



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
FEBRUARY 26, 2013 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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**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, Smith, and Stevens were in attendance. A quorum was present. Others present: Town Administrator Fellner; Town Clerk Herrmann; Finance Director King; Public Works Director Adair; Acting Fire Chief Cimini, and Recreation Supervisor Ellis.

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

Pastor Tony Bratcher from Journey Church gave the invocation. Mayor Samples led the Pledge of Allegiance.

Mayor Samples: "Thank you, Pastor."

**3. AGENDA APPROVAL.**

Mr. Smith: "Mr. Mayor."

Mayor Samples: "Mr. Smith."

Mr. Smith: "I, I move that we approve the agenda with the following amendment. That we defer Item 6.A.iii Rotary Roundup Weekend to next week, I mean to next meeting."

Mayor Samples: "There is a motion on the floor."

Ms. Dodge: "Second."

Mayor Samples: "There's a second. Any discussion? All in favor say aye."

All Members: "Aye."

Mayor Samples: "Okay. The agenda is adopted. We've moving to the minutes approval. We have three minutes [sic], separate minutes to approve."

**4. MINUTES APPROVAL.**

Ms. Kohlmann: "Mr. Mayor."

Mayor Samples: "Ms. Kohlmann."

Ms. Kohlmann: "I'd like to move to approve the minutes of the January 22<sup>nd</sup> Special Meeting with the amendment to lines 20, 227 to 236 as submitted by the mayor."

Ms. Mabry: " Second."

Mayor Samples: "There's a motion. There's a second. Any discussion? All in favor say aye."

56 All Members: "Aye."

57

58 Mayor Samples: "Opposed? The minutes are adopted."

59

60 Ms. Kohlmann: "Mr. Mayor."

61

62 Mayor Samples: "Mrs. Kohlmann."

63

64 Ms. Kohlmann: "I move to approve the minutes special meeting of January 29<sup>th</sup>, 2013 minutes."

65

66 Ms. Mabry: "Second."

67

68 Mayor Samples: "There's a motion. There's a second. Any discussion? All in favor say aye."

69

70 All Members: "Aye."

71

72 Mayor Samples: "Opposed? The mo, the minutes are adopted."

73

74 Ms. Kohlmann: "Mr. Mayor."

75

76 Mayor Samples: "Mrs. Kohlmann."

77

78 Ms. Kohlmann: "I move to approve the regular meeting of February 5<sup>th</sup>, 2013 minutes."

79

80 Ms. Mabry: "Second."

81

82 Mayor Samples: "There's a motion. There is a second. Any discussion? All in favor say aye."

83

84 All Members: "Aye."

85

86 Mayor Samples: "Opposed? The minutes are adopted. Our next section is public comments on  
87 agenda items only. Speakers are allowed three minutes to speak on any item on the agenda. Come  
88 forward. State your name and where you live. Ms. Sandy."

89

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

91

92 "Sandra Elliott, 5<sup>th</sup> Avenue North. Good evening to everyone. I have two concerns on the  
93 agenda. I had to write it down, because verbatim, I'm afraid that I'll stutter through my speaking. I'm  
94 concerned over the parking signs. Why? Why are we doing this? People are fully aware that the ocean  
95 is located a few blocks down the street. It hasn't moved since the beginning of time, and many of our day  
96 visitors have parked on Ocean Boulevard and the only difference now is paying meters. Not parking free  
97 will. Several committees and council and the employees have been working to make Business 17  
98 attractive to all. Look at the re-landscaping that John has done on the medium strip, and the new overlay  
99 that you have approved for 17. Soon the repaving projects will begin, then why would we want to junk it  
100 up with signs? Seriously, give the public credit for their intelligence. 5<sup>th</sup> Avenue North has many  
101 accidents, as well as 16<sup>th</sup> North had a fatal one last year. Anyone coming to our town should be directed  
102 to the focal point or pier on Surfside Drive as it is written in our Comprehensive Plan for many years.  
103 Micki, I don't know if you're aware of, worked hard to have the Plantation busses follow their newly  
104 instructed route down Surfside to protect the public. School busses do travel our roads. Think of the  
105 public safety. The signs are not needed; vote no. And my second concern is the parking company. I  
106 have a few questions. Will they be the only ones issuing tickets in the whole town? What about side  
107 streets? If the signs go up, and the arrow's pointing down, who's going to ticket them? The courts are  
108 not involved at all. So from the resolution that I read, they will issue the tickets and will also be the judge  
109 and jury. What happens to our Bill of Rights in the Constitution? Emergencies and exceptions do occur.  
110 Thank you."

111

112 Mayor Samples: "Thank you. Any other comments?"

113  
114 "John, John Ard, 612 Cypress Drive. I'd like to speak for just a minute, if I may, on section C here  
115 underneath the administrator's report, and I hope that this is considered part of business. It's on the  
116 agenda. The number "d" down here, establish a focus group to work on projects, signs, merchandise,  
117 events, and so on, specific to town's 50<sup>th</sup> anniversary. This town's pretty good and everything, but what  
118 I'm wondering about is this, we already have a recreation and special events committee. The only thing  
119 that keeps this from being a committee is the wording in it. We got some very good people on this special  
120 events committee. Instead of trying to form another group or something like that to handle one specific  
121 item, which special events should be handling this, let the people if they want to volunteer to help, if they  
122 have ideas and stuff like that, go to the meetings and make their presentations and stuff like that and  
123 work with the special events committee. I don't see where we need something else like this, which is,  
124 which can be considered another committee. That's what we have special events for, and I would like to  
125 see it handled in that way. Thank you."

126  
127 Mayor Samples: "Thank you. Any other comments?"

128  
129 "Kathy Goddard, 320 15<sup>th</sup> Avenue South. I would like to say regarding the drug paraphernalia  
130 shop in town, I'm really upset about it. Last year I had a first-hand experience of a person under the  
131 influence and it can be witnessed by the police department, because I was on my balcony when a person  
132 under the influence, a young man half-naked walked in my yard while I was on my balcony painting, and I  
133 only had a paint can in my hand and I couldn't get down and he charged up my steps. Scared to death,  
134 and he was out of his mind. Long story short, they don't know what to this day the young man had, but  
135 they can't get him back. His brain is gone, and I found this out by, I know for sure, they'll never, he'll  
136 never recover from whatever he took. He's gone. His brain is destroyed. His parents are from Murrells  
137 Inlet. They took him to a [sic] center. They shipped him out of there, because he'll never recover. They  
138 don't even know what happened to him. This is the influence that I don't want in this town. I moved here,  
139 not Myrtle Beach. I'm not, not North Myrtle Beach. I, my husband and I took months searching the area  
140 for a family beach. I did not move here for drugs and paraphernalia. I want safety, and I came to a family  
141 beach, and this store does not represent a family beach, and I just am very upset over it, and I don't care  
142 what they sell, it is drug paraphernalia, and when you get picked up by a patrolman and you have one  
143 pipe, one wrapper, you get arrested for paraphernalia, and that's what I've seen in that shop. I don't want  
144 it in my town. I don't want to be a part of it. I don't want drugs around me, and I don't like drug people.  
145 So, I'm thoroughly against it, and I thank you for your time."

146  
147 Mayor Samples: "Thank you. Any other comments? Yes, sir."

148  
149 "Hi, good evening. My name is Joe Huss. I'm a property owner in Surfside. I have a condo on  
150 Ocean Boulevard at 1011 North Ocean Boulevard, a house at 715B South Ocean Boulevard. A couple of  
151 comments on the parking changes; in the condo lot, and I think in many of the condo lots, the meters, we  
152 believe, are gonna drive people that were parking on the street into the private condo lots, which creates  
153 a problem for owners and guests, which is gonna make it more difficult to, a, patrol that area. And this  
154 general comment as a property owner coming here for 30 years and very proud of all the good work that's  
155 been done here in this time to make Surfside a much better place to visit, to vacation, and for people to  
156 live, but with the, with the meters and the signs that are now on Ocean Boulevard, I, in my opinion, it's  
157 somewhere goofy looking and a, and tacky. I hope there are some other options that could be  
158 considered. Thank you."

159  
160 Mayor Samples: "I want, I want to make note, a, of, of the, the fact is the meters are not on the  
161 agenda, okay, and so there are some topics that are related to parking, we're, and we will sit and stay  
162 and listen to everybody's comments [sic] as it relates to the meters, and you will have up to five minutes  
163 at that point to talk about the meters, but the purpose of this public comment section before we get into  
164 business is to hear public comments that are directly related to business items or other items on tonight's  
165 agenda, and so, in order to facilitate council process, I just want to explain that to everybody, because a,  
166 a, the gentleman made a comment as it related to the parking meters, and, and there may be many who

167 want to make comments related to the parking meters, and we will sit and listen to them, but not at this  
168 point.”

169  
170 Unknown Speaker: “Well, that’s what I’m up here for. I wish you’d a told me before I got up.”

171  
172 Mayor Samples: “I understand (\*\*)”

173  
174 Unknown Speaker: “I came about a hundred miles to be here tonight. I’m from Manning, South  
175 Carolina.”

176  
177 Mayor Samples: “Sir, go ahead with, you know, you made it to the podium. We’ll listen to your  
178 comments. No one else has gotten up, and the fact of the matter is, that gentleman did raise his hand  
179 earlier, and a, and I’m gonna repeat myself. The ordinance that town council follows requires that at this  
180 point only items on the agenda are addressed at this public, this three minute section. But, go ahead, sir.  
181 State your name for the record.”

182  
183 “Mr. Chairman and other Councilmembers, my name is Benton Blakely. I’m on County Council  
184 from Clarendon County, South Carolina, and so it’s kind a hard for me facing you tonight with an issue;  
185 heard a lot of ‘em. But, I came here in ‘73 and bought a home, and, because this was a family beach,  
186 and this is where, of all, all the beaches, this is the one I chose. I have another home on 14, 414 Ocean  
187 Boulevard that you got two meters right in my front yard now, and it’s real dangerous backing out trying to  
188 get out on the highway, on the boulevard with these vehicles that’s gonna be parked there, and a, I think  
189 it’s a safety hazard, and, and I notice a lot of homes don’t have ‘em. I talked to four or five people this  
190 afternoon and they said it seems like the meters were in front of the old homes and not the new ones. I  
191 don’t know that for a fact, but I saw a lot of spots that were vacant that could have a meter, if that’s what  
192 you’re doing. But a, I, I really think if you, if you look real close, on one side the road you [sic] on, on, on  
193 the person’s property. The other side you have a sidewalk and I don’t see a problem with parking  
194 between the sidewalk and the road, but when you’re getting, getting up in the yard, I know the city owns  
195 10- or 15-feet there, and right, I’m right at 4<sup>th</sup>, between 4<sup>th</sup> and 5<sup>th</sup> Avenue [sic], and years ago, about 15-  
196 years ago when I bought the home the bridge was caving in. I asked the town we need help. The roads,  
197 the field under, the yard’s caving in right at the road. It’s dangerous. We don’t have any money. So I  
198 fixed it myself, and it’s been good for 10- or 12-years, and now, I come and now I’m gonna have someone  
199 parked probably from here to the wall from my deck and trash’ll [sic] be everywhere and I, I, I just don’t  
200 understand. I know you want to get as much revenue as you can from every source, but we’ve got  
201 people that bought homes here and I see WIS TV’s here tonight, but I didn’t know they had a station  
202 down here. But I, someone told me that was listening in Columbia that they’re putting parking meters in  
203 Surfside, you know about it? I says no, cause that’s where they’re based. I don’t see any local stations,  
204 you know, putting this out. So I’m very concerned and other people are, too, and this is a hazard,  
205 because I know when I back out into the boulevard it’s very dangerous, and if there’s a [sic] SUV there,  
206 you cannot see, and that’s all I have to say, and I wish you would reconsider this.”

207  
208 Mayor Samples: “Thank you, sir. Agenda items, public comments? Mr. Ott.”

209  
210 “Good evening. Ron Ott, 7<sup>th</sup> Avenue North. I, business section A, I evidently missed the first  
211 reading on this, and I, I, nepotism, I can understand to bring out the birth certificate, we know who you  
212 are, but favoritism, you know, where we gotta penalize somebody because they’re charismatic or people  
213 like ‘em. You gotta really take a look at that one. I don’t know what the, what you a, run across on your  
214 first with your first reading. Synthetic drugs, wow, how about that. That’s interest, a heck of thing that we  
215 actually have ‘em out there, that people, it’s not just the children, it’s the adults, it’s older people, too. (\*\*)  
216 You see it, we all see it, and a, so how can we have something that’s not approved by the FDA out there  
217 for sale and people are a doing whatever they do with it, and I don’t think it should be here in this town. I,  
218 I don’t want my grandson seeing it. I don’t want me seeing it. I don’t want anybody seeing it. This no  
219 more iPods, cell phones, tablets at the meetings. I guess no more solitaire. Thank you.”

220  
221 Mayor Samples: “Thank you, sir. Any other comments on agenda items? Yes, ma’am.”

222

223 "My name's Beth McMillan. I don't live in Surfside, but I live in Murrells Inlet, and I saw *The Sun*  
224 *News* article about synthetic drugs, and I was so happy to see this finally being discussed in the  
225 community. I'm speaking from personal experience. My daughter is now in rehab for the third time, and  
226 she began smoking marijuana. Being a good parent and trying to monitor that, we took away her driving  
227 privileges; no driving till you have a negative drug screening. Well, you can smoke spice, which is what  
228 this is called, and it's not detected on a drug screening. The high is intense. The high is of short  
229 duration. When a person smokes it, they're more impulsive, and really you don't really know what's  
230 gonna happen, and it can happen with the first intake of this drug. I saw where the owner of the shop,  
231 and I do believe that, you know, you have the right to have a business, and it is true, you don't know what  
232 someone's gonna do with something when they take it out, and it is true, it is marked not for human  
233 consumption, but the items are marketed and packaged to entice with cartoon characters looking like  
234 you're gonna get high then chill. There's even one called Dopey that is a rip-off of Dopey the Disney  
235 character. Another part of that is, too, when you go up to buy this, you have to have something to smoke  
236 it with, so you can't tell me as a business owner that you buy this, and you know, light it up and enjoy the  
237 aroma, but you're also buying the wrappers that go with it, which is what you're buying when you  
238 purchase it. This is dangerous, you know, it needs to be threw [sic] out this community, threw [sic] out  
239 this beach. They need to stop this. Florida's taking a big hit on it and trying to outlaw it and if you can  
240 start this here, maybe it'll start something across the beach. I know it's harming athletes, cause athletes  
241 are doing this so they can still play, you know, and still have, won't be detected on a drug screen. I think,  
242 a, there's one other thing I was gonna mention about it, and then coming off of it. The, a, I'm losing my  
243 thought. The withdrawal is much more intense. So I'm sure as a concerned parent and just a part of this  
244 community, I'd really like to see this stuff go. I was gonna say the makers of this are smart. There was  
245 one called K12 that they managed to take off, but all they did was go back and reformulate it, and sold it  
246 again. (time) So I hope this community will take a stand. Thank you."

247  
248 Mayor Samples: "Thank you, thank you very much. Any other comments on agenda items?  
249 Yes, sir."

250  
251 "How y'all doing? My name is Frank Perrino. As you can tell, I'm not a native South Carolinian,  
252 but I'm here for 40-years, so I consider myself one of y'all. I came down from Lancaster today and I  
253 agree, first I agree with everybody with what they said up here so far, and then some. I was gonna speak  
254 about the parking meters, but I'll hold off. I have a problem; we have about seven properties here in  
255 Surfside. I like Surfside. I love Surfside. We have one, I've been trying to get in touch with a Mr. Adair  
256 about the swash that this is related to the storm, a, it's on the agenda, the stormwater."

257  
258 Mayor Samples: "Um, huh."

259  
260 Mr. Perrino: "On 3<sup>rd</sup> Avenue South is, the wash is washing away. We have two houses. I'm the  
261 president of the HOA. We have 13 houses there, (*unknown person sneezing*) God Bless you, sir; the two  
262 houses that are adjacent to 3<sup>rd</sup> Avenue South is, the, the wash is washing away. We have to correct it. I  
263 have, you know, plots and other information that the city is currently taking care of Seabridge. I believe  
264 that's on 5<sup>th</sup> Avenue, okay, the swash that goes all around there, they're maintaining that property.  
265 Seabridge Associates?"

266  
267 Mayor Samples: "Yeah, it's 11<sup>th</sup> North."

268  
269 Mr. Perrino: "11<sup>th</sup>? Okay, and it says, you know, well, they're maintaining it. We have to get this  
270 maintained or addressed, because as we're getting water coming up, it's just washing away. Now the city  
271 replaced the locks at one time, and they told us not to do nothing [sic,] you know, I mean, you know, you  
272 don't tell the city official anything."

273  
274 Mayor Samples: "Right."

275  
276 Mr. Perrino: "All our shrubbery is washing away. It's eroding. We're about six inches from the  
277 piers that are holding up the houses."  
278

279 Mayor Samples: "What address is this, sir?"

280  
281 Mr. Perrino: "3<sup>rd</sup> Avenue South, Portobello I."

282  
283 Mayor Samples: "Okay, thank you."

284  
285 Mr. Perrino: "You know, there's the lake behind us, and it flows into it and into the ocean. Now,  
286 the ocean side has bulkheads on both sides. We don't have any at all, and as the water comes in and  
287 out fast, it's taking away the land, and I'll reserve my other comments on the (\*\*) about the parking  
288 meters. The parking signs, they're right up to the street (*time*) we're gonna have many accidents."

289  
290 Mayor Samples: "Thank you. Thank you. You get five minutes later on, how's that sound?"

291  
292 Mr. Perrino: "Yes, I just wanted to address the parking signs."

293  
294 Mayor Samples: "We appreciate your comments. Yes, sir, okay. Thank you very much. Any  
295 other comments? Alright, the next section is our communications. The first item would be the  
296 Proclamation 13-80, American Red Cross Month March 2013, and so, Ms. Debra, if you will read the  
297 proclamation, and I believe I am to present..."

298  
299 Ms. Herrmann: "Judy is here from the Red Cross."

300  
301 Mayor Samples: "Thank you. Good to see you. I apologize, I'm not feeling that well tonight, but  
302 I'll make it through it, so if you're read the proclamation."

303  
304 **6. COMMUNICATIONS.**

305  
306 **A. Proclamations.**

307  
308 **i. #13-80 American Red Cross Month – March 2013.** American Red Cross representative  
309 Judy Delsignor.

310  
311 Ms. Herrmann: "Thank you. Proclamation #13-80, American Red Cross Month 2013.

312  
313  
314 Whereas, the American Red Cross fulfills a vital role in our community. It  
315 prevents and alleviates suffering in the face of disaster and is a true reflection of  
316 the humanitarian and volunteer spirit of the American people; and

317  
318 Whereas, during the month of March, the American Red Cross asks all  
319 Americans to join its movement and help carry out its lifesaving mission, with a  
320 gift of time, money or blood. The Red Cross supplies almost half of the nation's  
321 blood; teaches skills that saves peoples' lives; provides international  
322 humanitarian aid; supports military members and their families; and feeds,  
323 shelters and gives emotional support to victims of disasters; and

324  
325 Whereas, for almost 100 years United States Presidents have called on  
326 the American people to support the Red Cross, and its humanitarian mission. In  
327 World War I, President Woodrow Wilson ordered the Red Cross to raise funds to  
328 support emergency aid to the military. At that time, the Red Cross set a goal of  
329 \$125 million and in less than six weeks donations totaled nearly \$146 million; a  
330 tribute to the overwhelming generosity of the American public; and

331  
332 Whereas, in 1943 during World War II, President Franklin D. Roosevelt  
333 became the first president to proclaim March as Red Cross Month and called on  
334 Americans to "rededicate themselves to the splendid aims and activities of the  
335 Red Cross." President Roosevelt's call to action nearly 70 years ago started a  
336 tradition of designating March as Red Cross Month, a time to recognize and  
337 support the valuable work of the American Red Cross; and

334                   Whereas, every day through its 73 employees and 4,785 volunteers here  
335 in South Carolina, the Red Cross is there to save the day when disaster strikes  
336 or when a neighbor's house burns down. It is there when someone needs life-  
337 saving blood, or the comfort of a helping hand. It connects military families with  
338 their loved ones serving in our military, and provides training in CPR, aquatics  
339 safety, and first aid, as it spreads humanitarian aid and goodwill to people around  
340 the world.

341                   Whereas, our community depends on the Red Cross and because it is  
342 not a government agency, the Red Cross depends on support from the public to  
343 continue its humanitarian work. This is especially important in these challenging  
344 economic times for the Red Cross and all Americans.

345                   Now, Therefore, I, Douglas F. Samples, Mayor of the Town of Surfside  
346 Beach, do hereby proclaim March 2013 as American Red Cross Month, and

347                   Further, I encourage all Americans to support this organization and its  
348 noble humanitarian mission.

349                   Be it so proclaimed this 26th day of February 2013.

350  
351                   Mayor Samples (*speaking from floor*): "Thank you, thank you. For those of you who may not  
352 know, but on Pampas Drive, I believe, over by Market Common, on the old air force base, they do really  
353 have a terrific facility set up, ready for emergencies; a lot of supplies are stored, and that kind of product,  
354 and they'll be, you'll be happy, I know, you'll be happy to show anybody (\*\*.)"

