



TOWN OF SURFSIDE BEACH
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PUBLIC NOTICE: Pursuant to §6-1-80 of the SC Code of Laws public notice is hereby given that the Town Council for the Town of Surfside Beach will hold a public hearing to hear public comments on

Fiscal Year 2013-2014 Municipal Budget, Tuesday, June 25, 2013 at 6:30 p.m. in Council Chambers

And another public hearing will be held to hear public comments on

Dog Park Fees, Tuesday, July 9, 2013 @ 6:30 p.m. in Council Chambers.

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Pastor Jay Thornell, Grand Strand Church of Christ
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL**
 - A. Special Meeting June 4, 2013
 - B. Regular Meeting June 11, 2013
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **PUBLIC HEARING** - Pursuant to §6-1-80 of the SC Code of Laws, public hearing for the public to comment on the Fiscal Year 2013-2014 Municipal Budget
7. **COMMUNICATIONS**
 - A. Department Reports
 - i. Finance
 - ii. Recreation,
 - iii. Public Works
 - B. Administrator's Report
 - i. Update on Current Events
 - ii. Consensus Items
 - a. Workshop – Keep Surfside Beach Beautiful Committee - consider Horry Georgetown Tech Student Presentations
 - b. Beach Access Parking Sign Location
8. **BUSINESS**
 - A. Second Reading Ordinance #13-0749 to adopt FY2013-2014 Millage Rate, Administrator Fellner.
 - B. Second Reading Ordinance #13-0750 to adopt FY2013-2014 Municipal Budget, Administrator Fellner.



8. BUSINESS, continued

- C. Second Reading Ordinance #13-0751 to add §17-417 Docks on Town Lakes, Director Morris
- D. First Reading Ordinance #13-0752 to adopt 2012 International Building Codes, Director Morris
- E. First Reading Ordinance #13-0753 to adopt 2012 Property Maintenance Codes, Director Morris
- F. Moving Municipal Court Bonds to Horry County, Administrator Fellner
- G. Proposed Ordinance to Limit Parking on Side Streets off Ocean Boulevard, Councilmember Dodge, and recommendations from Parking Committee, Chairman Ron Saunders

9. DISCUSSION – Any matters of concern or information to be discussed by Town Council.

Town Code of Ordinances §2-20 Compensation and Benefits of Town Council, ¶(b) *Expense reimbursement*, specifically Town Council Per Diem, and MASC *Uptown* Article, Mayor Pro Tempore Mabry

10. PUBLIC COMMENTS – General Comments. (5-minutes per speaker)

11. COUNCIL COMMENTS

12. ADJOURNMENT



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
JUNE 25, 2013 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, Smith, and Stevens were in attendance. Councilmember Kohlmann was absent. A quorum was present. Others present: Town Administrator Fellner; Finance Director King; Planning Director Morris; Public Works Director Adair; Recreation Supervisor Ellis; Building Official Otte, and Town Clerk Herrmann.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Jay Thornell from Grand Strand Church of Christ gave the invocation. Mayor Samples lead the Pledge.

3. AGENDA APPROVAL.

Mr. Smith moved to approve the agenda. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL.

Ms. Dodge moved to defer approval of the June 4, 2013 special meeting minutes, because the copies were incomplete and she had not had time to read them. Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**

Ms. Dodge moved to approve the minutes of the June 11, 2013 meeting as submitted. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS – Agenda Items (3 minutes.)

"My name is Sarah Andrews. I own property at 14th Avenue South, 112 14th Avenue South, Surfside Beach. I would like to take this time to thank Mayor Samples and the Council for giving me this opportunity to speak to you about something that has upset me this week. Ah, first of all, I would like for you to know that I am not speaking only for myself, but I am speaking for my neighbors, Kim King Dickson, and my sister-in-law. All three of us live on the first block on 14th Avenue South. I want to thank the Council and the Mayor for providing a beautiful place for the residents and the homeowners and the visitors that come to Surfside and bring their pets. It is an enjoyment to all these people, and I have met so many wonderful friends up there, all the way from New York to California. I've lived in South Carolina all my life, and it's just quite a treat to meet different people from different parts of the country. These are some of the most responsible people that you will find in the morning at the park. They take good care of it. They police the park, and if their dog barks, they try to their best to keep the dog quiet, and I think you would be proud of them, if you could come up and visit with them. I would also like to thank the Mayor and the Council for the wonderful people that you have working for your city. I have yet to deal with anybody in the city that has not been extremely gracious and helpful, and I certainly do appreciate that. Ah, when I arrived this summer, I usually spend about four months at my house. I do not rent it. It's my summer home, and this year when I came and brought my dog, it's a little rescue dog, I went up to the park to see my friends and I told 'em I had to go by city hall and buy my knew license, and they said, well, they've changed it. Said you (**) have to pay, I believe they said \$15, but we don't live in the city, cause we had been paying \$10, and so we have to pay \$30. So, I, they said we don't like it, but we understand it. We don't pay city taxes, so we understand that. So, I went up to the city office, and the nice lady in there started filling out my information, and she said to me now you know you have to pay \$30, and I said

