of the town. Scheduled exercises shall be postponed to the next clear day by the franchisee in the event of unsafe ocean conditions or hazardous atmospheric conditions.

ARTICLE VI

Section 1. The franchisee shall, at its own expense furnish, maintain and operate during the hours lifeguard stands are required to be open, beach patrol vehicle, which vehicle shall be capable of operating on the public beaches, and which vehicle shall be equipped with the following items, and such other and further rescue and/or safety equipment as the town may direct:

(a) First aid kit, torpedo type rescue buoy as required, for lifeguard stands;

(b) Radio equipment permitting two-way communication between the beach patrol vehicle and the town police department.

Section 2. The beach patrol vehicle shall be clearly lettered as such on two (2) sides as specified by the town. Such vehicle [driver] shall be at least eighteen (18) years of age. No persons other than a qualified licensed driver and/or qualified lifeguard, shall be permitted to operate the beach patrol vehicle. In the event of such rendering of assistance, the passenger or passengers shall immediately be delivered to the appropriate destination. The purpose of the beach patrol vehicle is to patrol the beach areas, and render assistance to members of the public in need of assistance.

Section 3. The franchisee shall, at all times of operation, provide a lifeguard meeting the requirements of Article V on the beach patrol vehicle, or one who has been a qualified lifeguard for three (3) consecutive years.

Section 4. The operator of the beach patrol vehicle shall perform the following duties and shall observe the same rules and regulations as are imposed upon lifeguards:

(a) Supervise the lifeguards of the franchisee. Supervise the conduct of the safety exercises required under Article V, Section 3 hereof, and assure and enforce the conditions herein established;

(b) Patrol the public beaches of the town, and maintain radio contact with the police department during duty hours;

(c) Aid in the location of lost persons.

ARTICLE VII

Section 1. The franchisee shall maintain in full force and effect, a policy of public liability insurance, which shall have minimum limits of coverage as follows: $300,000 each person personal injury/$300,000 each event personal injury/$300,000 property damage

Section 2. The franchisee and its successors or assigns, shall hold harmless and indemnify the town, its employees and assigns, from any and all claims, damage, loss, injury, action, or any other demand of any nature and description whatsoever, either related directly or indirectly hereto, which the town may suffer or will suffer as a result of any claims, costs, judgments, demands, actions, of any and every nature and description arising either directly or indirectly from the activities of the franchisee hereunder. The franchisee, and its guarantor or guarantors, shall also be totally and absolutely responsible for any and all investigative fees, costs, or attorneys fees that may be incurred that relate to any matter herein.

Section 3. A copy of the public liability insurance policy required under Section 1 hereof, shall be furnished to the town administrator or his designated appointee, prior to the conduct of any business by the franchisee. No business shall be conducted by the franchisee until such proof of insurance is delivered to the town administrator; however, the failure to have such insurance shall not relieve the franchisee of its other responsibilities set forth herein.

ARTICLE VIII

Section 1. The franchisee shall be available to the town administrator, or his designated appointee, at all times beginning with the first day of June, and ending with the day following Labor Day of each year. Such availability to be either in person or by telephone at the option of the franchisee.

Section 2. No business may be conducted by the franchisee until all requirements of this franchise are met by the franchisee, and the required safety equipment is approved by the town administrator, or his designated appointee, and such approval may be withheld if such safety equipment is found by the town administrator, or his designated appointee, to be in an unsafe condition or of an unsafe nature. The decision of the town administrator, or his designated appointee regarding safety equipment shall be final. The failure of the franchisee to meet their requirements of this section shall not relieve the franchisee of its other responsibilities set forth herein.

Section 3. The franchisee shall keep only that equipment necessary for rental as specified in Article I, Section 1. All such equipment shall be kept in a safe and sound state of repair at all times and shall be immediately removed from the public beach if found to be defective or in ill repair. All rental and operational equipment used by the franchisee shall be kept clean, and in a state of good repair.

ARTICLE IX

Section 1. The franchisee shall report in writing on Monday of each week, all incidents involving violations of the requirements imposed upon lifeguards, all violations of the requirements imposed upon lifeguards, all violations by the franchisee of the requirements of this instruments, and all incidents involving personal injury, loss of life, rescue action, first aid attention, or location of lost persons, which occurred during the immediately preceding week. Such reports shall be on a form provided by the town, and delivered to the town administrator or his designated appointee.

Section 2. The franchisee shall submit reports to town council as is deemed necessary by the town. All reports submitted to town council shall be first submitted to, and through the town administrator, no later than the Thursday preceding the first town council meeting of each month.

ARTICLE X

Section 1. Upon the violation of Article II, Section 2, or the change of any of the principals involved with the franchisee, or the conviction of, or plea of guilty or nolo contendre by any of the principals involved with the franchisee of a crime or moral turpitude, or the declaration of bankruptcy or proceedings of reorganization under federal or state law by the franchisee, or the failure of the franchisee to comply with the terms and conditions of the franchise, the town reserves the right to immediately revoke this franchise.