355  
356                   Ms. Delsignor (*speaking from floor*): "Yes, we will."

357  
358                   Mayor Samples (*speaking from floor*): "What they do, what they're waiting for the time when we  
359 actually, we will need them. We will need them; their assistance. So we thank you for all that you do."

360  
361                   Ms. Delsignor (*speaking from floor*): "Thank you very much." (*Applause*)

362  
363                   Mayor Samples (*speaking from floor*): "Well, it's not often that you get to do things that are  
364 bittersweet, but, but this is one of those times. The next item is for a friend of ours, Tom Richards.  
365 Debra, go ahead and read the proclamation, and then I'll go."

366  
367                   **ii. #13-81 Fire Lieutenant Tom Richards Retirement**

368  
369                   Ms. Herrmann: "Proclamation #13-81, Fire Lieutenant Tom Richards Retirement Proclamation.

370  
371                   Whereas, Tom Richards joined the Surfside Beach Fire Department  
372 Volunteers on April 24, 1992; and

373                   Whereas, Tom Richards was hired as a career firefighter/engineer on  
374 October 3, 1996, and was promoted to Lieutenant in 2002; and

375                   Whereas, Tom Richards successfully completed the written and practical  
376 examinations for the South Carolina Fire Academy Structural Firefighter; attained  
377 national certification as a certified HealthCare Provider of the American Heart  
378 Association BLS for Healthcare Providers Program; successfully fulfilled the  
379 prescribed requirements passing all written and practical examinations as a duly  
380 registered Emergency Medical Technician, and also is a member of the National  
381 Registry of Emergency Medical Technicians; and

382                   Whereas, Tom Richards was promoted to Lieutenant in 2002; and was  
383 named State Resident Fire Marshal for the State of South Carolina, and obtained  
384 certification as a Fire Investigator; and

385                   Whereas, Tom Richards has faithfully served the Town of Surfside  
386 Beach, the Surfside Beach Fire Department, the Town's citizens and the  
387 community for these 20-plus years.

388                   Now, Therefore, I, Douglas F. Samples, Mayor of the Town of Surfside  
389 Beach, do hereby proclaim best wishes and good fortune to TOM RICHARDS as

390 he enters retirement, and proclaim that his outstanding service and dedication to  
391 the Town of Surfside Beach shall not be forgotten.  
392 Be it so proclaimed this 26th day of February 2013.

393  
394 *(Applause and standing ovation for Mr. Richards.)*

395  
396 Mayor Samples *(speaking from floor)*: "You don't ever want to sit next to this man *(laughter)*! I  
397 feel safe! (\*\*) Tom, thank you so much for all you've done for the town, and I know you still will. (\*\*) We  
398 wish you the best (\*\*), with that Chief, I think you've got something for him."

399  
400 Chief Cimini *(speaking from floor)*: "Mayor and Council, there's a tradition in the fire service.  
401 When one of our own retires, we present him with his helmet he's worn faithfully." *(Applause)*

402  
403 Mayor Samples *(speaking from floor)*: "Tom, if you want to say anything now that you can..."

404  
405 Mr. Richards *(speaking from floor)*: "Oh, yes. When I first came to South Carolina, my parents,  
406 my wife, and I moved down here, my son, Daniel, we came down here in October of 1991, and a, I didn't  
407 know a single solitary person in South Carolina when we moved down here. Stopped down at town hall  
408 to put an application in for a job that was (\*\*) and got turned down. (\*\*) Jan Lewis told me about the fire  
409 department, you know, the volunteer firefighters, and asked me if I'd like to be a firefighter, and I jumped at it,  
410 because it (\*\*) get close to people and serve the community, so I tell you what, it's been a fun ride. It's  
411 been a long, bumpy ride at times (\*\*;) met a whole lot of really cool people, really nice people. I loved  
412 working with the Town of Surfside Beach. It was a lot of fun. The amount of people in fire service that a  
413 lot of people think we're a close-knit organization; we're not that close-knit. But we are a proud  
414 organization. Somebody mentioned something earlier about nepotism. One of the things about the fire  
415 department, there's a lot of fire departments around the country that brothers, fathers, uncles are all in the  
416 same department. They're bigger departments, but work well. I'm a third generation firefighter. My son,  
417 Daniel, the guy with the stump on his foot right now, is a fourth generation firefighter. He's a firefighter as  
418 soon as he turned 18 he joined Murrells Inlet Garden City Fire Department. His grandfather was a  
419 fireman up in Vermont. My great-great grandfather was a fireman. My great grandfather was a New York  
420 City cop for 47 years. My dad was a Nassau County cop for 34 years, so we've served for a lot of years  
421 and a lot of different generations. Proud to do it and thoroughly enjoyed it. Thank very much." *(Much*  
422 *applause and standing ovation.)*

423  
424 Mayor Samples: "If there are no objections, why don't we take about a 5-minute recess and  
425 anybody that wants to thank Tom and that sort of thing..."

426  
427 *Clerk's Note: Mayor Samples declared recess at 7:07 p.m. and reconvened at 7:14 p.m.*

428  
429 Mayor Samples: "Alright, I think we're about ready to, we're about ready to come back into order,  
430 and we will move right into our department reports. The first report would be the finance department  
431 report, and who's gonna present that? Micki? Micki Fellner will present that."

432  
433 **iii. #13-82 Rotary Roundup Weekend.**

434  
435 *Clerk's Note: This item deferred to next meeting per approved motion (see Item 3 above.)*

436  
437 **B. Department Reports**

438  
439 **i. Finance.**

440  
441 Ms. Fellner: "I'm actually not going to present it, Mayor and Council. I just wanted to introduce  
442 our new director of finance who will present it, and that is Diana King."

443  
444 Mayor Samples: "Hello, Diana King."  
445

446 Ms. King: "Hello, Mayor and Council. Good evening, Mayor and Council. I have the finance  
447 report for January. This report basically is the cash that's received to the town this month. For January  
448 we had 30 new accounts in business license; 3 of them were in town. We had new businesses from out  
449 of town were two. New rentals were 16. New contracts were nine, and we had nine, six inquiries about  
450 new businesses. Business license was \$5,843 of revenue this month, which is down from last mo, last  
451 year, but that would be due to Harbor Lights being totally constructed out, so there was no more business  
452 license or permits that are coming in related to last year. The taxes for this year, the current real estate  
453 takes for personal property and vehicle taxes from Horry County are \$601,460, which is down from last  
454 year, which was over \$701,000, but they are up year to date, which would leave me to believe that in  
455 December the county collected a lot more taxes than they had the prior year. Hospitality and local  
456 accommodations for January were \$21,157 and \$3,535, respectively. That's down slightly from the year  
457 before. Year to date is \$393,000 and \$95,000 compared to \$387,000 and \$98,000 the prior year, which  
458 is within the range, but not better. In January sanitation collected approximately \$78,000 in service  
459 charges, which is down from the prior year, but it's \$667,000 compared to last year's \$635, which is a  
460 significant increase. We do not have financial statements for you this month, but we will have complete  
461 financial statements next month. We're starting to work on the budget for next year, within very short time  
462 period that we can get that done, but I think when we go through the budgeting process we'll go through  
463 and figure out what things have not been booked in the last couple months. They have kept operations  
464 running impeccably, but in the quarter end there are usually adjustments that have to be made so we'll be  
465 getting those in line and budgeting them out for the next year so that we'll have good financial statements  
466 for next month. Any questions?"

467  
468 Mayor Samples: "Any questions?"

469  
470 Ms. Kohlmann: "Mr. Mayor."

471  
472 Mayor Samples: "Mrs. Kohlmann."

473  
474 Ms. Kohlmann: "I'd just like to say welcome back."

475  
476 Ms. King: "Thank you."

477  
478 Mayor Samples: "I think that goes for all of us. Thank you. The next departmental report would  
479 be the recreation department, Debbie Ellis."

480  
481 *Clerk's Note: The written report is on file.*

482  
483 **ii. Recreation.**

484  
485 Ms. Ellis: "Good evening. The seniors dance was held on Saturday, February the 9<sup>th</sup>; 64 people  
486 attended the event. Entertainment was provided by DJs and light refreshments were served. We've had  
487 two recreation/special events committee meetings this month. The following changes in existing events  
488 have been made as follows: the Easter Egg Hunt has been changed to the Easter "Egg"stravaganza to  
489 be held on March 30<sup>th</sup> from 2 p.m. to 4 p.m. at Martin Field for ages 10 and under with inflatables, train  
490 ride, carnival games and the Easter bunny. The car show has been cancelled due to lack of participation  
491 from local car clubs. A Memorial Day cookout has been scheduled in its place for Sunday, May the 26<sup>th</sup>  
492 from 4 p.m. to 8 p.m. on Surfside Drive. Entertainment will be Larry Altman and the Nacho Mama Band  
493 (*laughter.*) I didn't name 'em. The End of Summer celebration has been renamed "Endless Summer  
494 Celebration." New events and activities are in the planning stages of the committee such as a beach luau  
495 and art show, and movies in the park. Just an update, registration for baseball and softball with the  
496 Surfside Beach Youth Sports Association has been slow moving and has been extended for ages 9 to 12  
497 to February 22<sup>nd</sup>, and age 13 to 14 to March the 2<sup>nd</sup>. Registration is still available on line at  
498 [www.surfsidesports.org](http://www.surfsidesports.org), and you do have to put that www in front of it, because it will not pull it up if you  
499 don't. Minor repairs and clean up is being done at Floral Clubhouse and the facility will be available for  
500 rent again beginning March 1<sup>st</sup>. The upcoming events will be the BBQ Festival on Saturday, March the  
501 9<sup>th</sup>, 10 a.m. to 4 p.m. on Surfside Drive; Saint Patrick's Day Dance, Saturday, March the 15<sup>th</sup>, 7 p.m. to 10

502 p.m. at the civic center, and the Easter "Egg"stravaganza on Saturday, March the 30<sup>th</sup>, 2 p.m. to 4 p.m. at  
503 Martin Field."

504  
505 Mayor Samples: "Any questions?"

506  
507 Mr. Smith: "Mr. Mayor."

508  
509 Mayor Samples: "Mr. Smith."

510  
511 Mr. Smith: "Debbie, what clubs participated last year? You said you couldn't get any to  
512 participate this year, but we had a show last year, so what clubs participated last year?"

513  
514 Ms. Ellis: "I don't think it was really a club. We had a committee when Mr. Childs was on council  
515 and we formed a car, car show committee, and I think a couple of people that were in car clubs went out  
516 and got the cars, but Glen Curtis has been working on it with the special events committee, and we just  
517 can't get anybody, can't get enough people to commit to..."

518  
519 Mr. Smith: "To bringing their cars."

520  
521 Ms. Ellis: "Yeah."

522  
523 Mr. Smith: "Okay, thank you."

524  
525 Ms. Ellis: "You're welcome."

526  
527 Mayor Samples: "Any other questions? Do we have a link on our website for the softball regis,  
528 the baseball registration? Isn't that something that we should, we should do, and then you need to get  
529 the word out. Are we advertising at Huckabee? Is the sign..."

530  
531 Ms. Ellis: "Yes, sir. They've got access to the letter and the marquee and they had signs made  
532 up. They've taken them to all the schools and over to the complex on Scipio Lane and they've had  
533 commercials on the radio station, as well."

534  
535 Mayor Samples: "You may want a [sic] suggest to them that they put the website, web address  
536 on that marquee."

537  
538 Ms. Ellis: "Okay."

539  
540 Mayor Samples: "Okay. Any other questions or comments? Thank you, Deb. And a, moving  
541 along, we are at public works. Mr. Adair."

542  
543 *Clerk's Note: The written report is on file.*

544  
545 **iii. Public Works.**

546  
547 Mr. Adair: "Good evening, Mayor and Council, citizens. Public works report for January 16<sup>th</sup> to  
548 February 20<sup>th</sup>, under the sanitation division residential service, eight new carts have been delivered to  
549 new accounts; five new COs, and three reactivated accounts. Sanitation supervisor responded to six  
550 calls regarding ordinance enforcement, as well as 28 additional miscellaneous calls. Under commercial  
551 service the routes continue to be updated based on business needs. One business, Crabby Mike's, has  
552 already resumed service. Four accounts required extra pickup due to overflow and three accounts had  
553 discontinued service due to businesses closing; that would be Best Golf Carts, Saint Angelo's Pizza, and  
554 Rent Mart. Under recycling, 11 new carts have been delivered to owners and residents upon request. In  
555 January, we collected 275.35 tons of solid waste, 28.28 tons of mixed debris, 197 tons of yard waste, and  
556 a little over 40 tons of recyclables. All those are in line pretty much, except that the yard is way up from  
557 last year. The others are pretty much in line with last year. Of note, the new sanitation rates will appear

558 on customers March 1<sup>st</sup> bill, so those who were not part of the a, a, in the know of the ordinance change,  
559 that'll it be, it'll appear on the March 1<sup>st</sup> bill for February, they bill back. The streets and drainage division,  
560 the beach swash outlets are being dug out to insure proper water flow as needed, particularly with all this  
561 rain we've been having. Ongoing special projects, the 50/50 ditch piping program is reactivated. As I've  
562 said before, seven estimates were sent out. Five have paid already. We're on the third one now, with  
563 two more to go, and we should have that done within the next several weeks. Renovations have been  
564 completed, the replacement actually, of the 16<sup>th</sup> Avenue South beach walkover access, and we are  
565 currently replacing the 6<sup>th</sup> Avenue North beach access with a larger platform, with a little more seating  
566 style. Signage and related items for the parking meter program are being and will continue to be installed  
567 on Ocean Boulevard per standards set by the manual for Uniform Traffic Control Devices. Crews  
568 continue to perform maintenance and cleanup of drainage ditches and catch basins throughout town.  
569 Five reports were sent to Santee Cooper during the month identifying street lights that were not  
570 functioning properly, and we had two new streetlights installed. One on 8<sup>th</sup> Avenue South Extension, and  
571 one at 10<sup>th</sup> Avenue South and Highway 17. Under the grounds division, bids are now being accepted  
572 until March 18<sup>th</sup> for the addition of an ADA compliant restroom at Huckabee recreation complex.  
573 Improvements and repairs have been made to the landscaping and irrigation system at town hall. Palm  
574 trees and ornamental grasses and rose bushes have been planted, and the athletic field [sic] at  
575 Huckabee and Martin parks are being prepared now for the upcoming baseball season. Under fleet  
576 maintenance for our mechanics completed 62 repairs on town vehicles and equipment along with 30  
577 preventive maintenance vehicles. Under our facilities division, crews installed a new security door at  
578 town hall, and two offices at town hall had renovations and/or repairs completed during the month. We  
579 also made a renovation, or modification to the 3<sup>rd</sup> Avenue North beach access to allow people to walk  
580 straight through without going up past the showers, which was a problem for some. Under the pier, F. E.  
581 Baiden and Associates, LLC was awarded the bid for the installation of the ADA ramp and deck  
582 expansion at the pier. That contract was executed and the work should be started this week. The piles  
583 were delivered today for that project, and just one additional note, a sanitation driver Neal Johnson was  
584 recognized as driver of the month for January by the Horry County Solid Waste Authority, and that's all I  
585 have. Any questions?"

586  
587 Ms. Dodge: "Mr. Mayor."

588  
589 Mayor Samples: "Mrs. Dodge."

590  
591 Ms. Dodge: "I, I don't have a questions, but I just wanted to say the palm trees look great. Keep  
592 planting them everywhere, and also, the security door at town hall, I'm adverse to change, I guess. I can't  
593 walk freely back there. It's sad that we feel that that's needed, but I thank you very much."

594  
595 Mr. Adair: "Yes, I appreciate that. Thank you."

596  
597 Mr. Smith: "Mr. Mayor."

598  
599 Mayor Samples: "Mr. Smith."

600  
601 Mr. Smith: "John, I'd like to thank you and your crew for the renovations on the beach access. I  
602 think you've done a real nice job on those, so thank you."

603  
604 Mr. Adair: "Thank you, yeah, we'd had a lot of compliments."

605  
606 Mayor Samples: "What's the completion date anticipated for the pier?"

607  
608 Mr. Adair: "It should be 30 calendar days from tomorrow, assuming they start tomorrow."

609  
610 Mayor Samples: "Okay."  
611

612 Mr. Adair: "They spent yesterday and today putting the pile driving equipment together. Piles  
613 were delivered today, and I spoke to the gentleman today and a, they're all set to go for tomorrow, so  
614 they have 30 calendar days."  
615

616 Mayor Samples: "Okay. Any other questions? Thank you, John. And that leads us to the  
617 administrator's report. Ms. Fellner."  
618

619 *Clerk's Note: The written report is on file.*  
620

621 **C. Administrator's Report -- Update on Current Events.**  
622

623 Ms. Fellner: "Mr. Mayor, Council, residents. Just a couple of updates first, I am happy to report  
624 that Dolfy has passed his assessment and is now a viable candidate for tracking and substance detection  
625 training. This will most likely commence sometime in March, and North Myrtle Beach, who will be doing  
626 the training, will contact us and let us know."  
627

628 Mayor Samples: "Who did you say?"  
629

630 Ms. Feller: "Dolfy. That's our new dog."  
631

632 Mayor Samples: "Okay. How do you spell that?"  
633

634 Ms. Fellner: "D-o-l-f-y."  
635

636 Mayor Samples: "Thank you."  
637

638 Ms. Fellner: "You're welcome. Second, if there's no objection, I would like to schedule the  
639 budget retreat this year to be held in Surfside Beach in council chambers on Thursday, April 25<sup>th</sup> and  
640 Friday, April 26<sup>th</sup>, if no one has an objection to that."  
641

642 Mayor Samples: "Any objection? Alright, we'll roll, you know, Micki and I spoke briefly...go  
643 ahead, Mr. Smith."  
644

645 Mr. Smith: "Can I ask a question...is this all day or just mornings?"  
646

647 Ms. Fellner: "One day would be all day, the second day would probably be just a half day."  
648

649 Mr. Smith: "Okay, thank you."  
650

651 Ms. Fellner: "You're welcome."  
652

653 Mayor Samples: "Doing it in late April means we will roll right from the budget retreat into the  
654 budget development and adoption."  
655

656 Ms. Fellner: "And execution of the ordinance."  
657

658 Mayor Samples: "Right, that's right. So, that's fine."  
659

660 Ms. Fellner: "No objection, good. Then I have four consensus items; I don't get an arrow in the  
661 back on this one. The first to place standard blue signs, this is a, this is with the blue signs with the  
662 reverse out while lettering, beach parking signs on US 17 and this was a recommendation of the parking  
663 committee, at 16<sup>th</sup> North, 5<sup>th</sup> North, Surfside Drive, 3<sup>rd</sup> South, 10<sup>th</sup> South, and Melody Lane, and then  
664 directional signage would also be placed at some of the intersections where these streets intersect Ocean  
665 Boulevard to indicate lot parking, and, and an example of one of those would be where if you come down  
666 and Ocean Boulevard and like to get to the lot at 13<sup>th</sup> you actually, there's not, 13<sup>th</sup> isn't a through road, so  
667 you, so it'd have to be a sign on Ocean Boulevard telling which way the lot was."

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Mayor Samples: "Just as there is now."

Ms. Fellner: "Yes, sir."

Mayor Samples: "Okay."

Mr. Johnson: "Mr. Mayor"

Mayor Samples: "Mr. Johnson."

Mr. Johnson: "What are the dimensions of these signs?"

Ms. Fellner: "They're relatively small. John, what is, do you have a size?"

Mr. Adair: "18 by 24."

Ms. Fellner: "18 by 24."

Mayor Samples: "(\*\*) Any comments? Ms. a, yeah, Mrs. Kohlmann."

Ms. Kohlmann: "I'm just wondering. I know it came from the parking committee, but could we possibly think about the beautification committee taking a look at it as well. I know it's gonna be mixing two committee up, but I have to say that I'm, I'm not a sign lover either, and I understand they put a lot of time and effort into their, their committee, but a, I think it's worth just seeing another, another point of this."

Mayor Samples: "Understand."

Ms. Mabry: "Mr. Mayor."

Mayor Samples: "Ms. Mabry."

Ms. Mabry: "I fully agree. I'm not a 100-percent for more clutter on the highway. I like, once they get to the beach, it's just not that hard to find, they're gonna have clear direction as to where to park, so."

Mayor Samples: "What I would say is that, a, the, that I put it out in email to, to this effect for information purposes today, Horry Georgetown Tech, Technical College, as we know is doing some work, if you will, classroom work, a project, including signage I think is part of that. Now, I don't know the scope, you know, what that really means, but I know that they're looking to put together a presentation for council at some point to lay out all the good work that they have done, and, and I'm like Ms. Kohlmann, and, and, Ms. Mabry, we can take time to do it right, rather than rushing forward on, on this signage, and I do think that it should be some kind of a branding effort..."

Mr. Stevens: "Mr. Mayor, do you need a motion to defer it?"

Mayor Samples: "No, it's a consensus item, and so I think, unless, do you need us to speak. How do you want us to express that?"

Ms. Fellner: "Just a consensus. I'm bringing something to you that came from the parking committee, and they want it brought forward, so, excuse me, I would need a consensus, yes or no, or if you want a, if you want it to go to a committee, tell me that, as well."