57 no, I own property here and pay taxes, and she said well you still have to pay \$30. So, I was quite
58 shocked that as a property owner for 53 years, (*time ended*) I have owned that property for 53 years, and
59 when we first got it, the taxes on it were \$28. Now I pay between \$4 and \$5 thousand a year. Mayor
60 Samples interrupted saying that time was over. Ms. Andrews: "Am I limited to time?" Mayor Samples
61 said three minutes. Ms. Andrews: "Oh, I'm sorry. I'm sorry. Let me get to the point." Mayor Samples
62 asked her to go ahead and finish up. Ms. Andrews: "I'm sorry. I didn't know that. I apologize. Alright,
63 I'm gonna get right down to the point. I pay taxes. I don't rent my home, but I feel I've been discriminated
64 against, because you are treating one group of property owners differently from another group of property
65 owners, and my due process and equal protection under the law has been violated. It is not logical that I
66 should pay \$30 when I pay taxes between \$4 and \$5 thousand a year to the city of Surfside and Horry
67 County and people who live out of the county, Georgetown pays taxes to Georgetown, they pay \$30 and I
68 pay \$30. To me it is not logical for those who pay those city taxes. Thank you. I hope you'll reconsider
69 that ruling."
70

71 "Allen Beck. I live at 626 10th Avenue North, which is the corner at 10th Avenue and 8th Avenue
72 and Cedar in Surfside, and I think most of you realize that we built the house on the corner of the lake
73 there. I want to address the dock issue that was in the, ah, agenda items. As you drive between Lake
74 Elizabeth and Dogwood Lake on Cedar you can see my little dock sitting out behind the house, which is
75 why we bought the house originally. I was sitting out there this afternoon just kind of enjoying the day
76 debating whether to slip my little 8-foot plywood boat into the water and go for a little bit of a row. It helps
77 aerate the water a little bit at the worst, or whether to slip my canoe in and go out around a little bit in the
78 canoe, and all of sudden it hit me. I've been told don't bother to go talk to the council again, because
79 you're grandfathered. You don't have to worry. Well, I said all the other people down the lake have to
80 worry, and I looked down the lake and there's two other docks that I can see, and there's, I think one
81 further down the lake, making a total of about three or four docks on Dogwood Lake. There are also on
82 Dogwood Lake a bunch of structures built over the water, which we would call a deck. They're built on
83 pylons, they've got railings around and people sit out there to have their barbeque or, or whatever they
84 do. I said it seems to me we're gonna permit docks and we're trying to specify a deck. What I read in the
85 paper, which is all I know, I can't seem to find the details of it on line, is that we're proposing a structure
86 that's got a fence with a self closing gate. How am I going to trundle my canoe down and slip it into the
87 water from my nice dock that, you know, it was just a few inches above the water level floating there and I
88 know you considered floating docks last time. I said what, why this rule for the gate and the fence and all
89 that when, in fact, my yard as you probably know, I've got a fence across the back of the lake, you know,
90 about 10 feet up from the water, 10 or 15 feet (***) which serves to, you know, keep any kids from running
91 out, which they're not gonna do anyway, cause we're gonna be, be watching 'em, and if they did, they're
92 not gonna run to the dock, they're gonna, you know, hit the water probably. So why, why have a little gate
93 with a self-closing thing at the front. I said we're trying to over specify it. When I talked to you all about
94 two or three months ago, and the subject came up of docks and I was congratulating the council on
95 getting off the position of prohibiting them and trying to permit them that I was wishing we would permit
96 simplicity and not over spec the requirement. Maybe a maximum size, but not tell people exactly how
97 they have to build it or whether it needs a rail or not. Somebody down the, the lake from us used to have
98 a dock out there where they would put a little paddle boat in. New owners bought it this year. They put a
99 railing around it, which I now call a deck, cause they can't launch a little boat and use. But, the proposed
100 ruling, if you've got fencing and railings and stuff, it would prevent people being able to put in a little kayak
101 or a canoe or something, so what will they do? Get a boat trailer and drive it around and put it in the
102 water to put my 8-foot boat. I don't, don't think that that's a good solution. So, I would hope that you can
103 (*time ended*) the proposed thing by amendment perhaps a little less restrictive."
104