ARTICLE XI

Section 1. The town administrator of the town or his designated appointee shall be responsible for the

enforcement and supervision of this franchise

Section 2. This instrument may only be modified in writing as authorized by mayor and town council, and no other modifications of this instrument shall be effective, including attempted modifications.

ARTICLE XII

Section 1. This franchise supersedes all other franchises previously made, and all other agreements, in writing or otherwise, regarding such previous franchises

Section 2. This instrument memorializes the complete understanding of all parties hereto, and any other statements, promises, representations, inducements, and any and all negotiations of any nature, form or description previously had or contemporaneously conducted with the formation and execution hereof, are hereby deemed fully abandoned, and the same form no part of this instrument, nor of the consideration of inducement herefore.

Section 3. The town shall have the right, if a default occurs and remedies as prescribed in Article II, Section 4, are not complied with, to terminate the within agreement.

Section 4. In the event of a default, the franchisee agrees to pay all fees, including attorney's fees, necessarily incurred in enforcing the town's rights under this agreement as a result of said default.

Section 5. Whenever possible, each provision of this agreement shall be interpreted in such a manner as to be effective and valid under the law, but if any provision of this agreement is prohibited by or invalid under such law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of the franchise agreement.

BE IT ADOPTED AND EFFECTIVE THIS 28th day of April, 1998.

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >> DIVISION 2. - ADDENDUM II >>

DIVISION 2. - ADDENDUM II

ADDENDUM NUMBER II TO THE BEACH SERVICE FRANCHISE

WHEREAS, the mayor and council for the Town of Surfside Beach, hereinafter called "town," have agreed to an addendum to the beach service franchise agreement, marked "Exhibit A" and attached hereto and made reference herein as if fully set forth, allowing for the placement of commercial advertisement on beach chairs and umbrellas owned by the franchisee, within the corporate limits of the town, in addition to the beach services provided by said franchise agreement;

WHEREAS, the town has entered into this agreement with Beach Services. Ltd., hereinafter called, the "franchisee," of Surfside Beach, South Carolina;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT, for and in consideration of five dollars ($5.00) and the mutual promises and covenants hereinafter contained, the town does hereby grant to the franchisee an additional right to franchise the following services and terms set forth in the following terms and conditions herein:

1. The franchisee, in addition to those rights set forth in "Exhibit A", is granted the right to use the public beaches of the town, as herein designated, hereinafter called "public beaches", for the purpose of allowing the placement of commercial advertising space on franchisee's beach chairs and umbrellas, subject to the following conditions:
   - (a) No more than twenty-five (25) percent of the total number of chairs and umbrellas within the corporate limits of the town may be used for this purpose:
   - (b) Advertising language and/or design must be approved by town council;
   - (c) Advertising placed on lifeguard stands must include information of a public safety nature;

(d) Solicitations by means of flyers, handouts, loudspeakers, etc., IS NOT ALLOWED.

2. That the service referred to in paragraph 1., is an additional service granted by the town to the franchisee, and is granted to the franchisee in addition to those services provided in "Exhibit A".
3. That all other terms and conditions of the beach service franchise agreement, marked "Exhibit A" and made a part hereof, are to remain in full force and effect and that no other terms and conditions of the franchise agreement marked "Exhibit A" shall be changed other than those set forth in paragraph 1.
4. All of the conditions and terms of the franchise agreement marked "Exhibit A" remain the same. This constitutes the full addendum and additional agreement herein.

This addendum will be effective until the expiration of the franchise agreement, which is April 1, 2005.

(Approved 1996; Ord. No. 02-0474, 3-26-02)

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >> DIVISION 3. - ADDENDUM III >>

DIVISION 3. - ADDENDUM III

ADDENDUM NUMBER III TO BEACH SERVICE FRANCHISE

WHEREAS, the mayor and town council for the Town of Surfside Beach, hereinafter called "town," entered into a franchise agreement with Beach Services. Ltd., hereinafter called, the "franchisee," of Surfside Beach, South Carolina; and

WHEREAS, the town has agreed to an addendum to the beach service franchise agreement, a copy of which is attached hereto and made a part hereof as if fully set forth herein, marked "Exhibit A" and hereinafter referred to as "agreement," allowing a provision for parasailing services within the corporate limits of the Town of Surfside Beach by franchisee;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of ten dollars ($10.00) paid by franchisee to town and the mutual promises and covenants hereinafter contained, town does hereby grant franchisee the right to add parasailing service on the public beaches of the Town of Surfside Beach, hereinafter called "public beaches," to the agreement as set forth hereinbelow:

1. Franchisee, in addition to those rights set forth in the agreement, is granted the right to use the public beaches for providing parasailing services as an additional service business and revenue generating mechanism to provide income to hire high quality life guarding staff to guard the public beaches.
2. Franchisee shall provide to town evidence of water sports liability insurance, in the form of a current insurance certificate, in an amount of not less than one million dollars ($1,000,000.00) and shall keep said policy in full force and effect for the duration of the agreement.
3. Franchisee and town hereby agree that the franchise fee shall be due and payable on or before January 1 of each year of the agreement. Franchisee and town further agree that said fee shall be deemed past due and subject to penalty of 1.5 percent per month if not paid before January 10 of each year of the agreement.
4. That the service referred to in paragraph 1., is an additional service granted by town to franchisee, and is granted to the franchisee in addition to those services provided in the agreement.
5. All other terms and conditions of the agreement remain in full force and effect and no other terms and conditions of the agreement shall be changed, modified, or amended other than as specifically set forth herein.
6. This document constitutes the full addendum and agreement between the parties hereto and shall not

have subsequent amendment without express consent and agreement by both parties hereto.

IN WITNESS WHEREOF, the parties do hereto affix their hands and seals this 28th day of November 2000, binding themselves, their respective successors, heirs, or assigns for the duration of the franchise.

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >> DIVISION 4. - ADDENDUM IV >>

DIVISION 4. - ADDENDUM IV

ADDENDUM NUMBER IV TO BEACH SERVICE FRANCHISE

WHEREAS, the Mayor and Town Council for the Town of Surfside Beach, hereinafter called "town," entered into a franchise agreement, as amended, with Beach Services, Ltd., hereinafter called, the "franchisee," of Surfside Beach, South Carolina; and

WHEREAS, the town agreed by duly adopted motion to an addendum to the beach service franchise agreement, as amended, a copy of which is duly codified in the Town Code of Ordinance, and is made a part hereof as it fully set forth herein;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ten dollars ($10.00) paid by the franchisee to town and the mutual promises and covenants hereinafter contained, that the town hereby grants an exclusive beach service franchise unto franchisee for the purposes stated in the original franchise agreement, as amended; and that said franchisee shall be subject to the following conditions:

Section 1. Franchisee shall be subject to all terms and conditions of the original franchise agreement and subsequent amendments, which are incorporated into this addendum as if fully set forth herein.

Section 2. The term of the franchise agreement shall be extended for three-years beginning on April 1, 2005, and ending on April 1, 2008.

Section 3. That the town waived the franchise fee during the franchise extension and no franchise fee shall be due and payable by franchisee for the period beginning April 1, 2005 and ending April 1, 2008.

Section 4. Franchisee shall provide one additional life guard and stand to the beach for a minimum of twelve (12) weeks during the summer season.

(Ord. No. 04-0539, 10-26-04)

Surfside Beach, South Carolina, Code of Ordinances >> - VOLUME II >> - >> ARTICLE V. - BEACH SERVICES >> DIVISION 5. - ADDENDUM V >>

DIVISION 5. - ADDENDUM V

Whereas, the mayor and town council for the Town of Surfside Beach, hereinafter called "town," entered into a franchise agreement, as amended, with Beach Services, Ltd., hereinafter called "franchisee," of Surfside Beach, South Carolina; and

Whereas, the town agreed to [by] duly adopted motion to an addendum to the beach service franchise agreement, as amended, a copy of which is duly codified in the Town Code of Ordinance[s], and is made a part hereof as if fully set forth herein;

Now, therefore, know all men by these presents, that for and in consideration of the sum of ten ($10.00) dollars paid by the franchisee to town and the mutual promises and covenants herein contained,

that the town hereby grants an exclusive beach service franchise unto franchisee for purposes stated in the original franchise agreement, as amended; and that said franchisee shall be subject to the following conditions:

Section 1. Franchisee shall be subject to all terms and conditions of the original franchise agreement and subsequent amendments, which are incorporated into this addendum as if fully set forth herein.

Section 2. The term of the franchise agreement shall be extended for five (5) years beginning on April 1, 2008, and ending on March 31, 2013.

Section 3. Franchisee shall provide lifeguard services pursuant to the U.S. Lifeguard Association specifications and standards.

Section 4. The franchisee shall not pay to the town the prescribed franchise fee. No fee per adopted motion.

No franchise fee is required during the term of this extension adopted 3-28-06.

in accordance with the applicable town codes. The financial books and records of the franchisee are subject to audit by the town upon demand by the town.

Section 5. Beach Services, Ltd., shall provide one additional lifeguard on the beach that will perform only lifeguard duties and shall have no other responsibilities pursuant to the requirements of the United States Lifesaving Association during the term of this extension. Said lifeguard shall be positioned along the beach as deemed appropriate by Beach Services, Ltd.

Section 6. In the event Beach Services, Ltd. fails to obtain USLG certification, this extension shall be terminated, adopted by amended motion 3-28-06.

(Ord. No. 06-0596, 3-28-06)