Mayor Samples: "Okay. Council?"

Unknown Speaker: "No."

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Mr. Stevens: "Go with consensus to go to take it to beautification."

Unknown Speaker: "No."

Mayor Samples: "I'm sorry? Mr. Stevens."

Mr. Stevens: "Consensus to take it, send it to beautification. Is that what we're doing?"

Mayor Samples: "Well, we can do a wide range of options. I think the administrator's waiting for some direction. The a, a, and certainly that was one of the things Ms. Kohlmann mentioned was send it to beautification. You mentioned send it to beautification. Is that council consensus?"

Mr. Johnson: "Mr. Mayor"

Mayor Samples: "Mr. Johnson."

Mr. Johnson: "A, and I apologize, I did not read your email that you sent out today for informational purposes. With the Horry Georgetown Technical College program, I would just suggest we defer it, and, and give everyone a chance to comprehend what the, you know, what's going on. I don't, I don't have a problem with sending it to the beautification committee, but I, I'm not so sure that we need to, I mean I think we need to look at both sides of it first."

Mayor Samples: "Thank you."

Ms. Kohlmann: "Have we got a time frame, Mr. Mayor, on when that, that committee is gonna come with the ways they're (\*\*) signs and the branding? Do we have any kind of time period for that?"

Mayor Samples: "I, I believe it will be in the May timeframe, isn't that about right?"

Ms. Fellner: "Yes, sir."

Mayor Samples: "Okay, May timeframe."

Ms. Kohlmann: "I don't have a problem with waiting until we see what they come up with, instead of kind of butting heads. They're, they're doing their thing and, and there's really no need. The sky isn't falling down to get signs out there that point to the beach. I think we need to take our time on it."

Mayor Samples: "Well, I agree as, as we've discussed, and particularly on Highway 17, there is gonna be some work done by DOT out there, and I think that'll present an opportunity for us to, to make, make known to several items that I think there has been an expression of interest in including signs that would identify the pier, and perhaps the library, and some other items. So, items of general public interest that belong on Highway 17, in addition to telling people where parking might be."

Unknown Speaker: "Might be?"

Mayor Samples: "I mean is. So the consensus is, is that we, we delay, mention this to the committees, I mean as points of information a number of representatives are here tonight, and, and so, they understand that the presentation which Horry Georgetown Tech students and teachers want to do for us would be a formal presentation and is expected to take 90 minutes or so. You know, it would probably be done in a workshop form. I attended something similar to this in a, in a Marion when they were doing their downtown years, years back. At that time it was USC, and it was a very good project, so let's hope that Tech can match, match that. Is there any disagreement with waiting till...no? That's your consensus. We're waiting."

Ms. Fellner: "Item two is the parking committee feels that the town should allow free trailer parking during bike weeks in the 13<sup>th</sup> Avenue South and 16<sup>th</sup> Avenue North Lots. The dates are May 10<sup>th</sup>

780 through 19<sup>th</sup>, May 24<sup>th</sup> through 27<sup>th</sup>, and October 2 through 6, and that's a total of 19 days. They feel that  
781 this move would promote good will and keep unsightly trailers in areas that equipped to deal with larger  
782 conveyances. We would, of course, need to disseminate that information, Mr. Mayor."

783  
784 Mayor Samples: "Comments, yes, Ms. Kohlmann."  
785

786 Ms. Kohlmann: "I think it's a great idea. With what's going on now with the changes that we're all  
787 having endured I think that this is a really important thing as far as safety goes. I think Ocean Boulevard  
788 during Bike Week, and you can't, those, those are big trailers, so people have a difficult time as it is with  
789 cars, so I'm sure they're gonna have an even harder time with trailers, and I do know during Bike Week  
790 those trailers are all over the place. I don't know why guys have motorcycles and don't ride them here.  
791 You're not really supposed to trailer them, guys. You're supposed to ride 'em. *(laughter)* But, I think it's a  
792 great idea as far as safety goes."

793  
794 Ms. Dodge: "Mr. Mayor."  
795

796 Mayor Samples: "Mrs. Dodge."  
797

798 Ms. Dodge: "I would agree, also, Micki. I think putting them in one or two places keeps a lot of  
799 clutter off the streets, and when they have them parked in driveways down near the beach, it's very hard  
800 to see, so that's a great idea. Thank you."

801  
802 Ms. Mabry: "Mr. Mayor."  
803

804 Mayor Samples: "Ms. Mabry."  
805

806 Ms. Mabry: "Ms. Fellner, I don't have a problem with it, either, except I do want to make sure that  
807 because we are directing something into our town property, that we're not gonna be held liable for  
808 anything that goes on there, and that we are aware that if we do for one group that we are going to be, if  
809 asked, we're gonna have to do for another, so I just want to make sure that everything is real clear on  
810 this."

811  
812 Ms. Fellner: "It should not change the liability at all."  
813

814 Ms. Mabry: "Okay."  
815

816 Mr. Smith: "Mr. Mayor."  
817

818 Mayor Samples: "Mr. Smith."  
819

820 Mr. Smith: "In, in line with what Councilman, Council Lady Mayberry [sic] said, we need to make  
821 sure that the police are well aware of it and increase their security there, because people have a habit of  
822 driving off with trailers. So, we want the police to, a, enhance their security around that; a lot of visits to  
823 make sure no one's running, especially late at night."

824  
825 Mayor Samples: "Let me ask a question, but if somebody with a trailer elects to park it on Ocean  
826 Boulevard, are they prohibited?"  
827

828 Ms. Fellner: "They are not, as long as they feed the meter."  
829

830 Mayor Samples: "Okay, and I'll just ask this question whether the parking committee has  
831 addressed it or not, but it gets to the issue of being even handed, and a, treating everybody the same,  
832 and so we are making a, a special exception here for trailers. Is there any thought or is there any  
833 concern about should a condominium owner, a property owner, not have adequate parking as they did  
834 perhaps in the past, without paying, feeding the meters?"  
835

836 Ms. Fellner: "That has not been discussed in my presence."  
837

838 Mayor Samples: "I mean the fact is, in my opinion, R-3, particularly Ocean Boulevard, is the  
839 source of a great deal of revenue for the town, whether it's in their property taxes at as high as the 6-  
840 percent rate, their accommodations taxes that they pay to us, the state, and we, those of us who have  
841 been here long enough know that some, I might even say many, of those homes that were built, those  
842 townhomes that were built, those condominiums, actually have more bedrooms than adequate parking. It  
843 wasn't until the mid-2000s that the town adopted a one-parking space per bedroom requirement, and  
844 then there was a period of time where master closets, as they were called, okay, were being built, and I,  
845 and I just have a concern, and council hasn't addressed it, and I was just interested if the parking  
846 committee was ever gonna address the issue as it relates to the business people who have quite an  
847 investment that help support us and keep our taxes low, or am I gonna be getting phones calls and  
848 emails throughout the summer, I'm gonna speak plainly, from people that have spent 2- to 3-thousand  
849 dollars a week, because they're getting ticketed."  
850

851 Ms. Fellner: "Mr. Mayor, if I might. What has, what I have discussed with the parking committee  
852 is the possibility of merchant validation, and they are in, they may have discussed that in the last two  
853 meetings. I have not been at the parking committee in the last two meetings, and that would alleviate  
854 exactly the type of issue that you're discussing, and I think we do intend to take that up. I know Mr. Ma,  
855 Mr. Maruca, when I had asked him if that was something that as a property owner he would be interested  
856 in pursuing and taking, and talking to the parking committee about, he did indicate that he was very  
857 interested in that."  
858

859 Mayor Samples: "Well, good, because we have some unfinished business."  
860

861 Ms. Fellner: "Yes, sir."  
862

863 Ms. Dodge: "Mr. Mayor."  
864

865 Mayor Samples: "Mrs. Dodge."  
866

867 Ms. Dodge: "I have a problem with trailers parking on Ocean Boulevard, because they will block  
868 line of sight. If they're parked in a driveway or on the street, they will block line of sight, and I think we  
869 have to have them parked someplace else other than there, and I don't have a suggestion on where, but  
870 not there, because of the safety factor."  
871

872 Mayor Samples: "Any other comments? Unless I'm wrong, the a, there is a, a length, and it's  
873 either 20-, unless we changed the ordinances..."  
874

875 Unknown Speaker: "20-feet."  
876

877 Mayor Samples: "...when it came to commercial vehicles, of which a trailer might be  
878 construed..."  
879

880 Ms. Fellner: "(\*\*) how big it was."  
881

882 Mayor Samples: "23, my, my recollection was it was 23-feet."  
883

884 Ms. Fellner: "You have 20, anything over 22 wouldn't even fit in the spot, anyway."  
885

886 Mayor Samples: "Okay."  
887

888 Ms. Fellner: "We mark them off as 22."  
889

890 Ms. Dodge: "I was thinking of trailers parking in driveways, you know, at the place where they're  
891 staying and that would block, block line of sight."

892  
893 Ms. Fellner: "I think that's a separate issue, though, and (\*\*) bring it before you."  
894  
895 Ms. Dodge: "Well, it's my issue."  
896  
897 Ms. Fellner: "Yes, ma'am. I understand that."  
898  
899 Mayor Samples: "Councilman Johnson."  
900  
901 Mr. Johnson: "Getting back to the original consensus request..."  
902  
903 Mayor Samples: "Yes."  
904  
905 Mr. Johnson: "...is there, this is strictly for trailers and not vehicles..."  
906  
907 Ms. Fellner: "Yes."  
908  
909 Mr. Johnson: "...parked in those..."  
910  
911 Ms. Fellner: "Yes."  
912  
913 Mr. Johnson: "...so it will still be controlled or policed with whoever patrols it, will be giving tickets  
914 and checking the meters for it."  
915  
916 Ms. Fellner: "They will do that, yes, sir."  
917  
918 Mr. Johnson: "Okay."  
919  
920 Mayor Samples: "Alright."  
921  
922 Mr. Smith: "Mr. Mayor, I'd like to give my consensus to allow the a free trailer parking for the  
923 dates specified."  
924  
925 Mayor Samples: "Alright. Is, do we have a consensus?"  
926  
927 Mr. Johnson: "Yes."  
928  
929 Mr. Stevens: "Yes."  
930  
931 Unknown Speaker: "Except on Ocean (\*\*)."  
932  
933 Mayor Samples: "Alright, next item, Micki."  
934  
935 Ms. Fellner: "The next item is to prepare and publish an RFQ for publication services for the  
936 proposed town magazine. The Chamber has provided us with a model they use and I have marked it up  
937 to more closely reflect our needs. All local printers and publishers will be contacted and the RFQ would  
938 be placed on SCBO and appear on the town's website. The prescribed quantities would be for  
939 comparative purposes only. Prior to the acceptance of an RFQ, I would bring it back to council for  
940 approval of a specific quantity."  
941  
942 Mayor Samples: "Everybody understand? Okay, the RFQ is for the publication that we have  
943 talked about, in particular for the 50<sup>th</sup>, but also something to be used to market the town, and our human,  
944 what do they call it? You know, good, good stories, human interest! That's the phrase. Human interest  
945 stories. Alright, any, any questions, discussion? Anybody opposed?"  
946  
947 Unknown Speakers: "No."

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Mayor Samples: "You have a consensus."

Ms. Fellner: "Thank you. The next item is to establish a small focus group to work on projects, signs, merchandise, events, et cetera, specific to the town's 50<sup>th</sup> anniversary. The group would include an organizer/planner, one or two staff members, and three or four other members that may rotate in and out depending on the projects being worked on at the time. The 50<sup>th</sup>, there's everything from merchandise literally to signage. I, I mean and some events, as well, so this is really needs a very focused group who, who aren't looking at the bigger picture of our events that we currently have, how to enhance them, what works, what doesn't, that kind of stuff. This is a totally separate, a totally separate focus, and most municipalities when they have a 50<sup>th</sup> do form a special group just to handle this."

Mayor Samples: "Ms. Kohlmann."

Ms. Kohlmann: "I think, and first I want to say, I can't see you, Mr. Ard, but..."

Mayor Samples: "He's right there."

Ms. Kohlmann: "I understand what you were saying about the recreation and special events committee, but being that I'm a member of that committee, and have been in the past as well, there's just so much going on that we're trying to get done in the town, with some great ideas, but it takes a lot of work and I think that this is a really important thing for the Town of Surfside Beach. This 50<sup>th</sup> anniversary is really important, and I think it's a wonderful idea to have a focus group, because you really need that."

Mayor Samples: "Thank you. A, Mr. Smith."

Mr. Smith: "Ms. Fellner, these volunteers would be more like volunteer staff people who would be working for you basically to carry out the actual detail type projects?"

Ms. Fellner: "That's correct for the most part, and I'm thinking of one person, and at times there might be a second person."

Mayor Samples: "I think we need to move forward with this."

Mr. Smith: "I give my consensus."

Mr. Johnson: "Yes."

Ms. Mabry: "Yes."

Ms. Dodge: "Yes, sir."

Mayor Samples: "Okay, Randle?"

Mr. Stevens: "Yes."

Mayor Samples: "Let the record that Mr. Stevens said 'yes.' Thank you. Alright, anything else?"

Ms. Fellner: "No, I was just standing here for the first business agenda..."

Mayor Samples: "Okay, thank you. We are now at the first business item, second reading Ordinance Number 12-736 [sic] to amend Section 11-5(a) Nepotism and Favoritism Policy, Paragraph (a)." "

*Clerk's Note: The written report is on file.*

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**7. BUSINESS.**

**A. Second Reading Ordinance #12-0736 to amend §11-5(a) Nepotism and Favoritism Policy, Paragraph (a).**

Ms. Fellner: "And basically all this is doing is to include the sentence 'In no case shall relatives of the town administrator or town councilmembers be considered eligible for employment with the town.' That was bringing that sentence back. We took care of the policy, but not we've got to go back and take care of the ordinance. Council did approve making that addition to the ordinance."

Mr. Smith: "Mr. Mayor."

Mayor Samples: "Mr. Smith."

Mr. Smith: "I move that we approve second reading of Ordinance Number 12-0736 to amend Article 11-5(a)."

Unknown Speaker: "I second."

Unknown Speaker: "Second."

Mayor Samples: "There is a second by Mrs. Dodge. Any discussion? All in favor say aye."

All Members: "Aye."

Mayor Samples: "Opposed? Hearing none, the ordinance is adopted. Next item of business is second reading of Ordinance Number 13-0737, Repeal Appendix A, Article V, Beach Services, Divisions 1, 2, 3, 4, and 5, and adopt Appendix A, Article V, Division 1, Beach Services. This is our franchise agreement for those of you who are interested. This is second reading."

**B. Second Reading Ordinance #13-0737, Repeal Appendix A, Article V, Beach Services, Divisions 1, 2, 3, 4, and 5, and Adopt Appendix A, Article V, Division 1, Beach Services, Administrator Fellner.**

Mr. Smith: "Mr. Mayor."

Mayor Samples: "Mr. Smith."

Mr. Smith: "I move that we approve second reading of Ordinance #13-0737 related to Beach Services."

Mayor Samples: "There is a motion."

Mr. Johnson: "Second."

Mr. Stevens: "I second."

Mayor Samples: "There is a second by a, a, it was a tie, it'll go to Stevens. Any discussion? Councilman Stevens seconded. All in favor say aye."

All Members: "Aye."

Mayor Samples: "Opposed? Hearing none, the franchise agreement is adopted. The ordinance is adopted. First reading Ordinance 13-0739 to repeal the GTE Franchise..."

Multiple Unknown Speakers: "Excuse me. No. You skipped one, Mayor. You skipped one."

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Mayor Samples: "Oh, my gosh! (*laughter*) Both of these, I want to address both of these at the same time!"

Unknown Speaker: "Nope, you can't."

Mayor Samples: "Well, but, but, as background these are both, one is real old that should have been repealed and one expired five years ago and should have been repealed. Okay, Item C, first reading Ordinance 13-0737 to codify franchise agreement between Grand Strand Water and Sewer Authority, dated March 1, 1994, and I stand corrected, we should have adopted it back in 1994. But, it hasn't hurt us too much, so we're cleaning, doing some housekeeping. We're gonna adopt the franchise agreement as required by state law. Is that about it?"

**C. First Reading Ordinance #13-0737 to codify Franchise Agreement between Grand Strand Water & Sewer Authority, dated March 1, 1994.**

Ms. Fellner: "That's it, yes, sir."

Mayor Samples: "Okay, can I get a motion?"

Mr. Smith: "Mr. Mayor, I move that we approve first reading of Ordinance 13-0737 to codify franchise agreement between Grand Strand Water and Sewer."

Mayor Samples: "There's a motion."

Ms. Dodge: "Mr. Mayor."

Mayor Samples: "Mrs. Dodge."

Ms. Dodge: "If I might, please, I would like to see that change Town of Surfside made the Town of Surfside Beach, not just called Surfside Beach or Surfside."

Mayor Samples: "I, I'm sorry, there, there's, withhold that comment, you can make that comment in a minute. We have a motion. Is there a second?"

Ms. Dodge: "I would second it."

Mayor Samples: "There is a second. Now, for clarification purposes, any discussion, clarification, Mrs. Dodge, where, where are you speaking, exactly? On the document itself?"

Ms. Dodge: "Yes."

Mayor Samples: "The document itself dated back in 1994."

Ms. Dodge: "I didn't write down the pages."

Ms. Herrmann: "Mr. Mayor, if I may address council."

Mayor Samples: "Please, Ms. Herrmann."

Ms. Herrmann: "I know what Mrs. Dodge is talking about. In the original agreement the reser, refer, refer, excuse me, refer to the town as 'Surfside,' instead of Surfside Beach. However, this is agreement was adopted by a previous council and we can't change it. This action is simply, Mrs. Dodge, to codify it, which is what we're required to do by state law. The original, just for information, the original agreement had a caption page and it said 'Transfer and Consolidation Agreement,' and in all the times I

1115 had looked at it, I didn't realize it had a franchise agreement until one of our residents asked a question  
1116 about it. So, that's how it slipped by."

1117  
1118 Ms. Dodge: "Okay, I withdraw my question."

1119  
1120 Ms. Herrmann: "Thank you, so much."

1121  
1122 Mayor Samples: "Okay, any other comments? Questions? All in favor say aye."

1123  
1124 All Members: "Aye."

1125  
1126 Mayor Samples: "Opposed? First reading is adopted. Moving right along to a, the next, GTE  
1127 franchise agreement, which expired back in October 2007. Refresh my memory as to what we're doing  
1128 there; repealing it."

1129  
1130 **D. First Reading Ordinance #13-0739, to repeal GTE Franchise, expired 10/2007.**

1131  
1132 Mr. Smith: "I'd like Ms. Fellner to give us more explanation."

1133  
1134 Mayor Samples: "Thank you."

1135  
1136 Ms. Fellner: "This is still on our site as an active franchise that appears under the franchises in  
1137 our ordinance in our MuniCode, and it expired long ago, and so basically, we're just repealing it. It  
1138 expired in 2007."

1139  
1140 Mr. Smith: "And there was no follow-up franchise?"

1141  
1142 Ms. Fellner: "To the best of my knowledge, there was not. I, I know, well, I'm in the middle right  
1143 now investigating some issues involving Verizon, Frontier, Horry Telephone...there appears to be a  
1144 number of irregularities that seem to be coming up and they're under investigation. But, I don't have  
1145 anything concrete to report to you."

1146  
1147 Ms. Kohlmann: "Mr. Mayor, ask her a quick question."

1148  
1149 Mayor Samples: "Please."

1150  
1151 Ms. Kohlmann: "If we repeal this tonight, does that, would this still, we're gonna be working on  
1152 the Verizon, Frontier, and all of that. That will not have anything to do with this, will it?"

1153  
1154 Ms. Fellner: "No, sir, er..."

1155  
1156 Mayor Samples: "No, ma'am."

1157  
1158 Ms. Fellner: "No, ma'am."

1159  
1160 Mayor Samples: "Just for clarification purposes, what we're talking about are franchise  
1161 agreements that at one point in time local governments in South Carolina had the authority to negotiate  
1162 on, on the local governments behalf. Though under Federal Telecommunications reform, which has been  
1163 taking place every since a lot of money's been going to these companies and they've been in  
1164 Washington, DC, oh, you know, we no longer have local authority to negotiate franchise agreements for  
1165 these firms. Consequently, and just to a, a, clarify, the investigation that, that Micki is, that Ms. Fellner is,  
1166 is looking at is to insure that the corporate, that services rendered to within the corporate limits of the  
1167 Town of Surfside Beach, that in fact, the Town of Surfside Beach reaps the franchise fees that should be  
1168 accorded to the corporate limits of the Town of Surfside Beach."

1169  
1170 Ms. Herrmann: "May I ask you to pause, so I can change the tape."

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Mayor Samples: "I'll be happy to."

Ms. Herrmann: "Thank you."

Mayor Samples: "...for my friend, Gene Maruca. *(laughter)* In any event, the a, a, that's what Micki's talking about. For this specific item, GTE has gone away, but we need to repeal it. Can I get a motion?"

Mr. Smith: "I'd like to ask another question."

Mayor Samples: "Please."

Mr. Smith: "Micki, so we get franchise fees from the local telephone comp, companies without having a franchise agreement, is that correct?"