105 "You know every time you see me it's the dog park, but there's something about the budget. I'm
106 Betty Lowery. I live at 619 4th Avenue North in Surfside, and I've known Sarah Andrews since my
107 husband and I came to Surfside. Love her. Anyhow, I think the dog park fee thing is wrong on several
108 accounts. First of all, it's still under condition, ah, discussion, but it's already being charged. I got my fee.
109 I'm a local, by the way. I got my tag on the first of June; paid \$10. Any nonresident who got their fee [sic]
110 at the same time, or their license at the same time, they'd a paid \$10. Two weeks later, they're paying
111 \$30. Again, an increase from \$10 to \$30, that's 200-percent more. I don't know of any fees that we have
112 charged that are that much over. I understand that it could be a financial thing. If the dog park has come

113 to cost more than we expected, but I'm sure the dog park cost a lot less than the asphalt that it would take
114 you to put in a parking lot, which was the original recommendation. You're targeting the nonresidents.
115 People who come for the weekend and for the week, they're not buying dog park licenses, and that's
116 what this is. I mean, half, I would say more than half of pets in Surfside are not licensed. People just
117 don't do it. They're not trying to be ugly. They just don't. People who get licenses want to use the dog
118 park. People who come in on the weekends for the week are not gonna go to the dog park. They're
119 gonna walk their dogs through the yard, use the pooh bags and they're gonna go on. So, you know, it's
120 specifically for those people who are using the dog park. So, if that's gonna be the case, then the dog
121 park budget should not include pooh bags that are being used out on the beach and on the walking trail.
122 Most of those people don't bring their dogs into the park. So, we have an issue there. The people who
123 are nonresidents and having to pay this additional fee have no voice in this, because they don't live here.
124 They don't vote. You know, \$10, I can handle that. But it doesn't, it just doesn't seem to be fair. If we
125 have an expensive dog park, and if you're gonna raise the fees, it should be across the board. You know,
126 that means that I'm paying more fees. Okay. I'm paying more fees. I enjoy the dog park. But, I still think
127 \$30 is excess. Secondly, a gentleman I talked to in the park just a few days ago paid his \$30. I reminded
128 him of the farmers market. He said I'm not going. I said why. He said I'm boycotting Surfside. I paid my
129 \$30, but that's it. We have no fees at all for the ones in Market Common. We have no fees at all for the
130 one in Myrtle Beach. If they decide to go with their dog there, they're going to shop in Market Common.
131 They're going right by Broadway at the Beach. We're gonna lose some people there. As it is, they go to
132 breakfast here. They shop in the grocery stores here. *(time ended)* You know, we're losing some
133 customers that way. Okay, thank you."

135 "Lonnie Hopkins, 712 Cedar Drive South [sic] on Lake Elizabeth as most of you know. My
136 concerns on the decks are as we know the lake is very susceptible to algae growth, and I know a lot of
137 you have been with me several times when we've taken trips up the lake, and ah, algae is blooming and
138 hydrogen sulfide was coming out so bad and so forth. But, what bothers me is what's gonna happen if
139 we've got all these decks, and algae starts growing from the banks out first, and everything I've noticed
140 you're gonna have, how are you gonna spray and so forth and do an effective job on that? So, it's gonna
141 be difficult to do that, and the other thing is as we all know that's a retainer basin basically for the county
142 and so forth and, and all of us that have lived on it for 20 some years know the problems that we went
143 through working with the county to get the lakes all upgraded to, to the area. We know we spent or the
144 county spent over \$800 thousand to a million dollars on Lake Elizabeth and Dogwood Lake upgrading
145 them and so forth, and we have a contract with the county; I suppose we still have it. Is there [sic] gonna
146 be any adverse affects on that contract when we start making changes to Lake Elizabeth, and so forth?
147 As we know, there's about 1,100 acres flows through Deerfield, Caropines, and other areas that flow
148 through Lake Elizabeth. So, a big concern I have is a lot of docks and so forth, and there's gonna be
149 more boats floating up and down the lake, and also in my back yard at night at 10, 11 o'clock there's folks
150 there, and most of 'em I don't think are residents in the area, and people park at the end of the lake, put
151 their boats in, and there you will sit, you in your back yard and you got people fishing in your back yard,
152 basically. So I'm against making the dock improvements. I don't call them improvements, so that's my
153 comments. Thank you."

155 "Good evening. Ron Ott, 7th Avenue North. Ah, as you see, Al has a dock and there's a couple
156 of other docks on every lake, and why were they stopped? They were stopped a few decades ago by
157 some people that understood what could happen. Now, we're gonna spin this place into an amusement
158 park again, cause that's what it's gonna end up being. Get the dragon boats out. Let's get some beer bot
159 [sic], beer cases on them boats [sic.] Let's get it going, because, well, first I have a PUD (planned unit
160 development) at the corner of my, ah, our street and when that was originally presented to P&Z (planning
161 and zoning), there was 15 moorings for big floating dock in there, and thankfully, we didn't allow that to
162 happen. We don't need to have all these boats going up and down my back yard with boom boxes and
163 beer bottles and whatnot, because you're not gonna be able to control it. You're not gonna be able to see
164 it. Number one, you can't stop the little kids driving the, the golf carts out there. You're not gonna stop
165 'em on the boats in the back, cause you can't see 'em. So you got a lot, a lot of things on. There was a
166 reason these, these docks were stopped. That, that's one of 'em. We, we're not, this is a residential
167 area, not an amusement park. If you want to put a boat in there, you can slide it in. The guy that owned
168 my house, Rich, Richard Elvis, he had a wench back there. He put his boat in, go out fishing and wench

169 it back out. So we don't have to leave boats in there and have, ah, sailboats and whatnot going up and
170 down the back yards of everybody's houses. This is, most of these are all R-1. Thank you."

171
172 "Tom Dodge, 15th Avenue North. I spent seven years in law enforcement, so this is not a knock
173 on the police department. This is just the facts as I see it. In our 2000-2001 budget we had 20 full time
174 police officers. The 2013-2014 budget we have 27 full time police officers. That's an increase of seven,
175 which includes a captain, lieutenant, and two corporals. The police department no longer dispatches fire
176 calls nor does it handle the parking lots or meters. As of last summer, the City of Conway had 53 full time
177 police. They have Highways 501, 701, 378, and 17,000 people. The City of Georgetown had 35 full time
178 police officers. They have Highways 17, 521, and 701, and have 9,163 people. Both cities are much
179 larger in geographic size than we are. We have roughly 3,700 people and one highway. Public works
180 department in 2000-2001 budget had 22.5 employees; 2013-14 budget is 26.5 employees. They also
181 apparently have much more equipment. In my opinion, these two departments could be reduced in staff.
182 Reduction of seven people easily could save at least \$300 thousand. Drove down Surfside Beach [sic]
183 last week, and saw the new palm trees and sod. It looks beautiful. I later drove down Surfside Drive and
184 saw for sale signs at both of the areas that we just beautified by Surfside Realty. Ah, while we did a great
185 job beautifying Surfside Drive, it, it's strange to me that both of these properties were made eye candy for
186 the realtor. In my opinion, we have some snollygosters on this council. Thank you."

187
188 "Ralph Magliette, Harbor Lights Drive. Ah, my question is a budget question, and I'm sure you're
189 tired of hearing budget questions, but I have been trying to educate myself on how the budget operates,
190 and I would just like to say being here for a short amount of time, I've had questions on the budget. I've
191 asked council people questions. I've gone to the finance director for questions. Every time I've asked a
192 question, I was given the information that I required and that I could understand; so, kudos to those
193 people. I mean you can say a lot of things. This has become a very passionate thing on both sides. But
194 as a taxpayer, when I needed the information and the data so I could understand the construction of the
195 budget, the operation of the budget, and the expenditures, and all the information I didn't understand,
196 they were able to explain it to me in a manner that I was able to understand it, and I thank you for that. I
197 do have one question, which concerns me and it's also a little bit blurry. Being an engineer, I really don't
198 understand it, and the question is I've heard people talk about the fact that we need to do some,
199 something with our funds budget, because, ah, depending on who you ask, it was supposed to be 50-
200 percent of the operating expenditure, ah, which was the number that people throw out. Then the shortfall
201 is \$1.4 million the way I calculate it. But, no one has ever defined what that amount should be. Is it
202 supposed to be 60-percent? Is it supposed to be 50-percent? Is it supposed to be 40-percent? Ah, I've
203 asked some people, and it seems because of the size of town, we're a small town, and a beach
204 community, that probably 50-percent is a good rule of thumb to be able to have that for all the needs that
205 we have: beach renourishment in case we get a hurricane; stormwater. All those things make sense.
206 But, the thing that seems to be missing is some type of a fund balance policy. A fund balance policy in
207 my view would define what exactly that percentage is going to be of the operating expenditure so that on
208 an annual basis you would be able to see how close you are to the mark. What's the shortfall; what's the
209 surplus, and what could be done as a trend. It's most shocking to me that when we had this first debate
210 on the budget, people were saying oh, my God, we're \$1.4 million shortfall, and my answer to that is,
211 being an engineer, if you had a fund balance policy, which set what that amount would be, is it 40-
212 percent, 60-percent, so you have a minimum and maximum, you would know that and on an annual basis
213 when you do the budget you would be able then to say this is the amount of money we need. People
214 wouldn't worry about the trends as long as you work towards that goal. Thank you very much."