Ms. Fellner: "I cannot give you a comprehensive answer right now. I can't even give you a good answer. If I gave you an answer, it, it would be un-researched. I'm trying to, this is very complicated. It's more complicated than I even thought it was to start with. I will report back to council, I can assure you on this."

Mr. Smith: "And has our town lawyer agreed with repealing this franchise?"

Ms. Fellner: "There's, you know, there's no reason not to repeal it."

Mr. Smith: "Okay. I don't, I don't, I understand that, I just don't feel comfortable repealing it until the lawyer gives us some idea that we're doing the right thing."

Mayor Samples: "Alright, let's..."

Unknown Speaker: "It's expired."

Mayor Samples: "It is expired, but a, you know, let's, let's ask Mr. Battle, if that's alright with everybody. Alright, so if there was a motion, we need to withdraw it."

Mr. Smith: "No motion."

Mayor Samples: "Thank you. Alright, resolution, now we're getting in to it. Resolution number 13-131 to designate Lanier Parking Solutions staff as parking enforcement officials. Ms. Herrmann, will you read the resolution."

Ms. Herrmann: "Yes, sir. Resolution #13-131, To Grant Jurisdiction for the Town of Surfside Beach Parking Function to Lanier Parking Solutions and to authorize its Staff as Parking Enforcement Officials

Whereas, the Town of Surfside Beach Town Council in chambers duly assembled in a regularly scheduled meeting held on the 26th day of February 2013; and

Whereas, Town Council entered into an agreement with Lanier Parking Solutions to manage the town's parking function and is desirous of authorizing Lanier Parking Solutions employees to act as parking enforcement officials for the Town of Surfside Beach; and

Whereas, pursuant to the Town Code of Ordinances, Section 9-17(c) that states "Violators shall only be cited by police officers or authorized code enforcement officers;"

1226 Now, therefore, be it resolved that the Town of Surfside Beach Town  
1227 Council pursuant to said Section 9-17(c) stipulate that employees of Lanier  
1228 Parking shall be the authorized parking enforcement officials as authorized by  
1229 the Town Administrator and Chief of Police to carry out enforcement specific to  
1230 parking within the incorporated limits of the Town. The officials appointment,  
1231 salary, wages and other terms and conditions of employment shall be pursuant to  
1232 the parking enforcement contract entered into between the Town of Surfside  
1233 Beach and Lanier Parking Solutions. Lanier Parking Solutions is hereby  
1234 authorized during the term of the said contract to:

1235 1. Issue violations on a uniform ordinance summons consistent with  
1236 Lanier's practice.

1237 2. Manage collections, appeals, and mediation in place of jury trials for  
1238 all traffic tickets/tags issued by its properly authorized parking enforcement  
1239 officials.

1240 Be it Further Resolved that the said parking enforcement officials shall  
1241 have the authority to issue traffic tags/tickets for parking meter violations and  
1242 other parking violations. Such tags/tickets shall have the same force and effect  
1243 as though issued by a duly appointed, qualified and acting police officer.

1244 Be it Further Resolved that the Town's Municipal Court shall have no  
1245 jurisdiction over parking matters during the contract period with Lanier Parking  
1246 Solutions.

1247 BE IS SO RESOLVED, this 26th day of February 2013."

1248  
1249 Ms. Dodge: "Mr. Mayor."

1250  
1251 Mayor Samples: "Mrs. Dodge."

1252  
1253 Ms. Dodge: "There's a typo in the second para, paragraph where whereas Lanier Parking is  
1254 called Lanker Parking. Just correct the spelling."

1255  
1256 Mayor Samples: "Second, second line there.:"

1257  
1258 Ms. Dodge: "Yes."

1259  
1260 Mayor Samples: "Any other comment?"

1261  
1262 Mr. Smith: "Mr. Mayor."

1263  
1264 Mayor Samples: "Councilman Smith."

1265  
1266 Mr. Smith: "Ms. Fellner, my question relates to the last line that talks about shall have no  
1267 jurisdiction over parking matters during the contract period. Now, is this all over town or just in their  
1268 designated areas, because Lanier can issue tickets Ocean Boulevard and up to Dogwood, and so forth.  
1269 What about the other parts of town?"

1270  
1271 Ms. Fellner: "That would be the police department's responsibility."

1272  
1273 Mr. Smith: "But doesn't this sentence the way it's worded say that, a, if it's a parking matter that  
1274 the municipal court cannot be involved?"

1275  
1276 Ms. Fellner: "Well, it also mentions prior to that in the beginning of it, it cites the contract."

1277  
1278 Mr. Smith: "I'm just not comfortable with that work, wording."

1279  
1280 Ms. Fellner: "If you want, if you want that put in, we can change that wording."  
1281

1282 Mr. Smith: "I think you need to redo it, redo that, yes, because Lanier's not here in January,  
1283 right?"  
1284  
1285 Ms. Fellner: "That's correct."  
1286  
1287 Mr. Smith: "So what are we gonna do about parking tickets then?"  
1288  
1289 Ms. Fellner: "Well, that would be our police department." (*Laughter*)  
1290  
1291 Mr. Smith: "Right. (*Laughter*) So, and we got a five year contract, so that would cover the whole  
1292 five years so we really need to change that and if you want to wait till the next meeting, or we can..."  
1293  
1294 Ms. Fellner: "We have to have this in place by March 1, so if we could decide on..."  
1295  
1296 Mr. Smith: "Why don't you think about it..."  
1297  
1298 Mayor Samples: "Let, let me interrupt, okay. I understand it would be nice to have this in place  
1299 March 1, okay. If it's not in place by March 1, the world isn't gonna end."  
1300  
1301 Ms. Fellner: "No it's not, but what is gonna happen is that Lanier cannot issue tickets..."  
1302  
1303 Mayor Samples: "That's true."  
1304  
1305 Ms. Fellner: "...without this resolution."  
1306  
1307 Mayor Samples: "That's true. Did you have any other comments or questions you wish to  
1308 address in this, Mr. Smith?"  
1309  
1310 Mr. Smith: "This, this is my concern."  
1311  
1312 Mayor Samples: "Anybody else have any questions, comments, concerns?"  
1313  
1314 Ms. Mabry: "I'd like to ask a question."  
1315  
1316 Mayor Samples: "Please, Mrs. Mabry."  
1317  
1318 Ms. Mabry: "Mr. Mayor. When, Lanier's not gonna be here when the parking meters are not or  
1319 the pay stations, when they go out, Lanier's not gonna be here, correct?"  
1320  
1321 Ms. Fellner: "That's correct."  
1322  
1323 Ms. Mabry: "They come back when we come back into season."  
1324  
1325 Ms. Fellner: "That's correct."  
1326  
1327 Ms. Mabry: "So then, I mean the issue of parking..."  
1328  
1329 Ms. Fellner: "My suggestion as to this line, which would handle your concern and Mr. Smith's, as  
1330 well, is that we would just make, make a date we would set during from or just add to that from March 1  
1331 through October 31<sup>st</sup>."  
1332  
1333 Ms. Mabry: "Correct."  
1334  
1335 Mr. Smith: "Could I suggest some other words?"  
1336  
1337 Mayor Samples: "Mr. Smith."

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Mr. Smith: "At the end of the sentence add the words 'except for those tickets issued by the Town of Surfside Beach Police Department. In other words, it says that town's municipal court shall have no jurisdiction over parking during the contract period."

Ms. Fellner: "That would be fine."

Mr. Smith: "Okay, except..."

Ms. Fellner: "And your wording is actually better, and the reason it's better is because the contract refers to Dogwood. It's just cleaner, if we do it that way. So, I agree with you, Mr. Smith."

Mr. Smith: "Mr. Mayor, I'd like to ask the clerk if she recalls exactly what I said, so she can add it to the resolution."

Ms. Herrmann: "The last paragraph will be, 'be it further resolved that the Town's Municipal Court shall have no jurisdiction over parking matters during the contract period with Lanier Parking Solutions, except for those tickets issued by the Town of Surfside Beach Police Department.'"

Mr. Smith: "Thank you."

Ms. Herrmann: "You're welcome."

Mayor Samples: "Any other questions, comments? There are two items I'd like to see: one, with respect to the Town Council entering into an agreement; the second paragraph with Lanier Parking Solutions. I would like the date of the contract agreement, okay, spelled out. The second question that I have, let me ask this first, has the attorney reviewed this?"

Ms. Fellner: "Yes, he has."

Mayor Samples: "Okay, he did not have any problem with the language of the fourth paragraph, the last sentence that talks about the officials as appointment and, and I assume we're talking about Lanier."

Ms. Fellner: "Yes, we are."

Mayor Samples: "'I'm a little uncomfortable with that language being in there in that it could be inferred at a later date that the town is creating some form of a [sic] employment agreement or contract either with Lanier or with the employees. I mean, I just, I read it and I'll read it again... 'the officials appointment, salary, wages, and other terms and conditions of employment shall be pursuant to the parking enforcement contract,' and really we don't have a parking enforcement contract, do we. We have a parking management contract, isn't that what we have?"

Ms. Fellner: "We do, yes, sir."

Mayor Samples: "Okay, and since this is specific to parking enforcement, I don't want it to be confused, confusing at a later date about a parking enforcement contract."

Ms. Fellner: "What if we just changed enforcement to management?"

Mayor Samples: "Well, that goes without saying. But, let me start over, because I'm missing the main point. For officials' appointment, salary, wagers, and other terms and conditions of employment shall be pursuant to the parking, now we'll say management contract, entered into between the Town of Surfside Beach and Lanier Parking Solutions. I'm concerned that what we're doing is giving the appearance of an employment agreement. That's my real concern, and the attorney's looked at it from that vantage?"

1394  
1395 Ms. Fellner: "The attorney, this is a, actually that was specifically language that he suggested we  
1396 use."  
1397  
1398 Mayor Samples: "Well."  
1399  
1400 Ms. Kohlmann: "Mr. Mayor."  
1401  
1402 Mayor Samples: "Ms. Kohlmann."  
1403  
1404 Ms. Kohlmann: "Did you happen to a, ask Myrtle Beach. They use Lanier, if they had something  
1405 similar to this?"  
1406  
1407 Ms. Fellner: "They have more than just this. They have a, they have it in their ordinance. Now,  
1408 that's because they've used Lanier for a number of years, and they plan on continuing it, so they have an  
1409 ordinance. We have simply an agreement with them, so a resolution makes more sense."  
1410  
1411 Ms. Kohlmann: "What I'm saying is the wording of our resolution similar to their ordinance? Do  
1412 we know what their ordinance actually says?"  
1413  
1414 Ms. Fellner: "Well, Mike, Mike Battle wrote..."  
1415  
1416 Ms. Kohlmann: "He wrote the one for Myrtle Beach."  
1417  
1418 Ms. Fellner: "He reviewed it, I should say."  
1419  
1420 Ms. Kohlmann: "So our lawyer is versed in, in dealing with Lanier."  
1421  
1422 Ms. Fellner: "He is totally versed in this."  
1423  
1424 Ms. Kohlmann: "Okay."  
1425  
1426 Ms. Fellner: "Yes, ma'am."  
1427  
1428 Mayor Samples: "Thank you. One last item, and just for clarification purposes, we really, is it,  
1429 and I'll ask this, and I'll pose it as a question. Is the intention of this council to have Lanier enforcing  
1430 parking outside of the R-3 and the C-3 Districts?"  
1431  
1432 Unknown Speakers: "No."  
1433  
1434 Mayor Samples: "Well, then, I would make a further suggestion that where, going back to the  
1435 now therefore be it resolved paragraph, again that's paragraph four, that we clarify, and it's one, two,  
1436 three, four lines down, strike 'incorporated limits of the town' and insert 'C-3 and R-3 Zoning Districts.' Is  
1437 there any objection to that?"  
1438  
1439 Unknown Speakers: "No."  
1440  
1441 Ms. Dodge: "I'm gonna sound like a total dummy, but do we have a C-2 district?"  
1442  
1443 Mayor Samples: "We do have a C-2 district."  
1444  
1445 Ms. Dodge: "I thought so. Should we include that in this?"  
1446  
1447 Mayor Samples: "Only unless you want 'em up around the Sundowner."  
1448  
1449 Unknown Speakers: "No."

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Ms. Dodge: "Okay. No."

Mr. Smith: "Mr. Mayor, could you ask the clerk to, a, repeat how you would change the word incorporated?"

Mayor Samples: "Thank you, Mr. Smith. Ms., Ms. Herrmann."

Ms. Herrmann: "May I start with 'to parking?'"

Mayor Samples: "Um, huh."

Mr. Smith: "Yes."

Ms. Herrmann: "...to parking within the C-3 and R-3 Districts of the Town."

Mr. Smith: "Okay, thank you."

Ms. Herrmann: "You're welcome."

Mayor Samples: "Alright, do we have a motion on the table, on the floor?"

Mr. Smith: "Mr. Mayor, I move to adopt Resolution 13-131 as amended during this discussion."

Ms. Mabry: "I second."

Mayor Samples: "There's a motion. There's a second. Any discussion? Well, I'll just make one, okay, because the fact of the matter is, is that, you know, the council has considered for a number of years the, a, the parking management idea. It certainly takes a load off of staff, okay. But to some extent, what it does is it separates us, this is my opinion, separates us, the elected officials from being accountable and responsible for parking matters in the district in which they are hired and they operate. They're clearly, you know, good at what they do. Now, when I get complaints about tickets on, in R-3, I can say don't bother me, don't bother me. Call Lanier. Rest assured the parking ordinances that we have in place, they're gonna enforce them. There's an incentive for them to enforce them, and, and that is gonna happen, and maybe that's a good thing. Maybe the town's gonna make a, a, maybe it'll be a good thing. I hope it is. It certainly something that we've moved forward on; we've moved rather rapidly. Having said that, call for the vote; all in favor, say aye."

Unknown Members: "Aye."

Mayor Samples: "Opposed?"

Mr. Johnson: "No."

Mayor Samples: "No. So, there we go."

Ms. Herrmann: "Mr. Mayor."

Mayor Samples: "Yes, ma'am."

Ms. Herrmann: "I'll get these corrections made and have this ready for signature in the morning, if anyone would like to stop by and sign it."

Mayor Samples: "Alright. Anybody...call us when you're ready and we'll come up, okay."

Ms. Herrmann: "Okay. Thank you."

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Mayor Samples: "Alright, moving right along. The next item is planning commission vacancy declaration by the planning commission itself and, and other committee appointments. Unless there's any objection, we'll defer to executive session."

**F. Planning Commission Vacancy Declared and Committee Appointments (May be deferred until after Executive Session.)**

**i. Planning Commission Resolution – Vacancy Declared.**

**ii. Surfside Beach Business – Dianne Tinney, Cheryl Lowe, Tim Bradford, Kerry Dame, Carole Roselli.**

**iii. Special Events/Recreation – Cheryl Lowe, Michael Barnett, Erin Adams.**

**iv. Stormwater – Tom Meccia.**

Mayor Samples: "Alright, now it's Item number 8, discussion of any matters of concern or information by Town Council, and I want to reiterate whether it's on this list or not, it's okay by me if talk about it. Having said that, we're gonna move right into A, synthetic drugs, Councilmember Kohlmann."

**8. DISCUSSION - Any matters of concern or information to be discussed by Town Council.**

**A. Synthetic Drugs, Councilmember Kohlmann.**

Ms. Kohlmann: "Thank you, Mr. Mayor."

Mayor Samples: "Thank you."

Ms. Kohlmann: "Randle, could you move that board to on the floor so people can see me when I'm talking for now?"

Mayor Samples: "Or you could move it up over here, that's fine."

Ms. Kohlmann: "Good evening, everybody. I would just like to express why this came about, and some of the things that we've been doing as a council as a whole to show you that this is an important issue for all of us sitting up here tonight, and to give you a little background on it, and I think more than anything else, this tonight is gonna be an educational discussion, because that I believe we are all learning about this as we're going along doing our research about how we can do something to combat what's happening to the kids in the town. Most of you know, I have teenagers, and so far so good, knock wood [sic.] But, it doesn't mean that this cannot affect them. So, I think that it's important. So, I'd just like to start with a background of it, because it's, it's relatively new that this is coming about. A lot of people have no idea what it is, and like I said, we're still in the learning process. So the origin of this is that, a, there's a chemistry professor, John Huffman, actually out of Clemson University, and he was doing some research studies about the effects of drugs on the brain receptors, and his goal, among other things, was to alleviate the effects of such diseases and conditions as multiple sclerosis, glaucoma, AIDS, and nausea, and in the 90s his team of researchers developed a formula that would simulate certain drugs. Once the formulas were published in scientific journals, companies across the globe started to market it to anyone that wanted the effects of real marijuana. He's now retired and his quote to people about this synthetic thing that he actually worked on is that, quote, it is stupid for anyone to smoke this stuff, because there is no conclusive data on the long term effects on the human body. So, some figures that really stood out to me was poison control has the call hotline that you can call. In 2010, there were 2,906 related to synthetic cab, cannabinoids, and that's something that we're gonna talk about, and that's the spice, K2, and in 2011, that number went from 2906 to 6959. That is unbelievable amount. Bath salts in 2010, the calls were 304. In 2011, bath salts went to 6,138. So there is a crisis happening.

1562 There were, there were between 11,000 and 12,000 ER room admissions related to synthetic drugs in  
1563 2011. This is not a drug that is, a, for just one class of people, or for one age group of people. I sat  
1564 outside there, as well as many of the people that are sitting up here tonight, and we watched just so that  
1565 we could learn, and so that we could understand, and that door is a revolving door and it doesn't have a  
1566 certain group of people. I saw young children, I, I, well, young to me, because I'm old now, but young  
1567 adults. I saw people I knew; parents. I saw students pulling up with their uniforms on from colleges. I  
1568 saw people grandparents age, and it, it's just overwhelming the amount of people that were in and out. I,  
1569 I think that we might not have the answer. I don't know. But not trying to find an answer, and not trying to  
1570 make this a better place, then we would really be at fault for that. Now, where, where these drugs come  
1571 from, they're typically shipped to the United States from overseas. The synthetic canna, cannabinoids,  
1572 they're shipped in a powder form. They're mixed here with acetone. They put them, they put any kind of  
1573 herbal parsley, oregano, any leafy substance, they put it in a dish, they spray it with this acetone mixture,  
1574 and it's dried and packaged. The packing is a whole nother [sic] issue, which I'm, hopefully, the mayor  
1575 pro tem gonna help me out with that one. She's been very good about it, so this is a big prong approach  
1576 up here. The problem that, with this spraying of these things is that there's no control over it. So there's  
1577 been cases where they find sending these things to a lab, and there's no regulation, so one bag of it  
1578 might have a small amount of the chemicals on it, and another one has ten times what it should, and it's  
1579 deadly. There's all different ways that these synthetic drugs could be utilized; there's bath salts, and  
1580 some people inject some of these. They're smoked. They're inhaled. There's all different ways. Now  
1581 what we're try... what we're seeing now is that since it is synthetic and since it is a chemical that it's  
1582 altering people's brains, and the physical effects of this are spikes in temperature of the body. I read a  
1583 case where it was, one case where it was like a, I don't know, it was a crazy number, so I don't want to  
1584 quote it."

1585  
1586 Mayor Samples: "108."

1587  
1588 Ms. Kohlmann: "Brain damage; 108, was it 108?"

1589  
1590 Mayor Samples: "That's what the report said."