215
216 "Hi, I'll be real quick. Patti Magliette, 104 Harbor Lights Drive. I just want to say real quick that I
217 do appreciate the fact that we have a really extremely good police department. I understand that we're a
218 small town, but we've got vacation, as in Myrtle Beach, right next door to us and as we all know on the
219 news the lady got a ride home from the Myrtle Beach night club and got in trouble. The people who were
220 driving her home brought her to our town. Messed her up, and thank goodness, the Surfside police, they
221 took care of everything and the three guys were caught. Now, yeah, we're a small town, but the police do
222 an awfully good job with all the stuff that comes through our town that doesn't necessarily live here. So,
223 again, I want to thank them for doing a very good job and keeping this place safe." *(Applause.)*
224

225 "I'm Holly Watson, 319 North Oak Drive in Surfside. I want to protest the, the docks, okay. Back
226 in 2002, I protested a PUD behind my house, and I brought to you some Coastal Carolina University test
227 results from my drainage ditch and Myrtle Lake. And again, I came before you in 2004 and give you more
228 test results that I personally picked up the tab for. You have to remember these are not recreational
229 lakes. They're drainage ditches and drainage retention ponds. All of these tests results are over the EPA
230 (Environmental Protection Agency) levels for two types of bacteria. Some of 'em are over a thousand
231 times the EPA level. We don't need any kind of contact with human; we, we just don't need for kids to be
232 dangling their feet in the lakes. We don't need full body contact in these lakes. We don't need to be
233 swimming in these lakes, and we just don't need to make it a recreational venue. If you do allow the
234 docks, then I as a taxpayer will please beg you to get a release from every single applicant holding us
235 harmless of anything that could happen as far as coming into contact with this drainage problem that we
236 have. Every swash that we have going into the ocean at one time or another gets posted. That has not
237 been corrected, and those postings are due to bacteria levels that are flowing out of our lakes and
238 drainage ditches onto the beach. Well, it originates in our lakes. It originates in the county. It flows into
239 our lakes, our drainage lakes, and then down into the various ditches and into the ocean, and then it's
240 posted no swimming, no bathing, whatever. I have these tests results, if anybody would like to see them.
241 I do suggest that we get every lake tested from time to time. I think we ought to do that anyway. I don't
242 know what the answer is. I know that I've had a fountain in Myrtle Lake and that didn't work, and they
243 took that out, and they've dredged it; several hundred thousand, maybe a million dollars for that. That
244 didn't work. So we do not have the answer to these, to the bacteria levels in our lakes. Please do not
245 allow the public to swim or be in contact with these waters, bodies of water within our town. It, it doesn't
246 make any sense to me to open ourselves up for this liability when we don't have to. I understand we can
247 grandfather the ones that are there. But, let's not add to the problem we already have and these are
248 dating back to 2002 and 2004, when I presented them to you then. We've never had an applicant ask to
249 put any, you know, any docks in since that. *(time ended)* So, that may have been the reason. Thank
250 you." *(Applause.)*

251
252 "Good evening. Shelby Smith, Cedar Drive and 10th Avenue North, and I am against the docks,
253 and ah, or decks, and I just totally agree with all of the excellent points that have been raised here this
254 evening by those that have spoken before me. I just am a little late reading this ordinance, and I hope it's
255 not gonna be passed. If it is passed, it is far too loose, and it doesn't identify a deck versus a dock, as Al
256 Beck mentioned. Just looking at it here, just to read a couple of things, it says natural wood tone not
257 painted. It doesn't say the weight of the wood. It doesn't say the thickness. I mean these are decks
258 we're talking about. There's no mention of railing. I've got a screened porch and on the little rail along
259 my screen the ordinance was very careful to say I've gotta have vertical posts up here to make sure
260 nobody falls off that porch, and it's just a screen porch on the house. So here we are over water; it just
261 needs to be much more specific. The railings, the ah, no electricity, that should be mentioned. It says no
262 lights, but there certainly shouldn't be any electrical out there, and then the setbacks from the property
263 lines. You know, I live on the lake. I don't have a dock or a, or a deck, but that should also be a
264 consideration, and hours of use. I'm right next to where the Lake Elizabeth and Cedar come together and
265 there are folks out there like Lonnie Hopkins said at 10 o'clock at night, you know, lures in our shrubbery
266 and everything else, so the distance laterally to these different structures is certainly is [sic] pertinent, and
267 then the last point, the ordinance says 75 feet is the minimum for a, for this, 75 feet and a 12 foot deck, a
268 12 foot wide deck, so if you've got one deck on one side, and another deck on the other side of this body
269 of water, that's 24 feet off of 75 feet. That's just a little bigger than this room, so I think the lake size
270 ought a be increased in that document, as well. In, in short, there seems to me to be a whole lot more
271 work needed on this ordinance. So, I would recommend give it a workshop or just vote it down
272 completely. And then boats, that's the other consideration, and that's not addressed in this, and you can't
273 just leave this door open, and just have tourists and everybody else just venturing into our *(time ended)*
274 lake. Thank you."

275
276 "Thank you. My name is Ron Whitcomb. I live at 103 Harbor Lights Drive, and I don't want to
277 make any enemies here, but I'm in favor of the docks. I'm not in favor of huge docks. I'm in favor of
278 people who live on the lakes, just saying it's not a recreational lake. Any body of water when you go out
279 along the side of it you are planning to enjoy the lake. So, regardless of what you want to call it, that's
280 why people live on lakes, to enjoy the lake. I have a low fishing boat, 8 feet long. I use it in the lake. I

281 put it in and pull it out every time I use it. It's a pain in the butt. I would like to have a small dock.
282 Nothing big, I'm not gonna run out and get a dragon boat. (**) worried about people contacting the water
283 and everything else, if you look at the pipes that come in at the other end of that lake, that's where, where
284 your, your, your bacteria and everything else is coming in; drainage from highways and everything else. I
285 mean, there's a lot of problems coming in there that, that's gonna be way larger than somebody putting
286 their feet in the water. I don't mean to make enemies here or anything else. I understand everybody has
287 an opinion. Just something small that can people can use to get in and out of their little boat, and limit the
288 size of the boat. I mean that's fine; no motors other than electric and keep 'em small so people can enjoy
289 their property and enjoy their time there. As far as railings go, the gentleman was speaking about putting
290 his boat in and out of the water with railings, I grew up on boats. My, my parents had cabin cruisers from
291 the time I was five years old until I moved out of the house. I was down there every weekend and all
292 summer at different marinas and everything else. You will not find railings on any of these docks.
293 They're dangerous. Railings can get in the way; people get caught between them and there's a lot of
294 different things that go with railing on docks. I'm not saying (**) on decks on the side with railings to keep
295 someone from falling off or something. That's a whole nother [sic] animal. If you've got a small dock and
296 you put a railing, it's just, it's not a good thing. Thank you very much."
297

298 **6. PUBLIC HEARING.**

299 **Pursuant to §6-18-80 of the SC Code of Laws, public hearing for the public to comment on** 300 **the Fiscal Year 2013-2014 Municipal Budget.**

301 Mayor Samples opened the public hearing at 7:05 p.m. to hear comments from the public on the
302 Fiscal Year 2013-2014 Municipal Budget. There were no public comments on the budget. Mayor
303 Samples closed the public hearing at 7:06.
304
305
306

307 **7. COMMUNICATIONS.**

308 **A. Department Reports.**

309 **i. Finance**

310 Ms. King presented the written report, a copy of which is on file. There were 56 new business
311 license accounts in May; 17 were new businesses. Business license revenue was \$20,000 ahead of last
312 year. Year to date revenue was only \$4,000 ahead, but it was ahead. Year to date taxes were \$2.46
313 million, which was \$15,000 more than last year. Hospitality and Accommodations taxes revenue was
314 \$612,000 so far this year, and that was flat compared to last year. Sanitation revenue brought in \$1.035
315 million; last year's revenue was \$955,000, which was an increase of \$80,000 year to date. Pier revenue
316 was \$217,000, which was basically the same amount as last year. Parking revenue was \$49,500;
317 expenditures were \$46,600 for a net of \$5,900. The accommodations revenue check received from the
318 state for January, February and March was \$110,000. The usual amount received for that time period
319 was \$25,000, so the state paid \$85,000 that it owed to the town from prior quarters.
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323

324 Ms. Mabry referred to the over/under budget amount on the finance report for the year 12-13 at
325 the bottom where it stated total revenue and other finance resources saying it stated \$1,134,395, and
326 asked if that amount was correct. Ms. King said yes; a lot of revenue would be brought in during June.
327 All of the franchise fees were paid in June, so a lot of money was expected. Ms. Mabry asked if she was
328 hoping to get \$1 million in June. Ms. King said she hoped so.
329