1591  
1592 Ms. Kohlmann: "Yeah, 108. I thought that was a little crazy, but they're having increased blood  
1593 pressure, heart rate increases. There are cases where people are just repeating the same words over  
1594 and over again. Slurred speech, but the, the main thing is they're having damage done to their brain.  
1595 Some people never come back from this damage, and then with the hallucinations and the paranoia that  
1596 caused by some of this, there is (\*\*) become suicides that are related to this. So it's not just one thing  
1597 that happens. It, it's happening all different aspects between the health issues and the suicide rates this  
1598 is a serious concern. What I'd like to see is that all can talk about ways to support our police department,  
1599 cause I have gotten emails and I've heard people say that the police department is not doing anything,  
1600 and I have to say, being that I'm a retired law enforcement officer, that's not the case. These officers do  
1601 not want this in this, this area at all. But, if something isn't deemed illegal, then they can't do anything  
1602 about it. Their hands are tied, as well. So, it may take us a while, but I think that Surfside Beach Town  
1603 Council is ready to take on the mission of looking over and doing it the right way. So we have called out  
1604 to around the country to other law enforcement and to other councils. We're gathering all our information  
1605 and we're trying to write the best thing we can write, because as of now, when they pass any kind of  
1606 ordinances or legislation on these products, the chemists just change one molecule. One ingredient in  
1607 these items and then they just put it right back out there again. So before the ordinance is even passed,  
1608 these guys know how to change the, the, a, the particles that are in it. So I would like to take a different  
1609 approach. We're looking at, looking at our ordinances, because I know somebody had mentioned  
1610 paraphernalia. Well, paraphernalia here is not a criminal offense. Paraphernalia here is a civil action and  
1611 officers have to be able to tie in something like that bong have to be tied in with something to use it with,  
1612 and that's really a civil, what you see there is civil. So they, they put that on there. They charge them like  
1613 that, but it's not something that you can take further into criminal prosecution. So there's some ways that  
1614 we can look at our ordinances to help our police department, and also with the packaging and distribution,  
1615 and as well as a real big one, and a real difficult one for everybody, it would be nuisance abatement. So,  
1616 and we're looking at all that. Nothing is going to be done here tonight, except to educate each other.  
1617 Maybe some parents out there have some questions that they don't want to ask in public. I'd like

1618 everybody to come up and look at this stuff (*display of drug paraphernalia.*) Don't touch it, cause it's  
1619 nasty, and cause it's used, and a, I'd like Mary Beth, if you could talk about the packaging of it."  
1620

1621 Ms. Mabry: "The packaging is interesting, and, and this is what we really are going to try, and  
1622 we're looking at the, I hate to say more than anything, because we can't keep up with the chemicals.  
1623 They change. You can outlaw a list as long as this table, and tomorrow they're gonna have another  
1624 formula, and they're gonna be legal. So we're trying to find ways that the packaging can become illegal.  
1625 How the delivery is. They do cutesy little things. They'll take, a, Windex, they can use any name they  
1626 want to, and of course, you and I know exactly what it is. They're different forms of it. It does say not for  
1627 human consumption, and I doubt if you go into a store and they're gonna tell you exactly how to take it.  
1628 They might even say I want you to look here. It's not for human consumption. But yet they know full well  
1629 that, what they're selling. So we're gonna look at different avenues; not just the formula in [sic] which  
1630 they are making the drugs. We're looking at the delivery of the drugs [sic] itself. So getting rid of the  
1631 delivery, we may have a better chance of not always having to play catch up. The state already has a  
1632 law, but you know, it might be outdated before it ever even gets passed. So were looking at other  
1633 innovative ways. We are talking to the State of Florida. I know that Ms. Kohlmann has talked to other  
1634 municipalities, other states, see how successful they are, and we are trying to work, and, and get this  
1635 done. So we're still searching. We're still working, but we do believe that we're gonna come a, to a great  
1636 resolution, and we're gonna be able to get something passed that will successful. That's our goal and  
1637 we're working very hard at that."  
1638

1639 Mayor Samples: "Any other comments, Council?"  
1640

1641 Ms. Dodge: "Mr. Mayor."  
1642

1643 Mayor Samples: "Mrs. Dodge."  
1644

1645 Ms. Dodge: "I want a [sic] commend both Ms. Kohlmann and Ms. Mabry for their efforts in this  
1646 area. I keep going back to the nuisance, charge them as a nuisance. Can we close them down? But,  
1647 thank you for the work that you put in to it. I know that it was prodigious and it's appreciated. We're  
1648 going to get it done."  
1649

1650 Mayor Samples: "We know that we're tilting, if you will, at windmills. These are very  
1651 sophisticated people driven by that old fashion profit motive. I mean, it's about the money. My intention  
1652 is to pursue this through the political channels. We're, we're a small 2-square mile town. We're gonna do  
1653 what we can do, and if and when it turns out that it ain't enough, then we're gonna push it upstairs. We're  
1654 gonna get some opinions from some folks in higher authority, because the fact of the matter is it's a real  
1655 problem, and it's not gonna get better, and if you allow a cancer to exist in your town, it will grow. We are  
1656 not gonna allow that. This stuff is legal, and it's about the money. But it's also about human lives and  
1657 dignity and the children who I watch outside the store. Anybody want to watch nine to nine-thirty during  
1658 the week, go stand out, go by there, you can see 'em. I see 'em. It's unfortunate. Some are gonna learn  
1659 a terrible life lesson. But I think everybody knows that three Socastee High School students were  
1660 admitted to the emergency room last week, I believe I'm correct when I say that, and I want to thank Tom  
1661 O'Dare of *The Myrtle Beach Herald* for a, a, I thought writing a good story that provided information to me.  
1662 It's not just about the fake weed. They're hallucinogenics that are for sale, and I'll just quote the story I  
1663 read, 'they're worse than LSD.' And I give the credit to the, to the proprietor for at least acknowledging  
1664 when, when that particular drug is sold, according to the story, he recommends that the people take it  
1665 with a friend, okay. (*laughter*) Not by themselves, because it's serious, serious stuff, and I'm gonna say I  
1666 don't know if there's any connection or not, but there was a young girl who was killed last August on  
1667 Highway 17. There was a gentleman who, all I can tell you is, is the toxicology report found nothing.  
1668 Maybe it was a medical condition. But what I would say is how would we know when legal substances  
1669 are being marketed and pushed to our kids, some of which are not as fortunate as, as many, as my, as  
1670 my child was to have somebody taking care of 'em. We need to do our job. It ain't gonna be easy. Let's  
1671 move on. Mr. Smith, Mr. Stevens, the topic is all means of electronic transmission by cell phones, i-Pod,  
1672 tablet, et cetera, to or from any councilmember during town council meetings and/or any committee  
1673 member during committee meetings. Whoever wants to go first."

1674  
1675 **B. Meeting Policies: All Means of Electronic Transmission by Cell Phone, I-Pod, Tablet,**  
1676 **etc. to or from any Councilmember during Town Council Meetings and/or any Committee Member**  
1677 **during Committee Meetings, Councilmembers Smith and Stevens.**  
1678

1679 Mr. Stevens: "Mr. Mayor, as you know, and most of the folks in town know, a, y'all sent us to the  
1680 Municipal Association of South Carolina and we just went up there February 11<sup>th</sup> through the [sic]  
1681 February 14<sup>th</sup> to get trained, and while we were there, we had the, several of the coun, councilmembers  
1682 had the extreme luck of being taught about conducting effective meetings by Mayor Terrance Roberts of  
1683 the City of Anderson, and Bill Taylor, field service manager of the Municipal Association of, a, South  
1684 Carolina. One of the subjects they covered in their outline was (\*\*) meetings, and they specifically  
1685 covered when you come to a meeting as a councilman, whether you're on the county council, town  
1686 council, whatever it might be, you need to conduct your council business and you need to make  
1687 decisions. You don't need any distractions. Distractions are bad for council people, because if you're  
1688 distracted you can't make a [sic] intelligent decision. You're not able to do what you need to do. A, in  
1689 addition, Mr. Taylor, I contacted him, and actually talked, sent him an email and he replied that a,  
1690 a council could certainly prohibit the use of electronic equipment during meetings, except recording  
1691 equipment. Section 30-4-90 of the South Carolina Code says all or any part of a meeting of a  
1692 government body may be recorded by a person in attendance by mean a tape recorder or any other  
1693 mean of sonic or video reproduction, except when a meeting is closed pursuant to Section 30-4-70; said  
1694 provided that and so recording there is no act of interference with the conduct of the meeting; provided  
1695 further that the public body is not required to furnish recording facilities and equipment. Basically that law  
1696 says you can even come in here with videotaping, video tape the whole council meeting, if you want to.  
1697 He also said that, a, emails, text messages, and things like that can distract a council, and a, it has  
1698 happened in the past. There's been times where emails were sent or text messages were sent were very  
1699 distracting. I had to stop to see what was going on, and look around. But the fact is he also said if a  
1700 council is receiving text messages you have wonder if they getting [sic] messages on how once, how  
1701 some, how someone else feels they should vote on a particular issue. We need to vote ourself [sic] and  
1702 not be casting a vote for somebody else. He also sent me a [sic] article from *Coast News*, in Ensun, is it  
1703 Ensunada [sic,] California where a city council voted to ban texting and the use of other electronic devices  
1704 during their Wednesday council meeting by a 4:1 vote. They found that that was the best thing to do.  
1705 They wanted to get down to business, and not be distracted by a cell phone buzzing or vibrating or  
1706 whatever it might be doing. So they banned texting and cell phones and whatever else during meetings.  
1707 We feel, and I feel, and I think some of the other councilmembers feel that this, this is something that's  
1708 good. We need, when we're here we need to stay strictly concentrated on the business at hand and take  
1709 care of it. Got anything to say, Rod?"  
1710

1711 Mr. Smith: "A, yes, Mr. Mayor, I'd just like to say I think that texting or using your cell phone or  
1712 having it ring during the council meeting is, is distracting, and as a courtesy to the other councilmembers I  
1713 don't think we should have our cell phones on or receive texting messages on cell phones, and I'd also I  
1714 suggest that the council, that the mayor remind all of the public to turn their cell phones on [sic,] a, once  
1715 they come into the meetings. But using texting or cell phones by councilmembers is very distracting."  
1716

1717 Mayor Samples: "Thank you. Any other comments?"  
1718

1719 Ms. Dodge: "Mr. Mayor."  
1720

1721 Mayor Samples: "Mrs. Dodge."  
1722

1723 Ms. Dodge: "I'm glad they brought they up. I agree. You know I'm not doing it, because I don't  
1724 even know how to use my cell phone. (*laughter*) But it is, it is distracting when there, when a cell phone  
1725 rings or you see somebody fiddling with their cell phone. I think we should be focused on the business at  
1726 hand, and I think most of the people on this council agree with that."  
1727

1728 Mayor Samples: "Well, now we all know that women can multi-task, and (*laughter*) and, and so I  
1729 think it's okay if, if, if, if the women have their cell phones open. Listen guys, huh? No, no, I agree with

1730 you. It reminds me of the days when Bill McKown, my good friend, and I sat next to each other and his,  
1731 his telephone would go off quite a bit. And I must say, I'm not picking on anybody, but I remember a few  
1732 times it happened with Mrs. Dodge, and that's okay. That's okay, but certainly it's, it is a distraction, and,  
1733 and on a more serious note, anybody who sits up here and who a [sic,] a, and I don't believe anybody  
1734 ever has, a, who, who is getting good advice from the crowd, a, let me say it this way, you're in the wrong  
1735 line of work. I know that there've been accusations during a, a, some of our, we don't have debates, but  
1736 we have candidate forums, and, and I think that a, I don't think those candidates got elected is what I  
1737 want to say. So, a, if there's an ordinance or something, a policy that somebody wants to, to a, address, I  
1738 don't think you'll have any, any disagreement, although I think it's a waste of time, myself. But that's just  
1739 my personal opinion."

1740  
1741 Ms. Mabry: "Mr. Mayor, I would like..."

1742  
1743 Mayor Samples: "Ms. Mabry."

1744  
1745 Ms. Mabry: "I'd like to make one comment, and I did send a text. I want everybody out there to  
1746 know on my birthday, November 27<sup>th</sup>, my son has that phone, you can see that light going off for me,  
1747 where are you, where are you, where are you? I'm coming down to Surfside, if I don't hear from you  
1748 soon. I texted him back and said you forgot it's council; call you back as soon as I get out. So I want you  
1749 to know, it did happen. It happened right up here. I apologize for doing that, (*laughter*) but I really didn't  
1750 want to see him busting into Surfside. As far as iPads, I've used one tonight. I don't think I was  
1751 disruptive a bit. We use, I found out that we use almost 40,000 copies front and back for council packets;  
1752 we make ten a week [sic] over the year. That's a lot of, to me that's a lot of paper, and, and time. I think  
1753 it's great if you have a device that you can load your packet on and use it. It's quiet. I don't think there's  
1754 a problem with that. Now, but we move pretty fast up here. By the time I email, a, I'm not gonna pick on  
1755 anybody, but if I could, I would (*laughter*,) what you thought, we've already moved on. I mean that thing  
1756 is over with. So by the time you get it back to me, you're a little late. I needed you before we got up here.  
1757 We ask citizens all the time to give us advice, and what we think we should do, and how do you feel  
1758 about things. That's perfectly fine. That's what you're there for. So, as far as texting each other up here,  
1759 I certainly don't think that we need to be doing that, and, and it would be useless anyway. As far as using  
1760 devices to help you do your work better, I think that's a great thing. So I'm all for not texting each other,  
1761 as Mark doesn't answer me anyway! So, no since in doing that. (*laughter*) And so, so yeah, I'll go along  
1762 with the no texting and the no emails, but as far as using iPads and things, we need, I think they're  
1763 necessary."

1764  
1765 Mayor Samples: "Alright. Have we covered that?"

1766  
1767 Mr. Stevens: "Have we covered the iPads?"

1768  
1769 Mayor Samples: "No, the subject, to your satisfaction, Mr. Smith, Mr. Stevens."

1770  
1771 Mr. Stevens: "I assume that's an iPad."

1772  
1773 Mayor Samples: "Yes, it is."

1774  
1775 Ms. Mabry: "There you go (\*\*) (*turned iPad for Mr. Stevens to view*)."

1776  
1777 Mr. Stevens: "I, I know that the county council has 'em, and I don't know if the citizens want to  
1778 spend money for all of us to have iPads, but that, that would be something to look in road [sic,] but the  
1779 main thing is, is getting back to the main gist of what I was talking about would be to outlaw, I would like  
1780 to see 'em out, off the dais, cut off and not used."

1781  
1782 Ms. Mabry: "iPads or..."

1783  
1784 Mr. Stevens: "Cell phones, texting, all that."

1785

1786 Ms. Kohlmann: "Mr. Mayor."

1787

1788 Mayor Samples: "Ms. Kohlmann."

1789

1790 Ms. Kohlmann: "I shut mine off and I have teenagers, and there's your answer why I shut mine  
1791 off, but, I have to agree that the iPads, even though I have one of them and I can't use that very well, but I  
1792 can see where she's utilizing it and she hasn't been disruptive with the iPad. I am a paper person, cause  
1793 I write a lot of notes down when you get up and speak I like to know who's talking and what they're talking  
1794 about, so I'm a paper person. But, I respect the fact that we shouldn't be using all that paper at the same  
1795 time. I would agree that the cell phones should be off and away, but, a, the iPads, well, you never  
1796 know... I don't think that the town should buy them for everybody, if you get your own, but I, I think that  
1797 they're a good tool."

1798

1799 Mayor Samples: "Thank you. I..."

1800

1801 Mr. Johnson: "Mr. Mayor"

1802

1803 Mayor Samples: "Mr. Johnson."

1804

1805 Mr. Johnson: "I would just like to add my two-and-a-half cents worth in here. I, I don't know that  
1806 an ordinance is, is necessary. I think just, you know, common sense and reminders to tell people to turn  
1807 your cell phones off and as far as Councilmember Mabry goes, I didn't even realize you had that over  
1808 there, so there you go, it was not a distraction to me, and that's it."

1809

1810 Mayor Samples: "Thank you. I think Councilman Smith hit the nail on the head when he, he said  
1811 just use courtesy, and you know, I'll ask everybody, I'll try to remember to ask everybody to turn off your  
1812 phones, and then there'll be one guy that forgets and then we'll have to throw him out (*laughter*), so.  
1813 Alright, let's move along. The, a, moving to the next item, Bill H3163, updated to FOIA Laws,  
1814 Councilmember Stevens."

1815

1816 **C. Bill Number H3163, Updates to FOIA Laws, Councilmember Stevens.**

1817

1818 Mr. Stevens: "A, as everybody out there knows that one of the main requirements of a, a good  
1819 government is to have freedom of information. Public documents, public, public, a, needs to be fully  
1820 informed and also as well as the press. A, I'm gonna cover this House Bill 3163 and then I'll do some  
1821 other updates on some other matters on this FOIA. There is a bill called the House Bill 3163 that is, a,  
1822 and actually it was sponsored by the same guy, Bill Taylor of the Municipal Association, and a, what it's  
1823 gonna do is cut down the amount of time if you do have a Freedom of Information request, it's gonna cut  
1824 down on the time to ten days, excepting Saturday, Sundays, and legal public holidays so government has  
1825 time to re, to respond to your request. But it also allows the public body to collect reasonable fees not to  
1826 exceed the actual cost of the search, retrieval, redaction of records, and public body and it must be,  
1827 develop a fee schedule to be posted on line, so if you ever wanted information that would be there. The  
1828 fee for the search, and retrieval, and redaction of records shall not exceed the prorated hourly salary of  
1829 the lowest paid employee who perms [sic,] performs the request. Hopefully, it's not the administrator  
1830 (*laughter*) You'd be in a (\*\*) mess. Of course, they cover this, and that, it's still right now it is, a, it's in  
1831 House Judiciary Committee, so that's all I want to talk about right now, because it still has a way to go,  
1832 but what I wanted to do, actually talk about and that is during that same Municipal Association meeting,  
1833 Mr. Taylor and Mayor Roberts of Anderson covered the meeting agendas, and some of the folks here,  
1834 sitting up here learned some stuff that we didn't know. We found that, a, there was actually a court case  
1835 where the agenda was added to or amended during the council meeting. The case is *Dennis M.*  
1836 *Lambries versus Saluda County Council*, and they, a, it, it was heard, sent to the a circuit court judge of  
1837 Saluda County. Mr. Lambries appealed it to the South Carolina Court of Appeals after the judge, circuit  
1838 judge ruled against him, and they heard it March 15<sup>th</sup>, 2012, and then they filed it June 13<sup>th</sup>, 2012, and  
1839 they reversed what the circuit court said, and basically the *Lambries* decision says that you cannot amend  
1840 an agenda after it's already been passed, nor can you do it within less than 24 hours. Now, that gives  
1841 you kind of an idea of what has, this case has done. Now we got to that class on February 12<sup>th</sup>, and we

1842 took the class on February 12<sup>th</sup>, 2013, and I went back and I received some documentation that made me  
1843 understand a little further that this actual case has been known for some time here in Surfside Beach.  
1844 Now on (\*\*) July, from July 10<sup>th</sup> of 2012 to February 5<sup>th</sup> of 2013 the Surfside Beach Town Council has  
1845 voted on or given a consensus on 40 different times on items at the Town Council Meetings that were not  
1846 on the printed agenda for public information and the press as should be per the Freedom of Information  
1847 Act. I found that that is a practice to be in direct violation of, of the Freedom of Information Act per the  
1848 South Carolina Court of Appeals decision for *Dennis Lambries versus Saluda County Council* that was  
1849 rendered on March 15<sup>th</sup>, 2012 and filed with the South Carolina Court of Appeals June 13<sup>th</sup>, 2012. Thirty-  
1850 eight of the items that were voted on were listed under agenda item administrator's report update on  
1851 current events with no details of what may be voted on. Now, if you've looked at our agenda today, you'll  
1852 see that there is information there. There was a total of 11 items that were voted on concerning the  
1853 expenditure of tax payers' money that total \$1,224,722.61. These expenditures were not placed on the  
1854 agenda per the Freedom of Information Act and the *Lambries* decision. After I found out about the  
1855 *Lambries* decision, I got an email, or a copy of an email that was sent July 9<sup>th</sup>, 2012 at 2:26 p.m. by a  
1856 member of staff concerning the *Lambries* decision by the South Carolina Court, Court of Appeals. It was  
1857 sent to Mr. Bill Taylor, who taught this class in Columbia with the Municipal Association. He's the field  
1858 service manager Municipal Association of the State of South Carolina. The staff member questioned the  
1859 amendments to the council or agenda or any other advertised discussion on any item was illegal. Mr.  
1860 Taylor in a [sic] email answered that specific question to the staff member of the town government. That  
1861 answer by Bill Taylor from the Municipal Association 6:06 p.m., Monday, July 9<sup>th</sup>, 2012, Mr. Taylor  
1862 advised staff that the Municipal Association had been advising all councils per the *Lambries* court  
1863 decision in the State of South Carolina not to make any amendments to their agenda at council meetings  
1864 or any other time less than 24 hours in advance of the council meetings. It was also pointed out that staff  
1865 that any open discussion or any other new business should be avoided as well as could include items not  
1866 specifically outlined on current agendas. Now, even though this important and critical information was  
1867 sent to a staff member of the town government on July 9<sup>th</sup>, 2012 and the email also mentioned a member  
1868 of council in the original email sent by the town, this information was never shared with the full council at  
1869 that time. In a council form of government all councilmembers are equal. All information and critical  
1870 information cannot be just shared with one member without sharing that information with the full council.  
1871 Let it be known that a majority of council were never instructed about the *Lambries* court decision prior to  
1872 February 12<sup>th</sup>, 2013 when they attended the Ma, the Municipal Association class on Conducting Effective  
1873 Meetings. This class was connected, as I said was conducted by Bill Taylor of Municipal Association and  
1874 Mayor Terrance Roberts of City of Anderson the date of February 12<sup>th</sup>, 2013 was seven months and three  
1875 ~~days after the July 9<sup>th</sup>, 2000 [sic]~~ emails previous mentioned above that were sent and answered. The  
1876 town staff and all members of council have a sworn duty to uphold the laws. A sworn duty to act and  
1877 practice due diligence by advising all coun, councilmembers of any changes in the law, including the  
1878 *Lambries* court decision to insure that council meetings are open and transparent to the public and press.  
1879 The failure to notify the full council of the *Lambries* decision are not the action of reasonable and prudent  
1880 people to withhold such important and critical information. The Freedom of Information Act and the  
1881 *Lambries* decision affects the governmental process to have an open and transparent form of government  
1882 that is responsive to the people and the press. I and others on this council feel there is a need to be an  
1883 inquiry into this matter and a resolution to this situation of keeping the council, the full council, fully  
1884 informed on the laws to insure the public trust is never violated. I, therefore, ask that a special meeting  
1885 be called to address this situation with executive session to dis, discuss this matter with staff and why it  
1886 happened." *Line 1875 changed to 2012 by approved motion. D. Herrmann cmc*

1887  
1888 Mayor Samples: "Are you done?"