330 Mayor Samples asked Ms. King for her best professional judgment on expected revenue. Ms.
331 King believed the revenue would be almost there. Business license revenue was better than she
332 expected; money was just received from the Municipal Association, which was a pretty good amount;
333 franchise fees would be received from Time Warner Cable, and other franchise fees; money will come
334 from the state for local government. She said revenue might be a little bit short, but she did not believe it
335 would be dramatic. Mayor Samples asked if the budgeted property tax revenue would be attained. Ms.
336 King said that amount was already exceeded. Mayor Samples asked if in June over \$64,000 had been

337 collected. Ms. King said taxes brought in \$15,000 more than last year. She said they would probably
338 bring in exactly what was budgeted. Mayor Samples asked if that was because May revenue was
339 \$14,726, and there was still almost \$65,000 to collect in June. Ms. King said some of that might be
340 because more was being allocated to the other funds. Mayor Samples said more was going towards
341 stormwater. Ms. King said right, and that was strictly a percentage method; more was going to
342 stormwater and less was going into general fund. Mayor Samples mentioned that he hoped everyone
343 took time to review the Lanier sheet that was attached to the finance report, which showed on a monthly
344 basis collections and expenditures. He asked how much was netted from Lanier during the first three
345 months. Ms. King said \$5,900. The expense number was estimated at \$11,000 for this month and it was
346 actually \$13,600. Mayor Samples said the town netted \$5,900, and that did not include capital
347 purchases. Ms. King said that was correct; it was just fines and money paid into meters and pay stations.
348 Mayor Samples said he hoped the town did better during the remaining parking season. Ms. King said it
349 was going up every month. That was good news. Mayor Samples said that was good news.

350
351 **ii. Recreation**
352

353 Ms. Ellis presented the written report, a copy of which is on file. The farmers market continues
354 every Tuesday at the Poplar Drive parking from 10 a.m. to 3 p.m. A market profile was included from
355 Waccamaw Farmers Coop; a complete report would be made at the end of the season. They did not
356 collect vendor revenue. There were nine vendors the first week; 12 vendors in week two; 15 vendors in
357 week three; 17 vendors in week four, and today there were 20 vendors. Parking was an issue; measures
358 were being taken to resolve the problems. The market manager reminded vendors and visitors that
359 parking was available at town hall and the fire department. Signs were posted today to discourage
360 parking on the sidewalks and to direct vehicles to town hall parking.

361
362 Mayor Samples said aside from parking problems that always existed during the summertime, it
363 sounded like the farmers market was a great hit. Ms. Ellis said it was a huge hit. One vendor showed up
364 today with the first local blueberries and blackberries. He was sold out by lunchtime. Mayor Samples
365 asked if there were any questions concerning the farmers market.

366
367 Ms. Mabry said thank you and that she went to the market every Tuesday. Everyone seemed to
368 be enjoying the market. She thanked Ms. Ellis for her efforts, and the police department was doing a
369 good job with the parking. The event was a big hit.
370

371 Ms. Ellis said Movies After Dark began June 13th; Rio was the featured movie. Approximately
372 175 people attended. Sophia's of Surfside Beach sold concessions including popcorn, cotton candy,
373 candy, ice cream bars, and drinks. Sophia's reported that during the first hour on the first night that
374 business was better than expected. There was an issue with the wind blowing the screen, but that would
375 always be a problem, because the park was only two blocks from the ocean. The guide wires kept being
376 adjusted to control the screen. This past Thursday there were about 200 attending, and there was
377 constantly a line at the refreshment stand. There was one incident when Surfside's Finest had to arrest a
378 gentleman for public drunk and disorderly and interfering with a police officer. The police will patrol during
379 every movie night. As requested at the budget meeting by Town Council information regarding rental of
380 the civic center and club house was included in the package. She checked with Myrtle Beach, North
381 Myrtle Beach, and Conway; all of the town's fees were far behind the other rates. If the town wants to
382 charge similar rates, improvements would need to be done to the civic center. The recreation/special
383 events committee voted to have a volley ball net on the beach for locals and visitors to use during the
384 summer months. The poles and net were delivered and it should be set up the first part of next week
385 before July 4th. An update was received from the Youth Association after the council packages were sent.
386 They were finishing t-ball, coach pitch, and machine pitch. All Star tournaments were starting, and as far
387 as she knew that was all of the programs scheduled for right now. Upcoming events include July 4th
388 Celebration, next Thursday, 6 to 9 p.m. Garth and Friends would provide entertainment; fireworks start at
389 9:30 p.m. The Kids' Fair is scheduled Monday, July 15th, from 4 to 7 p.m. at Fuller Park for children age
390 10 and under. Movies After Dark continue every Thursday. Sunday Serenades every Sunday; she spoke
391 to Mr. Hanson and he reported that about 90 people attended the serenade. The Farmers Market would
392 be every Tuesday.