1889  
1890 Mr. Stevens: "Um, huh."

1891  
1892 Mayor Samples: "Thank you. A, let me, let me hear from some other members on, on the, the  
1893 request for executive session, I think, is that right? A request for executive session."

1894  
1895 Mr. Stevens: "Special meeting with..."  
1896

1897 Mayor Samples: "A special meeting for purposes of inquiry on what, specifically? The fact that  
1898 there was a court decision in June."  
1899  
1900 Mr. Stevens: "On why..."  
1901  
1902 Mayor Samples: "And somebody may, or, and, obviously you have the information that either I  
1903 don't have or I don't recollect, okay, that, that there may have been a court decision that came in to  
1904 somebody and, and it didn't get disseminated and you learned of this at the, at an appropriate setting,  
1905 which was the Municipal Association class training. Is that, is that what it is, and, and you want to know  
1906 more why, why you didn't know about it earlier?"  
1907  
1908 Mr. Stevens: "A, Mr. Mayor."  
1909  
1910 Mayor Samples: "And, if so, is that how the four, you know, let's get down to it. Do four people  
1911 want to have an inquiry or not? I mean I'm not in favor of it."  
1912  
1913 Unknown Speaker: "No."  
1914  
1915 Mayor Samples: "But, let's get to it."  
1916  
1917 Mr. Smith: "Mr. Mayor, I, I think that it would be advisable to have a special meeting on this, and  
1918 have it in executive session so we can discuss it."  
1919  
1920 Ms. Dodge: "Mr. Mayor, I would agree."  
1921  
1922 Mayor Samples: "Alright, is there a fourth..."  
1923  
1924 Ms. Kohlmann: "Mr. Mayor, I don't believe you can do an executive session for that. I could be  
1925 wrong, but..."  
1926  
1927 Ms. Mabry: "You cannot."  
1928  
1929 Mayor Samples: "Okay, so we're gonna do an inquir, public inquiry."  
1930  
1931 Ms. Kohlmann: "No, no, no. Let me finish."  
1932  
1933 Mayor Samples: "Go ahead."  
1934  
1935 Ms. Kohlmann: "Let me finish."  
1936  
1937 Mayor Samples: "I'm just trying to move it along. We've got a lot to go."  
1938  
1939 Ms. Kohlmann: "Okay, thank you. Can you do an executive session on an item such as this?"  
1940  
1941 Ms. Herrmann: "I'm not an attorney."  
1942  
1943 Ms. Kohlmann: "I know, but you're the parliamentarian. I thought you'd have that answer. I don't  
1944 believe that's an executive session, you can do it legally. I don't believe so."  
1945  
1946 Ms. Herrmann: "FOIA, Mr. Mayor?"  
1947  
1948 Mayor Samples: "Mrs. Herrmann."  
1949  
1950 Ms. Herrmann: "FOIA will allow an executive session to promote, discipline, whatever, an  
1951 employee..."  
1952

1953 Mayor Samples: "Sure."  
1954  
1955 Ms. Herrmann: "...if there's a particular employee person that Mr. Stevens has an issue with..."  
1956  
1957 Mayor Samples: "Right."  
1958  
1959 Ms. Herrmann: "...then an executive session would be appropriate. However, if he just simply  
1960 wants information about why this information was never sent to all the councilmembers, I'm prepared to  
1961 answer that right now."  
1962  
1963 Mayor Samples: "Would you?"  
1964  
1965 Ms. Herrmann: "I'd be happy to. It was never sent to all the councilmembers, because the  
1966 Municipal Association had flooded their newsletter, their website, there were articles in the newspaper  
1967 about it, it was the kind of information that everybody was talking about. It never occurred to me that all  
1968 the members would want to see that message. And I did put that message in the package with this  
1969 meeting without being asked to do so. I provided that as information for the council, because I felt like it  
1970 was pertinent to what Mr. Stevens might discuss tonight."  
1971  
1972 Mayor Samples: "Thank you, and I confess, I don't recall it. I must have been asleep or, or, or  
1973 had my head in, in the sand doing the Town of Surfside Beach business as opposed to frankly reviewing  
1974 an appeal of a court decision that I think that if you read further what Mr. Taylor said in his email, he even  
1975 suggested, even went so far as to say that public comments should be limited, okay; that now he thought  
1976 that that was perhaps going too far, but a, I, I, I think what we need to do is talk about some of the  
1977 substance of, of your comments, quite frankly, because you indicated, and I take personal offense to it,  
1978 frankly, that this council had voted on 38 items or whatever the number was that were not on the agenda.  
1979 Well, the fact of the matter is, is that we did it by consensus as part of the administrator's report, because  
1980 I believe most people that have been following Surfside Beach business and politics over the last four to  
1981 eight years probably recognize that the administrator was making decisions absent any council input.  
1982 They were never covered publicly. People asked us questions as to what was going on. I know it  
1983 happened to me. I've been here, and we had no news, heck, we built a deck that OCRM made us tear  
1984 down that was never voted on by town council; that there never was a consensus on, so the intent, what I  
1985 would say is that, if there is an appeals court ruling that is fairly recent, we are happy to comply with that  
1986 appeals court ruling now that we are aware of it, and we are happy to note under consensus under the  
1987 administrator's report specifically what those items are, but it was certainly done, what we did, and I can  
1988 only speak from May 8<sup>th</sup>, 2012 forward, what we have done is, I think, open up transparency and try to  
1989 bring all pertinent issues to the town council's, to the dais, so that all council is aware. We can discuss  
1990 them. We can agree on them. We can disagree on them. These are policy matters. But to come in here  
1991 and to attack a person unnamed and to suggest that we need an inquiry, frankly, I think is uncalled for  
1992 and, and, and I'm very disappointed, very disappointed that the councilman never contacted me in  
1993 advance to make his concerns known to me. I cannot react, if I don't know something is a concern."  
1994  
1995 Ms. Kohlmann: "Mr. Mayor."  
1996  
1997 Mayor Samples: "Mrs. Kohlmann."  
1998  
1999 Ms. Kohlmann: "I do believe at the workshop we had a discussion about certain people,  
2000 personally I don't want to vote on anything that I'm prepared to talk about or vote on, and I think that was  
2001 discussed at the workshop, and I think since then the agenda has the consensus items..."  
2002  
2003 Mayor Samples: "Absolutely."  
2004  
2005 Ms. Kohlmann: "...on them. But, I don't know if that's what you're trying to say. But, prior to that,  
2006 they weren't, so there were meetings where you felt like you, you kind a got it at the last second. I don't  
2007 know if that's, if, if the feeling is there, but I don't think it's there anymore, because now it is on the  
2008 agenda."

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Mayor Samples: "Thank you."

Mr. Stevens: "Mr. Mayor."

Mayor Samples: "And, and, but just to close the loop on, on, on Mrs. Kohlmann's comment, there is no council person who is forced to vote yes or no on any matter. What I would suggest is that you let your conscience be your guide when voting and that if you don't have enough information on a matter, then you make it known. We can delay. We did that on an item tonight. We have done it on many items. Mr. Stevens."

Mr. Stevens: "Mr. Mayor, if I may, I'm sorry you took this as a [sic] attack, but I'm just stating the facts as the *Lambries* decision is talked about. This is not an attack on anybody. This is merely information that I received at the Municipal Association of South Carolina when I went to class, plus it also is the information that I received when I received my packet. If you didn't receive this email."

Mayor Samples: "I did. I quoted from it."

Mr. Stevens: "Okay, alright. I was not aware that the town of Surfside had this information back in July. I would've liked to have had that knowledge, because I feel like to be a good councilman and to, and for us to be a responsive government to the people, we have to have total 100-percent transparency, and I received an email on February 24<sup>th</sup>, 2013 at 8:39 p.m. from Bill Taylor. He said, and I asked him a ques, another questions, he said the bottom line for the *Lambries* decision is that council cannot amend their agenda within 24 hours of the actual meeting."

Mayor Samples: "Let me clarify what he means there, okay. We can't add to it. Council can always amend the agenda. We can delete items. Okay, if we're gonna talk about these issues, let's be precise in what we're saying."

Mr. Stevens: "That's what I'm trying to do, and Mr. Taylor simply, he said I would simply advise council that changing the agenda, and I'm not gonna use his words, but it, it's inappropriate, and when the agenda comes out, because of the FOI laws, the public deserves the right to know everything that we're talking about and that, what we're voting on. That is the law. The Freedom of Information law in this court case is now the law of the land in South Carolina."

Mayor Samples: "Thank you."

Mr. Stevens: "Whether we like it or don't like, basically, I have violated this law, because I didn't know of it, and I feel bad that I have. I have violated the law for these folks out here, because I have talked about stuff, and had I known it, I would've never done it. I want this town council to be fully informed on laws, and if it is wrong, I don't want us to do it. I want us to be totally transparent, and totally responsible to every person that sits out here that casts a vote. Transparency and accountability means something to me. Now, you take this as attack, I'm sorry. I apologize. I'm, that you feel that, I'm sorry that you feel that way, but this is not a [sic] attack. I just want town council to be transparent and totally accountable to everybody, and I don't think any law like this, as Ms. Herrmann said it was passed out. I've gone back and I've looked in everything I've got and I don't have anything. So, it it's out there..."

Ms. Mabry: "Mr. Mayor."

Mayor Samples: "Ms. Dodge was before you."

Mr. Stevens: "...I haven't seen it. So I wish I could a got this, I wish somebody would've told me about this back in July."

Ms. Dodge: "Mr. Mayor."

2065 Mayor Samples: "Mrs. Dodge."  
2066

2067 Ms. Dodge: "Thank you, sir. I never saw anything regarding the *Lambries* decision until I took  
2068 the same class. I think it would have been valuable to all of us in making decisions, and also how we  
2069 conducted ourselves. I, I don't believe Councilman Stevens was attacking anybody, but rather saying he  
2070 wants to be sure that we follow regulations when we are working as a council. I don't want to do  
2071 something that will cause a problem for this town that would bring a lawsuit on this town, and not having  
2072 all of the knowledge at hand sometimes hampers that. That's all I want to say."  
2073

2074 Mayor Samples: "Thank you. Ms. Mabry."  
2075

2076 Ms. Mabry: "I want everyone out here to know that as we get, when we were elected we got a lot  
2077 of material and the major part of it is FOIA laws. Then, when we were here about a month, they hauled  
2078 us on to Georgetown; had to take another class, guess what? FOIA again. Go down to Columbia, and  
2079 guess what, FOIA again. We're FOIA'd out! They are FOIA-ing us to death. You go on the Municipal  
2080 Association and if you read the material that they offer, and it's free, they send it to us, it has all this  
2081 information in it. I knew about it, and I, I mean I do read my material, but I'm not sitting there every night  
2082 like it's War and Peace."  
2083

2084 Ms. Herrmann: "Excuse me, Mrs. Mabry. Mr. Mayor, may I have a recess to change my tape."  
2085

2086 Mayor Samples: "Please."  
2087

2088 Ms. Herrmann: "Thank you. Sorry."  
2089

2090 Ms. Mabry: "Okay, I want to finish up by saying it's important for our town clerk to know more  
2091 than it's important for me to know. She's the one that makes the agenda, and she will let us know if we're  
2092 stepping out of bounds. If we're doing something wrong, we have a town clerk that knows these laws,  
2093 keeps us informed as how we're supposed to conduct ourselves. We can't go into executive session just  
2094 because we want to. There is [sic] very specific laws on that. So I want you to know that I feel a little bit  
2095 taken back that someone would be accusatory, and I am going to take it as accusatory of any staff  
2096 member; anyone on council gathering information that somebody else may not have the opportunity. If I  
2097 can read it, you can read it. Any council can read it, and they have an obligation to read it, so good for us  
2098 if we get spoon-fed the information, but we shouldn't sit back and wait to be spoon fed. Sometimes you  
2099 gotta go after it on your own."  
2100

2101 Mr. Stevens: "Could you clarify a point for me, Mrs. Mabry?"  
2102

2103 Ms. Mabry: "If you get permission from the chair to address me, yes, I will."  
2104

2105 Mr. Stevens: "May I address Mrs. Mabry?"  
2106

2107 Mayor Samples: "Mr. Stevens."  
2108

2109 Mr. Stevens: "Could you tell us when you learned of it?"  
2110

2111 Ms. Mabry: "Well, I probably hadn't been on here a month. I'm not saying that I learned of that  
2112 particular case, I'm saying that I had learned about FOIA and have continued to learn of it. Do I have the  
2113 specific date, no, sir, I don't, and I don't really owe you that."  
2114

2115 Ms. Kohlmann: "Mr. Mayor."  
2116

2117 Mayor Samples: "Ms. Kohlmann."  
2118

2119 Ms. Kohlmann: "I think more importantly than anything else, we all need to move along with our  
2120 business at hand, but and, I'm not trying to chastise anybody, but I'm the one with the least amount of

2121 experience up here, and I do have to search for information. I think the point that he's trying to make is  
2122 that according to that case, that agenda item, you should not be voting on anything, consensus or voting,  
2123 on any...let me finish, Mr. Mayor..."

2124  
2125 Mayor Samples: "I understand."

2126  
2127 Ms. Kohlmann: "...you should not be voting or consensus on items that are not on the agenda,  
2128 because then that is not, doesn't, the public is not aware of it, and we're not aware of it, and I think that  
2129 everything else aside, throw emotions away, I think that's what you're trying to say. Is that what you're  
2130 trying to say?"

2131  
2132 Mr. Stevens: "Exactly."

2133  
2134 Ms. Kohlmann: "You could've said it with less words." (*laughter, applause*)

2135  
2136 Mr. Johnson: "Mr. Mayor"

2137  
2138 Mayor Samples: "Mr. Johnson."

2139  
2140 Mr. Johnson: "I would just like to say I, I think a special meeting on this topic is not necessary."

2141  
2142 Mayor Samples: "You need, a, Councilman Stevens, are you satisfied, or would you like to  
2143 pursue this further?"

2144  
2145 Mr. Smith: "Mr. Mayor, if I could speak."

2146  
2147 Mayor Samples: "Councilman Smith."

2148  
2149 Mr. Smith: "I think this points to a, a, one of the things we talked about in the visioning meeting,  
2150 and that's to keep the full council fully informed, whether it's the mayor keeping us informed; the clerk  
2151 keeping us informed, or the administrator keeping us informed. This is obviously, even though they say  
2152 we should've read it, everybody was talking about it, there's some councilmembers who didn't know, and  
2153 here's the big question: if you knew about it, why wasn't it, all the consensus items on the agenda before  
2154 tonight? So...just a minute."

2155  
2156 Mayor Samples: "Well, I want to answer your question."

2157  
2158 Mr. Smith: "So, someone might have responded differently, if they had been told about this  
2159 *Lambries* decision. It was back in June and July that, a, the town found out about it. Some of the  
2160 councilmembers knew about it, but they took no action. One councilmember learning about it in the, a,  
2161 February has taken some action and getting results. It's on the agenda. And by the way, if you think you  
2162 waste your money when you send us to, a, Columbia or to the Georgetown to those, to take those  
2163 classes, it's obviously it's money well-spent."

2164  
2165 Mayor Samples: "Thank you. I did have a question for Mr. Stevens, because you used a  
2166 number. You, you made the statement in your description that we had spent, I think it was over \$1 million  
2167 you indicated without proper voting or proper public notice or something like that is what I, what I, I  
2168 personally, yeah, took offense to that statement, because I would like to know what million dollars, what  
2169 those items are..."

2170  
2171 Mr. Stevens: "Could I?"

2172  
2173 Mayor Samples: "Please, please."

2174  
2175 Mr. Stevens: "Can I read it for you?"

2176

2177 Mayor Samples: "Yes."

2178  
2179 Mr. Stevens: "On July 24, 2012, a, we had a consensus item to spend \$82,000, \$82,500 on pier  
2180 piling wraps. We also spend \$2,089 on emergency parking equipment. We spent \$2,118 on dues to  
2181 Myrtle Beach, a, I'm not sure, some kind of redevelopment corp."

2182  
2183 Mayor Samples: "And you're the board member."

2184  
2185 Mr. Stevens: "Yep, (\*\*). On 8/14/2012 we spent \$260,692.22 on a garbage truck. On 8/28/12 on  
2186 a consensus item we spent \$5,000 on coyotes. On 8/28/12 we spent \$33,158.03 on street improvement.  
2187 On 9/25/2012 we voted to spend \$20,000 on electronic signs at the pier. On 10/09/2012 we spent \$5,250  
2188 [sic] on three new radios at \$750[sic] a piece. On 11/13/2012 we spent \$28,125.28 on, to, mold  
2189 remediation. We committed \$780,000 for Highway 17 paving. Now I'm not saying that anything, these  
2190 are bad. Well, wait, I'm not finished. And on January 8, 2013 we spent \$5,789.88, which comes out to  
2191 \$1,224,722.61." *Changed to \$1,750 by approved motion. D. Herrmann CMC  
2192 Town Clerk*

2193 Mayor Samples: "So let me ask you, let me ask you the question. (*multiple speakers\*\**) You can  
2194 answer it, you can answer it, I was waiting for the Highway 17 to show up."

2195  
2196 Mr. Stevens: "Mr. Mayor. Could I finish?"

2197  
2198 Mayor Samples: "Please."

2199  
2200 Mr. Stevens: "I am not saying that these expenditures were wrong. I am not saying that they  
2201 were bad. These were probably necessary expenditures, but I think we owe the public and the press due  
2202 diligence to let them know how we are spending their money. It is imperative that as a government that  
2203 the press and the people know what we're doing."

2204  
2205 Mayor Samples: "So, I agree with you, and if I could, I want to make clear in my mind, which is  
2206 why I focused on that million dollar number, because the fact of the matter is, is this council adopted a  
2207 resolution. It was advertised on the agenda, and so I'm a little confused here. You're talking about items  
2208 that we, we did have on the agenda; we didn't have on the agenda."

2209  
2210 Mr. Stevens: "No, these, these were all under administrator's report, update on current events."

2211  
2212 Mayor Samples: "I beg to differ. The fact of the matter is, is that council had to adopt a  
2213 resolution. DOT, you signed a resolution."

2214  
2215 Mr. Stevens: "I understand that."

2216  
2217 Mayor Samples: "Okay, and it was publicly advertised, and it was voted on in these chambers for  
2218 \$780,000 out of that million dollars that you're quoting. I have no doubt that there are items that we  
2219 addressed as a matter of consensus in the administrator's report. In fact, you may or may not know, but  
2220 in the past, before we all were seated, and I'll refer to Councilmen Smith, Dodge, and Johnson, who were  
2221 here previously, we didn't get an administrator written report. Isn't that right?"

2222  
2223 Mr. Johnson: "That is correct."

2224  
2225 Mayor Samples: "And so, you get a written report that has the consensus items on it. Now  
2226 granted, since the appeals court has ruled if you noted on this agenda that we're dealing with tonight,  
2227 there were a number of consensus items put, put on, the consensus items we had were reflected on the  
2228 agenda, and you are absolutely right, at the visioning workshop that we had last week, this was brought  
2229 for the very first time to my attention. I conveyed it to the administrator. Your wishes have been granted.  
2230 What I want to know is what more do you want? I gotta know, what more does Councilman Stevens  
2231 want?"

2232

2233 Mr. Stevens: "I don't ever want a [sic] be sitting here reading something that I should've known  
2234 about seven months earlier."  
2235

2236 Mayor Samples: "Alright. Thank you. Any other comments? We're not taking this to inquiry  
2237 unless a majority of council would like to add it to the next agenda where we will be happy to have a vote.  
2238 But, again, I believe it's a waste of time, and direction on the part of this town council and staff."  
2239

2240 Ms. Dodge: "Mr. Mayor."  
2241

2242 Mayor Samples: "Mrs. Dodge."  
2243

2244 Ms. Dodge: "I, I know you're angry, but I think Councilman Stevens asked questions, and I think  
2245 that's our job, to ask questions. There was nothing wrong or accusatory that I heard, so why is  
2246 everybody, why are you upset?"  
2247

2248 Mayor Samples: "You know why? And, I'm glad you asked that question, because we're just  
2249 gonna have to agree to disagree on this. I think that this was a personal attempt to a, a, score political  
2250 points, that's my view, political points on the part of a member who has served for, since a, a, May that  
2251 seems to know everything, okay."  
2252

2253 Ms. Kohlmann: "Point of Order, Mr. Mayor."  
2254

2255 Mayor Samples: "You're right, you're right."  
2256

2257 Ms. Kohlmann: "Can we move along with the rest of this meeting?"  
2258

2259 Mayor Samples: "(\*\* You're right, I misspoke. But I think, but again, I think it was a waste of  
2260 time and effort. You asked the question. I answered it."  
2261

2262 Mr. Stevens: "Mr. Mayor, if I may, I want to say one thing."  
2263

2264 Mayor Samples: "Please."  
2265

2266 Mr. Stevens: "A, I know what you said just now, but there's no political points on my point, on my  
2267 part. I don't want anybody's job. I don't want the mayor's job. You got to sit too much on a, up on the top  
2268 of a mountain with everybody shooting at you. I only want to do what's right for the people, and I just  
2269 want the information, and I would like to see a policy that we, whenever, from now on we get the  
2270 information in a timely fashion."  
2271

2272 Mayor Samples: "Thank you. I think we all seek that, Councilman Stevens. I don't think there  
2273 was any intent. I don't believe there was any intent to mislead anyone up here. Again, I'll go back to the  
2274 point that I made earlier, at least we talk about business items now, and I want to repeat something that I  
2275 have shared with council, and I want to repeat it for the public. It, it comes from experience, I have  
2276 served where council didn't seem to make the decisions. Decisions seemed to be made by an  
2277 administrator without council knowledge or input. I don't know if anyone else feels that way, but I know I  
2278 felt that way. This is a council form of government. It is a council form of government. We have an  
2279 obligation collectively, all of us, to be aware of and to participate in the decisions which affect the town's  
2280 people. I, no longer do I want any of you to have a citizen come up and ask a question about, well, how  
2281 did that happen, and you to shrug your shoulders and say, I don't know. How did those no parking signs  
2282 show up on Ocean Boulevard? Okay? Not anymore. It's not the administrator's responsibility. It's our  
2283 responsibility. We're the ones. (applause.)"  
2284

2285 Mayor Samples: "Alright, should we move along. It's now public comments. Five minutes.  
2286 Okay, line up; state your name and where you're from."  
2287  
2288

2289 **9. PUBLIC COMMENTS.**

2290  
2291 Mr. Ard: "Well, this is something else you ain't gonna like."

2292  
2293 Mayor Samples: "That's okay."

2294  
2295 "John Ard, 612 Cypress Drive, Surfside. Mr. Mayor, Council, citizens of Surfside Beach, as you  
2296 know last year, we had an election and all. We elected a mayor and three council people. There's a lot  
2297 of us right here in this very room and some that's not in this room that got out and we worked very, very  
2298 hard to try and put the people in that we thought would be best for the town and would (\*\*) this town the  
2299 best. I don't think that we made a bad choice. Some things still have to be worked out. This I've seen  
2300 right now tonight, and I hope they are gone [sic] work out for the betterment of this whole community and  
2301 this whole town. Now, I got an item here I'd like to talk about tonight. It's all a matter of public record. I  
2302 will not call no [sic] names, whatsoever. If you feel uncomfortable with what I'm saying, maybe I'm  
2303 stepping on your toes. If I am, it must mean something. On May 8<sup>th</sup>, 2012 the mayor and council was  
2304 swore [sic] in. And here it is, a, well anyway, now up until the 25<sup>th</sup> of February, y'all had 32 meetings.  
2305 And I'm just gonna shoot some numbers out there. You draw your conclusions to it, because for one, I  
2306 don't know how this is gonna keep on going, and for two, somebody that I worked my behind off for, and I  
2307 had a lot of confidence in is not doing their job. Y'all had 32 meetings since May the 8<sup>th</sup>, and don't get me  
2308 wrong, but I do understand that occasionally a council person or the mayor has to miss a meeting. This is  
2309 a gim-me [sic.] But what I'm getting at right now is they had 32 meetings and you miss 11 meetings.  
2310 December the 4<sup>th</sup>, January 22<sup>nd</sup>, you miss five of six meetings. Two of those meetings were on the town  
2311 budget. Now, if you were to break that down into numbers, that would come out to about \$121.22 per  
2312 meeting that you're getting paid for that you haven't attended, which would come to a total of about  
2313 \$1,333.42 that the citizens of this town have paid you to be at meetings and make decisions for this town.  
2314 And, a, I was even told straight and bluntly, I have a life besides town council. I got a life, too. But, if I  
2315 make a commitment and I run for office, you should be getting what you paid for or what you voted for.  
2316 Right now, we're not, and so, I would like to see this situation rectified, and if there's any questions (*time*)  
2317 to these numbers and stuff, it's right there in town hall where every meeting y'all go to, every meeting you  
2318 attended..."

2319  
2320 Mayor Samples: "Thank you."

2321  
2322 Mr. Ard: "...and every one you was [sic] at."

2323  
2324 Mayor Samples: "Thank you, sir. Come on up."

2325  
2326 (*\*\*multiple speakers, comments made while approaching podium*)

2327  
2328 Mr. Dodge: "Are you ready for me?"

2329  
2330 Mayor Samples: "Yes, sir."

2331  
2332 "Thank you. Tom Dodge, 15<sup>th</sup> Avenue North. Thank you, Mr. Stevens. I'll give you one example,  
2333 Mr. Mayor, was the way you, as you like to use the phrase, back-doored [sic] the chief of police into retire-  
2334 rehire. That line's in *The Myrtle Beach Herald* on 2/15 read Myrtle Beach, Surfside Beach don't hop on  
2335 traditional marriage band wagon. North Myrtle Beach, Conway, Loris, Aynor, and Horry County approved  
2336 issuing a proclamation. This had to do with recognizing National Marriage Week celebrated throughout  
2337 the United States from 2/7 to 2/14, which stated marriage is between a man and a woman. Our mayor  
2338 said I don't believe it's the town's place to deal with this subject. Since Surfside Beach is a council form  
2339 of government, this should have come council as a consensus item, which you do (\*\*\*) often. I don't like  
2340 the may [sic.] I don't the mayor (*laughter*) speaking for the town the way he did. Relax, people. The  
2341 mayor is but one vote. This is not a political issue, sir. This is a Biblical issue. Number two, on February  
2342 the 6<sup>th</sup>, 2013 a very delusional person, in my opinion, who hides under the name 'Step-Up' wrote the  
2343 following on *The Sun News* blog. First they called council people Kohlmann and Stevens dictators, and  
2344 inexperienced. Then followed that rant by calling Smith and Dodge quite elderly and just do not get it.

2345 Then continuing their tirade, complaining that Kohlmann's husband is chair, chairman of the committee  
2346 that made the recommendations, and Dodge's spouse serves on that same committee, and it appears  
2347 ugly, and they were attempting to hide something. Parking committee meetings are open for the public,  
2348 and have been attended by the mayor, town administrator, police department, director of public  
2349 works...this doesn't sound to me to be an attempt to hide something. Step-Up fails to mention that Mr.  
2350 Johnson's wife is on a town committee. It appears from their writings that Step-Up comes to council  
2351 meetings. Therefore, I am asking Step-Up to man-up, crawl out from under your rock, and follow me at  
2352 the podium. Thank you."

2353  
2354 Mayor Samples: "Thank you. Come on, Ron."

2355  
2356 "Ron Ott, 7<sup>th</sup> Avenue North. Boy, I miss this! (*laughter*) (\*\*) Love they neighbor, and we do, you  
2357 know, we do. (\*\*) We all love each other, we just, there's no, a, doubt about it. We just hash it out. I  
2358 forgot, I almost forgot what I want to talk about... a, free parking for the trailers. Yeah, it's a great idea.  
2359 Shows the towns, but what we have to do is make sure they're not sleeping in 'em and make sure there's  
2360 no tailgate parties, and are we responsible for anything that happens if we put 'em in a location in town?  
2361 That's what I would, I would look for, okay. A, Mr. Stevens, Councilman Stevens, that was, you did good.  
2362 You did good [sic.] It brought out, he aired out the laundry, said it all, and it was under discussion, and  
2363 that's good. That's good, and a, he got some ires [sic] up. No problem with, no problem with that at all. I  
2364 went to, a, a, a couple of weeks ago, I went down to Pawleys Island, and see a friend. In fact, the other  
2365 day I was up at, a, 38<sup>th</sup> North, but why I'm saying this is, I'm looking at what's going on out here, and I  
2366 hope everybody up here sitting on these chairs, not thrones, chairs, do you know how many vacancies  
2367 there are out here? Four times the amount that there are from Pawleys Island to 38<sup>th</sup> North. Something's  
2368 not kosher. I'm not Jewish, but something's not kosher. We need to understand why all the, it looks, it's  
2369 starting to look like a ghost town, and there're something radically wrong. I don't know what it is. I don't  
2370 think I'm gonna miss any more meetings for a while. This is pretty good. (*laughter*) I mean, thank you  
2371 very much."

2372  
2373 Mayor Samples: "Thank you, sir. I, I, yeah, please, please I want to mention to the people  
2374 that are here for parking that now is the time to, to...but, yes, ma'am, please come forward."

2375  
2376 "My name is Lynn Manchester. I live at 1022 North Ocean Boulevard. You all received an  
2377 email from me, I'm sure, and thank you for calling me, Mayor Samples and thank you, Ms. Kohlmann, for  
2378 talking to me. I love Surfside Beach. I absolutely love it. We looked for three years hunting a place, the  
2379 perfect place to live, and I think this is the perfect place to live. I have lived here for 14 years. I am  
2380 devastated. There are not parking meters at Seabridge, which is I live, but I watched last summer, and I  
2381 know you've heard this saying, when people come across the bridge, they lose their mind, and I really  
2382 think they do. They're on vacation. They don't respect things, and so, I look across the street and here's  
2383 this huge dualy [sic] (*dual wheeled pickup truck*) with a boat behind it, and it stayed parked there for a  
2384 week. Have you ever tried to pull out and all these big things are on each side, and I have an SUV, so  
2385 I'm up a little bit higher, but I also have a little sports car. Two times last summer I almost got killed,  
2386 because here comes a big dualy blowing it's horn as I'm pulling out off of 5<sup>th</sup> Avenue. I don't know how  
2387 many of you live on Ocean Boulevard; how many of you drive it every day."

2388  
2389 Mayor Samples: "Almost every day."

2390  
2391 Ms. Manchester: "During the summer?"

2392  
2393 Mayor Samples: "Yeah, sure."

2394  
2395 Ms. Manchester: "So you see how horrible it is. So now they're gonna be parked on the beach  
2396 side, and you've empowered them to park on the, across the street. So there's gonna be more  
2397 pedestrians crossing that street. I just have a number of questions, which I hope maybe some of you will  
2398 address, either email or however you would like; I will be glad to call you. A, but I just think it's a huge  
2399 safety risk. I think it's destroying the, the Ocean Boulevard. I mean, that's the beauty of this place. I saw  
2400 last year where you put the palm trees and I heard you say to somebody else keep planting those palm

2401 trees. Please, do. That is beautiful along there. But, then people come in and squeeze and park and I  
2402 know you think you have it marked off for certain size cars, but too many times I've seen them across the  
2403 street park in, especially during bike week, that trailer hangs over into the right-of-way going into Surf  
2404 Watch III. So many times I've seen people almost have a wreck right there. I just want you to consider  
2405 the safety of what you have chosen to do to Ocean Boulevard. I, I think it's really a sad thing. Could we,  
2406 probably from you what you spent on that, you could've purchased a little piece of property and maybe  
2407 even had a golf cart to carry 'em to the beach, if they didn't want to walk a couple of streets back. But, I  
2408 just think there should've been some other solution to it than, I, I was hoping when we said (\*\*) Debra  
2409 Herrmann sent a thing, a nice thing on Facebook about volunteers for the parking committee. I was  
2410 thrilled, because finally I thought, they get it. They've been down here looking and they see what a  
2411 disaster and how horrible this is and the damage it's doing to our beach. It's gonna be like Garden City.  
2412 You can almost tell without a sign being up, when you get to Garden City there's so much sand and it's all  
2413 out in the road. It's just nasty. When we have this beautiful greenery along our sidewalks; we have  
2414 houses across the street that have, they've spent a lot of money as we have on landscaping, being sure  
2415 it's mowed, that it's taken care of. That it's manicured. We have a great effort to maintain that swash  
2416 area, because we do appreciate that y'all are in agreement with us, and help us take care of that and  
2417 maintain that. To do what you're doing with these parking meters, it's just very disturbing to me, and, and  
2418 I just want you to please, I pray that you will reconsider that decision, because I, I really think in the end  
2419 we're, it's gonna be more hazardous and more trouble, and I hope there's not a fatality attached to it.  
2420 Those little kids; be there all for a week. Go down there and sit and watch for a week like you do the  
2421 smoke shop or whatever, watch what happens down there for week. I see so many little kids almost get  
2422 run over, because they get away from you, and now, if you're parking across the street it's more crossing.  
2423 Thank you very much, and I appreciate your attention to this."

2424  
2425 Mayor Samples: "Thank you, very much. Public comments? Yes, sir."

2426  
2427 "A, my name is Frank Perrino. I've got a few properties up and down the strip here. A, I'll get into  
2428 the parking in a second. First, I'd like to address the recycle containers. They're very small. I noticed  
2429 some people had big ones. I called to request some; town doesn't have the money, that's what I was  
2430 told. If you ever go along Ocean Boulevard in the summer, forget about 4<sup>th</sup> of July, every week there's,  
2431 the par, the containers are full and there's a whole mess of stuff next to it. The sanitation workers are  
2432 fantastic. They pick it up; they put it in; they dump it. They're really good. We need bigger containers. I  
2433 swear to God. I've got, I loaded more from my, from my unit and they're still full. There's two or three.  
2434 Okay. The signs that y'all've [sic] put up on the street. Here's the street; here's the sign. They go six  
2435 inches over the (\*\*) of the streets. Their side view mirrors are gonna get knocked out. We're gonna have  
2436 more accidents with these signs, I don't know who put it up there. I don't care, but they're on the street.  
2437 They're six inches off the pavement. Y'all are all laughing. This is, this is a fact."

2438  
2439 Ms. Kohlmann: "No, no. I'm sorry. I have to laugh, because my son took down the first sign this  
2440 week and I had said (*two speaking at once*.) So, I didn't mean to laugh at you, because it's just, I, I did..."

2441  
2442 Mr. Perrino: "(*two speaking at once*)...common sense, common sense, man. I mean, okay.  
2443 We're in agreement."

2444  
2445 Ms. Kohlmann: "Absolutely."

2446  
2447 Mr. Perrino: "Mr. Mayor, you had a really good speech before, but you missed a couple of things.  
2448 A lot of rentals aren't two to three thousand a week, there's some five to ten thousand and twelve  
2449 thousand a week. This is fact."

2450  
2451 Mayor Samples: "Okay."

2452  
2453 Mr. Perrino: "Okay. The majority are in the four to six thousand a week. You remember what  
2454 happened to Myrtle Beach when they passed the, a, the helmet law."

2455  
2456 Mayor Samples: "Um, huh."

2457  
2458  
2459  
2460  
2461  
2462  
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2512

Mr. Perrino: "Okay. The bikers bypassed Myrtle Beach. Now, I'm not saying the bikers are gonna bypass Surfside, but the renters are. The renters are. They're not gonna come back if they can't park. They [sic] gonna go to Garden City. They [sic] gonna go up, up north. We're trying to get 'em into here. I pay a lot of money. I paid over \$50,000 in real estate taxes to this town this year. That's a lot, to me it's a lot of money."

Unknown Speaker: "That's a lot of money."

Mr. Perrino: "To me, it's a lot of money. I lose money. The little lady over here said purchase more land. Make parking lots. Do that. Getting back to trailers, you park a trailer on a parking with a meter, how's the guy gonna hook up? How is he gonna hook up when he wants to leave, if there's a car in front of him? You know, (\*\*) the parking lots, you know, the parking signs, it's simple with the synthetic drugs. Outlaw it. Outlaw it. They gotta do something. Drugs are bad, and the last thing I have is the beach erosion. Has anybody, you know, I don't know, contacted the government, or, our beaches are really down this year. I think they're down maybe six, eight feet; ten foot in front of 11<sup>th</sup> Avenue all along the strip. We have a lot of beach erosion. The beach is where we make our money. We lose the beach, we lose the tourists. You know, that's about all I have to say, but I think I'm gonna start coming back to these meetings. A, I like to be informed, too. Okay, that's all I have to say. Just continue the good work."

Mayor Samples: "Thank you, sir. Appreciate it. Okay, we'll move in..."

Unknown Speaker: "One more."

Mayor Samples: "One more, very good. Yes, sir."

"Far as I came, I got to say a few more things (*laughter*) (\*\*). I think y'all are filibusters. I've been on council, I'm Benton Blakely from Clarendon County. I've been on council for 15 years, and I enjoyed this tonight. Don't take...(\*\*) (*two speaking at once.*)"

Mayor Samples: "That's a bad sign for us, isn't it!"

Mr. Blakely: "...that's like the governor, I was up at a legislative meeting one night and the Lambries, I know them real good, too. He's a card, and the governor said are you a democrat or a republican. I said neither one. Both of 'em's [sic] full of bull. I said I'm a people-crat. I serve the people that elect me that I represent. That's the way you got to be."

Mayor Samples: "I like that."

Mr. Blakely: "It's a bunch of bull the way this country's rolling. But a, a, I guess I, this meter deal, y'all taking this property back. Our taxes will go down, I'm sure."

Mayor Samples: "It won't go up."

Mr. Blakely: "I wouldn't say that. It'd be like you said earlier; it's all about the money. But a..."

Mayor Samples: "I meant from the private company."

Mr. Blakely: "Yeah. But a, you know, I, it's, it's hard; so you, you buy the property and you want to improve it and everything, and, and, and like I said earlier, it's a, it's a hazard, because when, when I back out now, I have to look and strain just to see what's coming, and those cars zip by there, and now with vehicles, you're not gonna be able to see in all these places. I know I won't. I'll have to have somebody to stand out there, come on, come on, come on, you know, and that's ridiculous, and Surfside is a great place. I chose it in '73, and I have two homes here, but like you're doing now, this is kind a, but I didn't get any information on this like the Councilman, a, Stevens said tonight. I didn't know anything about this until I heard on the, someone heard it Columbia and called on me., but a, what'll, what'll

2513 happen next? Now, when you get all this money collected and a, you say, hey we need more money.  
2514 Are y'all gonna take one of our rooms in our homes and all that's got to go, well, let's all go ahead there  
2515 anyway just about, so but a, you got a great thing going here. It's a great beach. People love it. But like  
2516 the woman said, keep putting on these, a, prices on a, on these a meters and other things, stipulations,  
2517 just like old a, the restaurant down there, Nibil's, great place; loved it. Couldn't take the pressure. Had to  
2518 leave. You gonna destroy it, if you don't back off. Thank you."

2519  
2520 Mayor Samples: "Thank you, sir."

2521  
2522 "I'm Bruce Reese. I'm a property owner on Ocean Boulevard, and just wanted to share a few  
2523 things. I don't want to take too much time, I think a lot of good points were made about the parking  
2524 meters. First and foremost is safety. God help us, if we have injuries this summer because kids are  
2525 going to the beach. They get excited and they do take off. I don't know how much money you expect  
2526 these to bring in, but it won't be enough. So that is the primary concern. A few other things, and it was  
2527 mentioned, I appreciate it. A lot of revenue comes into this town because of the people that come and  
2528 vacation here. I do not know of a single owner of a property on Myrtle, on, on Ocean Boulevard that is  
2529 happy about this meter situation. Maybe there are some. I just haven't met them. Also, no one that I  
2530 know of had any idea that these meters were going up. Do you owe it to us to let us know, if, if we're a  
2531 property owner, but not a resident? I care as much about Surfside as the people that live here. It's a  
2532 place that is very dear to me. Maybe we're not, maybe we don't need to be no, a, informed of that, but I  
2533 think we should. I think we're a part of this community; the people that come here; the revenue that  
2534 comes here. Those parking meters will never make up for the revenue, if you start to lose rent, a, renters,  
2535 and they sure won't make up for it if injuries occur. Think about this, folks. It happened fast. I don't have  
2536 all the details. All I know is boom, boom, boom, this thing was done, and I drive down there and I see  
2537 these meters as something has not been thought through, and I just hope and pray that it is before it's too  
2538 late. Thanks very much."

2539  
2540 Mayor Samples: "Thank you. Well, what time..."

2541  
2542 Ms. Manchester: (*speaking from floor*) "Can I ask one question?"

2543  
2544 Mayor Samples: "Please do."

2545  
2546 Ms. Manchester: (*speaking from floor*) "Can I just ask a question?"

2547  
2548 Mayor Samples: "Please do."

2549  
2550 Ms. Manchester: (*speaking from floor*) "We have to push our, a, stuff across the street, the trash.  
2551 Where are we supposed to push it now? Where do we put 'em now for our trash to be picked up, like  
2552 when during the season on the parking meters?"

2553  
2554 Mayor Samples: "That's a good..."

2555  
2556 Ms. Manchester (*speaking from floor*) "Is there a plan for us to put them (\*\*)?"

2557  
2558 Mayor Samples: "I'm, I'm sure Mr. Adair has thought that all the way through."

2559  
2560 (*Several speaking at once*)

2561  
2562 Mayor Samples: "Alright, we will move into council comments, unless there're other comments.  
2563 Well, I'm gonna start 'em since, a, I wanted to do something unusual."

2564  
2565 **10. COUNCIL COMMENTS.**

2566  
2567 Mayor Samples: "I appreciate everybody coming out, and we are far from, a, being human  
2568 beings, we ain't perfect. A, but we are trying. Will we make everybody happy? Look it, I'm just trying to

2569 make most people happy, you know. It is a great place to live. We'll be here. Come back and see us.  
2570 Appreciate all you do, and with that, Rod Smith's gonna take over."  
2571

2572 Mr. Smith: "Well, thank you, Mr. Mayor. The first thing I'd like to mention about the parking  
2573 meters is do you know where it started? It started when we said we don't want to have any parking within  
2574 10 feet of a driveway and 10 feet of a beach access and 30 feet of an intersection for safety. Once we  
2575 passed that ordinance, then the next thing was, well, how are we gonna control parking on Ocean  
2576 Boulevard, and there was a number of discussions. No parking, some people liked that, and some didn't.  
2577 We can also plant some trees. Well, that takes time. And then we came into conclusion that if we put  
2578 parking meters up, then those are designated parking places and you can only park there. So even  
2579 though most people think this might have been a fast decision, it actually was thought through. I, myself,  
2580 have been thinking about it for two years, over two years, ever since I got on council, and I'm pleased  
2581 with the way we have it implemented now. So remember that we started with safety in mind by passing  
2582 an ordinance no parking within 10 feet of a driveway or beach access and no parking within 30 feet of an  
2583 intersection, and I'd like everybody to know that I support our two council ladies on their work on the  
2584 designer drugs, and the mayor's effort, and the FOI is very important that we do list everything on the  
2585 agenda, and to keep council informed, even if you think that everybody's talking about it, there's probably  
2586 one person that's not talking about it or maybe two. Ann Dodge and myself, since we're the eldy [sic,]  
2587 elderly on the council, (*laughter*) we need to be informed. Even if you have to call us up. So we  
2588 appreciate all the help we can get."  
2589

2590 Mayor Samples: "Thank you, Ann Dodge."  
2591

2592 Ms. Dodge: "Well, thank you, Mr. Mayor. I'm not that old, yet, but I'm getting there darn quick. I  
2593 wanted to say congratulations to the recipients of our February yard of the month, Kathy and Bill  
2594 Goddard. I love to go by their house, cause every holiday you see lights, and a heart for Valentine's, and  
2595 a shamrock for March, and so on and so forth, and they keep everything so nice. I think that's a good  
2596 award. It encourages people. Most people in our town do take care of their property, and it makes them  
2597 look good. I'm very proud to live here, and now I want to get to the subject of parking. I want you to think  
2598 about what it was like last year when you were down on Ocean Boulevard. Those of you who live on  
2599 Ocean Boulevard lived through it. But, it's organized, it isn't even organized chaos. It's absolute chaos.  
2600 People will park wherever they can put their car to get closest to the beach, and I'm probably one of 'em  
2601 cause I don't, I don't like to walk in sand and so forth. But that's what it's like with the meters, it will be  
2602 organized, and it should be safer. I'm not gonna guarantee it, but I think if you have 10 feet on either side  
2603 of your driveway to see out that's gonna give you a pretty good line of vision. If you have 30 feet from an  
2604 intersection that gives you a good observation point. I know a lot of places that don't have that and it's  
2605 really hard to come out. Chincoteague, Virginia for one, a, and I love to go there. But, we are trying  
2606 really hard to make this a safe place for you to drive, for you to park, for you to live, and personally, I think  
2607 we would be remiss if we didn't try to manage the parking on Ocean Boulevard. Maybe it would've been  
2608 better if we had called everybody or sent everybody a note, but what would you have done if we said,  
2609 hey, we're gonna put parking meters on Ocean Boulevard? Well, no you're not. Change is hard to  
2610 accept sometimes, but this is good change, I think. I think it is responsible change, and I'm proud that  
2611 we're doing it. Now, anybody wants to shoot me, I'm gonna be right back there by the doorway  
2612 (*laughter.*) Thank you for listening to me rant, but this something that I think is important that we get  
2613 done."  
2614

2615 Mayor Samples: "Thank you. Mr. Johnson."  
2616

2617 Mr. Johnson: "Thank you, Mr. Mayor. It's been an interesting evening. I, I just want to say that,  
2618 a, I was not in favor of the parking meters on Ocean Boulevard, and a, we shall see what happens. Have  
2619 a good evening. Thank you for coming. Please be here next meeting."  
2620

2621 Mayor Samples: "Thank you. Ms. Kohlmann."  
2622

2623 Ms. Kohlmann: "Mr. Perrino, I was not laughing at you. I really was not. I hope you didn't take it  
2624 that way, but a, I have the same concerns as you did, and, and, like I said, it had to be my son to take out  
2625 the first one, but they are, they are where they are, so hopefully, a..."

2626  
2627 *Mr. Perrino made comments from the floor (\*\*)*

2628 Ms. Kohlmann: "...well, we're gonna work on it."

2629

2630 Mr. Perrino: "...golf carts, they're on the road, and (\*\*)"

2631

2632 Ms. Kohlmann: "I promise you, we'll work on it. We'll work on that, but I just wanted to make  
2633 sure you didn't think I was laughing at you, because I wouldn't do that. The second thing I want to  
2634 comment about is, Mr. Dodge, my family would call me a dictator, but I hope I'm not that when I'm sitting  
2635 up here, and as far as Step-Up goes, Step-Up is not a man, just so you know, with my background in law  
2636 enforcement I already know who Step-Up is, and it's a woman, so just so you know that, too. *(laughter)*  
2637 And as far as the parking and the parking meters go, I'm am probably going to be the first one to step out  
2638 in front of the truck here, but a, since that meeting where we all agreed to put those meters on Ocean  
2639 Boulevard, I've had a knot in my stomach. I live on Ocean Boulevard. I'm a firm believer that we should  
2640 have no parking on Ocean Boulevard, and I know that it's going on for years and years and years, but  
2641 that's my belief, and that's my belief because I'm there and I watch what happens on Ocean Boulevard.  
2642 The fact is that people are gonna park where they can park. It's unsafe, whether there are cars there or  
2643 not. What I'm not clear about from the people is what do you want? Do you want no parking on Ocean  
2644 Boulevard, or do you want some parking? My opinion is I feel, and I'm only speaking for myself, I'm not  
2645 speaking for anybody else up here, I feel I dropped the ball, because when you look at the parking  
2646 committee's recommendation it makes more sense, because where they said to put 30 meters is where  
2647 30 people parked all the time. There's no grass there. They're parking near the lots that are full or they  
2648 don't want to pay. So, and they've been doing it anyway. They've been parking there anyway, and  
2649 nobody seemed to care about that. Well, I don't understand really, quite honestly, what people really  
2650 want. Do you want parking or do [sic] you don't want parking? That might help us do better, and again,  
2651 I'm gonna say this. I wish I had said we need to call for a workshop. I failed to do that, so I have been  
2652 struggling with this since it came about, and I am a second home owner in town, and I do live on Ocean  
2653 Boulevard, so I feel what you're saying and I have said before at meetings many times that second home  
2654 owners here do not have a voice, and John, you know that when I fought about the increases for  
2655 sanitation for second homeowners. I don't want you to feel that this council does not recognize that you  
2656 are a very big part of this town."

2657

2658 *Unknown speaker from floor (\*\*)*

2659

2660 Ms. Kohlmann: "Okay, well many are, but the ones that aren't, it's really not about you being  
2661 registered or not in our opinion up here. I think that everybody agrees that we're all a community,  
2662 whether you live here year round or not, you probably will live here one day. Just so you know.  
2663 *(laughter)* And then, and we want you to feel that way, so I just want you to know that that you're not, just  
2664 because people that are here tonight, I, I would just like to see equality across the town. What's good for  
2665 R-3 should be good for everywhere else and what's good for everywhere else should be good for R-3.  
2666 That's how I feel, and, and..."

2667

2668 *Unknown speaker from floor (\*\*)*

2669

2670 Ms. Kohlmann: "I'm not laughing. I, I understand everything you're saying, (\*\*) I'm a biker. I'll be  
2671 on the bike in the morning, too."

2672

2673 Mayor Samples: "Okay, thank you. Thank you very much. Mr. Stevens."

2674

2675 Mr. Stevens: "I want to thank y'all all [sic] for coming out. A, Ms. Kohlmann, we were both called  
2676 dictators, but if I understand a dictator's one person, so I'm gonna resign my position and give it to you.  
2677 *(laughter)* And I'm just a old country boy. I was born in Loris, South Carolina, and I, sometimes I speak  
2678 my mind. Sometimes it makes people mad. I, I'm sorry if it does. As far as the mayor, I, I go back with

2679 this guy a long ways. Our kids used to go to Surfside Methodist preschool together. I got a picture of us  
2680 when he had a beard, and he was right slim back there and I was too."

2681  
2682 Mayor Samples: "Now I look like Gene." (*laughter*)  
2683

2684 Mr. Stevens: "And, a, even my wife and, a, the mayor's wife even worked together one time  
2685 years ago. The fact is, and I know about this parking, I, I play a bocce ball. You'll find me at the, a, over  
2686 on Lakeside Drive with part of the parking committee over there on Mondays and Thursdays at one  
2687 o'clock. Come and talk to me if you want to, if you've got concerns. I will say that the parking committee  
2688 never actually recommended parking on Ocean Boulevard. That's a fact. What happened is they knew  
2689 there was a problem on, with parking there, and when it finally came out in the January 22<sup>nd</sup> meeting, Mr.  
2690 Maruca back there and the chairman, Harry Kohlmann, said if you're gonna put parking, only put 30;  
2691 came up with a 134, a 104 more than they recommended. We didn't listen to the parking committee;  
2692 should have. A, that's a fact. Those guys are working hard and they're trying to do something, and I  
2693 understand the folks out here that pay 6-percent tax, and they pay a lot of money to have these second  
2694 homes, and they have condos and whatever down here. I understand how they feel. Just like the mayor  
2695 said, at one time we had an administrator here that didn't care. Mr. Joe Zoltak, I'm gonna call his name  
2696 cause he's, a, my neighbor, he and I know what it's like to have a [sic] illegal dumping site right between  
2697 our houses, and it was there for four years. We know what it's like for an administrator to tie, to do a quit  
2698 claim deed on a piece of land that was federally protected. Worse things, and I agree with the mayor  
2699 100-percent, there was things that a former administrator did that was totally crazy. He didn't care about  
2700 the citizens. I care about everybody sits [sic] out here, whether you like me or don't like me, I care about  
2701 you, and I'll listen to you. If you'll come to me and talk to me, I'll listen to you. All I want to do is serve  
2702 you. I want to be the best councilman I can possibly be. I'm gone [sic] make mistakes. Can't say I'm  
2703 perfect. I ain't. I'm far from perfect; just ask my wife. But the fact is I'm gonna do the best I can for you. I  
2704 wanna be notified of every new change in laws, and like, a, I see the Reverend David Pohto out there  
2705 from the First Baptist Church he says love your neighbor. I love all these folks on the council; every one  
2706 of them. I think they're fine people. I love the clerk. I love the administrator. I love all of you folks,  
2707 because the fact is y'all are good people, and this is a good town to live in. This is why I moved here. I'm  
2708 (\*\*) on me, one day we're gonna live in Surfside Beach, and we're living here now. I'm glad of it. Thank  
2709 y'all for coming out. I sure miss Nibil's. Wish they were back here, but we've gotta live with the status  
2710 quo. Have a nice night."

2711  
2712 Mayor Samples: "Thank you, sir. A, Mary Beth Mabry."  
2713

2714 Ms. Mabry: "Okay, I wrote what I was gonna say down, because I think that, a, talking about the  
2715 meters is so very important and I did not want to miss a point, so I'm gonna read it, if you don't mind.  
2716 First of all, I want to thank everyone that spoke about the meters, very much, for allowing us to address  
2717 your concerns. Due to the new parking ordinance, and, and, I'm gonna go back, like Mr. Smith said, we  
2718 have a new law that prohibits parking 10 feet from driveways, beach access, and entrance or exit to any  
2719 parking lot, 30 feet from all intersections. Because of [sic] this new ordinance only applies to Surfside  
2720 Beach, I was extremely concerned that many would leave our beach with tickets at the end of the day. I  
2721 know that we must not only invite, but encourage visitors to our beach in order to maintain the level of  
2722 service that we all would like to continue to enjoy. This beach protects our investment, or protects your  
2723 investment, and I take that very seriously. In order to do that, we are always maintaining the beach,  
2724 providing showers, police protection, lifeguards, bathrooms, and landscaping. We are updating  
2725 crossovers at the rate of about two per year, along with adding additional showers where space provides.  
2726 The town is always seeking ways to add additional amenities when feasible. This town is now in the  
2727 process of adding additional decking along with the ADA ramp, making our pier welcoming for all visitors.  
2728 We want our beaches to be the showcase of the east coast, and I believe we are well on our way. I voted  
2729 for the meters as a direct result of the parking ordinance, which I did not vote for. We did not have a plan  
2730 in place as to where and how we were going to place over 175 cars that could currently and legally park  
2731 on the boulevard. Had we had a place, plan in place, I may have been more willing to entertain an option  
2732 as long as having set parking for visitors and citizens was addressed and approved. Now visitors and  
2733 citizens know where they can legally park, as well as allowing visitors to invest in a small way toward the  
2734 many services our town offers. It seems like the most reasonable solution under the circumstances. I am

2735 also very sympathetic to the homeowners, as well. Some complexes had never experienced parking in  
2736 front of their units and now are having to, now we're having [sic] to reclaim the town's right-of-way in  
2737 some instances to provide needed parking. I would have much preferred that the beautiful landscaping  
2738 that some units provided through the many years. It's certainly much more appealing than the  
2739 commercial look we have now. But, to be honest, I did not see any other option after the parking  
2740 ordinance was adopted."  
2741

2742 Mayor Samples: "Alright, a, we need to enter into executive session pursuant to Town Code of  
2743 Ordinances §2-61, subparagraph (f) to consider Planning & Zoning Commission Vacancy and to discuss  
2744 appointment of volunteers, and to discuss a personnel matter, also, under a different section, which I  
2745 know, you know, Tom. We're gonna discuss contract negotiations."  
2746

2747 **11. EXECUTIVE SESSION.**  
2748

2749 **A. Pursuant to Town Code of Ordinances §2-61(f) to consider Planning & Zoning**  
2750 **Commission Vacancy Declaration and Pursuant to FOIA §30-4-70(a)(1) to discuss appointment of**  
2751 **volunteers.**  
2752

2753 **B. Pursuant to FOIA §30-4-70(a)(2) to discuss contract negotiations.**  
2754

2755 Mr. Smith: "Mr. Mayor, I move we go into executive session."  
2756

2757 Mr. Johnson: "Second."  
2758

2759 Mayor Samples: "There's a motion. There's a second. All in favor say aye."  
2760

2761 All Members: "Aye."  
2762

2763 Mayor Samples: "Opposed? Alright, we will be back  
2764

2765 *Clerk's Note: The motion to enter executive session was made at 10:08 p.m.*  
2766

2767 Mayor Samples: "No action was taken in executive session. But, I do need a motion to come  
2768 back."  
2769

2770 Mr. Johnson: "I make a motion that we come back into regular session."  
2771

2772 Mayor Samples: "There's a motion."  
2773

2774 Ms. Dodge: "Second."  
2775

2776 Mayor Samples: "Second. All in favor say aye."  
2777

2778 All Members: "Aye."  
2779

2780 *Clerk's Note: The motion to reconvene regular session was made at 10:33 p.m.*  
2781

2782 Mayor Samples: "We're back in regular session. No action was taken in executive session.  
2783 Alright, I need a motion probably to address the committee appointments."  
2784

2785 Ms. Mabry: "Mr. Mayor."  
2786

2787 Mayor Samples: "Ms. Mabry"  
2788

2789 Ms. Mabry: "I'd like to make a motion."  
2790

2791 Mayor Samples: "Me, too."

2792

2793 Ms. Mabry: "On the business committee, for the business committee I'd like to nominate Tim  
2794 Bradford, Kerry Ann Dame."

2795

2796 Mayor Samples: "There's a motion."

2797

2798 Ms. Dodge: "Second."

2799

2800 Mayor Samples: "All in favor say aye."

2801

2802 All Members: "Aye."

2803

2804 Mayor Samples: "Opposed? Hearing none, they're appointed to the business committee."

2805

2806 Ms. Mabry: "I would like to make a motion on the recreation/special events, Erin Adams."

2807

2808 Mr. Stevens: "Second."

2809

2810 Mayor Samples: "There's a motion. There's a second. Any discussion? All in favor say aye."

2811

2812 All Members: "Aye."

2813

2814 Ms. Mabry: "I'd like to make a motion on the stormwater committee, Tom Meccia."

2815

2816 Ms. Herrmann: "[Pronounced ] Met-cha."

2817

2818 Mayor Samples: "Meccia, Meccia."

2819

2820 Ms. Dodge: "I second the motion."

2821

2822 Mayor Samples: "There's a second. Any discussion about the way he spells professional? Okay,  
2823 all in favor say aye."

2824

2825 All Members: "Aye."

2826

2827 Mayor Samples: "Opposed, okay. We need a ..."

2828

2829 Ms. Mabry: "Mr. Smith."

2830

2831 Mayor Samples: "Mrs. Dodge."

2832

2833 Ms. Dodge: "Construction board of adjustment and appeals, I have one nomination, Shane  
2834 Stewart."

2835

2836 Mayor Samples: "Please express it in the form of a motion."

2837

2838 Ms. Dodge: "I move that accept Shane Stewart as one of, to fill one of the vacancies on the  
2839 construction board."

2840

2841 Mayor Samples: "There is a motion on the floor."

2842

2843 Mr. Smith: "Second."

2844

2845 Mayor Samples: "There is a second. All in favor, or any discussion? All in favor say aye."

2846

2847 All Members: "Aye."

2848

2849 Mayor Samples: "Alright."

2850

2851 Mr. Smith: "Mr. Mayor."

2852

2853 Mayor Samples: "Mr. Smith."

2854

2855 Mr. Smith: "I move that we authorize the town administrator to move forward the contract  
2856 negotiations."

2857

2858 Mayor Samples: "There is a motion on the floor."

2859

2860 Mr. Stevens: "Second."

2861

2862 Mayor Samples: "There is a second. Any discussion? All in favor say aye."

2863

2864 All Members: "Aye."

2865

2866 Mayor Samples: "Opposed? The motion is adopted. I need a motion."

2867

2868 Mr. Smith: "Mr. Mayor, I move we adjourn."

2869

2870 Mr. Johnson: "I second."

2871

2872 Ms. Herrmann: "Wait, please, please."

2873

2874 Mayor Samples: "Okay, hold on. Yes?"

2875

2876 Ms. Herrmann: "We need to address the P&Z vacancy, if that's in order."

2877

2878 Mayor Samples: "A, yes, yeah, that's right. Thank you very, very much. We need to declare the,  
2879 the vacancy."

2880

2881 Mr. Smith: "Mr. Mayor, I move that we declare a vacancy in planning and zoning."

2882

2883 Unknown speaker: "Second."

2884

2885 Mayor Samples: "There's a motion. There's a second. Any discussion? All in favor say aye."

2886

2887 All Members: "Aye."

2888

2889 Mayor Samples: "Opposed? The vacancy exists. Please advertise that as is I know you will."

2890

2891 Ms. Herrmann: "Thank you."

2892

2893 Mayor Samples: "I need a motion."

2894

2895 **12. ADJOURNMENT.**

2896

2897 Mr. Smith: "I move that we adjourn."

2898

2899 Ms. Mabry, Mr. Johnson, and Mr. Stevens: "Second."

2900

2901 Mayor Samples: "There's a motion. There's a second, and a second, and a second. All in favor  
2902 say aye."

2903  
2904  
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2937

All Members: "Aye."

Mayor Samples: "The meeting is adjourned."

*Clerk's Note: The motion to adjourn was made at 10:36 p.m.*

Prepared and submitted by,

[Redacted signature]

Debra E. Herrmann, CMC, Town Clerk

Approved: March 11, 2013

[Redacted signature]

Douglas B. Samples, Mayor

[Redacted signature]

Mary Beth Mabry, Mayor Pro Tempore

[Redacted signature]

Ann Dodge, Town Council

[Redacted signature]

Mark L. Johnson, Town Council

[Redacted signature]

Elizabeth A. Kohlmann, Town Council

[Redacted signature]

Roderick E. Smith, Town Council

[Redacted signature]

Randle M. Stevens, Town Council

Clerk's Note: This document constitutes minutes of the meeting as recorded on the audio tape. In accordance with FOIA the agenda and supporting documents were distributed to local media and interested parties, and were published on the town website. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was posted on the Town marquee. When (\*\*) is used a section of the transcription is inaudible. Comments are transcribed as close to verbatim as possible.

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

*Resolution of the  
Planning & Zoning Commission*

*Vacancy Declared*

**WHEREAS**, the Planning and Zoning Commission met on February 12, 2013;  
and

**WHEREAS**, the Planning and Zoning Commission determined that  
commission member Shane Watson had missed four (4) consecutive meetings of the  
commission; and

**WHEREAS**, the Planning and Zoning Commission after due deliberation  
approved by motion a recommendation to the Town Council of the Town of Surfside  
Beach, that the seat filled by said Shane Watson be declared vacant and that a  
recommendation be made to the Surfside Beach Town Council that the seat be  
declared vacant;

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning and Zoning  
Commission of the Town of Surfside Beach in consideration of the stated  
considerations, hereby recommends to the Town Council of the Town of Surfside Beach  
to declare the seat held by Shane Watson vacant, and that Town Council direct the  
town clerk to publish a request volunteers to fill said vacated seat.

**BE IT SO RESOLVED.**

Signed, sealed and adopted this 13<sup>th</sup> day of February 2013.



Mickey Pruitt, Chairman



Attest:



Debra E. Herrmann, CMC, Town Clerk