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Mr. Johnson asked where the volley ball net would be located. Ms. Ellis said on the beach just north of the beach access at 1st Avenue South. Mr. Johnson said it appeared to be a permanent fixture, and asked if the town was required to have a permit or obtain permission from the state to install it. Ms. Ellis said it was removable, not permanent. There was plenty of room for the sweeper to pass between the poles. The net would be put up and taken down each day. Mr. Adair said the poles were set in concrete for stability, and were not considered a permanent structure. Mr. Johnson said thank you.

Ms. Dodge said she went to Sunday Serenades every Sunday. There were a lot of artists that perform there. It was giving them an opportunity to be seen. Also, it was enjoyable for them to listen to them. Some were better than others, but all of them were going to benefit as did the spectators. She thanked Ms. Ellis saying it was a good idea.

iii. Public Works.

Mr. Adair presented the written report, a copy of which is on file. The newest automated side arm truck, #315, was placed into service in the sanitation division. The truck has a Mack cabin chassis with a Livery body that was made in Canada. The truck was wrapped in a nice graphic of the Surfside pier and was a rolling advertisement for the town as it traveled daily to the dump in Conway. He was receiving very nice comments about the truck. Commercial service routes continued to be updated based on business needs; 24 accounts increased service and 12 accounts required extra pickups during bike week. The supervisor explained commercial service schedules to three new businesses: Agent Towing and Recovery; Coastal Pampered Paws, and Southern Shores Properties. Eighteen recycling carts were delivered to town residents; four 95 gallon carts were delivered to businesses at their request. The recycling program continued to expand. Beach recycling generated 1.32 tons of recyclable materials in April. A payment was received of \$501 from Allen's Scrap Metal for materials collected throughout town in April. May collections included 404 tons of solid waste; 33 tons of mixed debris; 190 tons of yard debris, and 49 tons of recyclables. Streets crews continued to rake the beach and dig out the swashes three times a week to insure proper water flow. Mosquito spraying was done Tuesdays and Friday mornings, weather permitting. Seven reports were sent to Santee Cooper identifying street lights that were not functioning properly, including one at Martin Park where the Movies After Dark were being shown. There were some complaints about lighting issues at the park. One street light was out and would be repaired, and another flood light installed by the fence, which should solve some of the problems. Under the grounds division, L&J Construction completed construction of the ADA (Americans with Disabilities Act) bathroom at the Huckabee Complex. It was on budget. Palm trees were planted on Surfside Drive, along with some rose bushes and sod, which was paid for primarily with a Palmetto Pride Grant. Field maintenance and needed repairs continued throughout the baseball season at Huckabee and Martin Field. Crews resumed spraying town lakes with aquatic herbicides. Lights were installed at the restrooms at Martin Field so they could be used by spectators attending Movies After Dark. The facilities crew installed a walkway extension leading to the ADA ramp at the pier, which should get people on to the ramp safely. Carpet was installed this past weekend in town hall, and will be completed this coming weekend. A flag pole was ordered and will be installed at Martin Park. Town mechanics completed 67 repairs on town vehicles and equipment this month; 36 vehicles received preventive maintenance.

Ms. Dodge said the walkway for the ADA ramp that the crew installed was excellent. She liked the wood better, because it was natural, unlike macadam. She said it really looked good.

Mayor Samples asked for an update on the 6th Avenue South pond. Mr. Adair said the package was sent to DHEC (Department of Health and Environmental Control) in Charleston from Earthworks Group. Mayor Samples believed Town Council gave direction to Mr. Adair to fill in that pond, but before any further action was taken, he wanted to make sure that all members were in agreement to fill in the pond.

Ms. Dodge asked for information.

449 Mr. Johnson believed it would be beneficial for the public to hear an explanation.

450
451 Mr. Adair said the small pond at 6th Avenue South and Willow Drive had been a problem since it
452 was created as far as mosquitoes, aquatic weeds, smells and those type problems. Town Council
453 decided about six months ago to fill in the pond and return it to a natural grassy state, and to return the
454 drainage to the way it was through pipes and catch basins. Jurisdictional determination had to be
455 obtained from the Army Corp of Engineers, which is required any time fill is added to any wet lands in
456 South Carolina. Once the Corp released jurisdiction, the process had to have DHEC approval for a land
457 disturbance permit that included a site plan. The permit request and site plan were prepared and
458 submitted. Once DHEC approves the permit, work would begin.

459
460 Ms. Dodge knew there was drainage on the lake and asked how difficult it would be to handle the
461 drainage when the lake was filled in. Mr. Adair said it was straightforward; there were a couple of inputs
462 going into the lake, and there was one going out on the east side heading towards Floral Lake. Those
463 outlets would just be connected with underground pipes along with a couple of catch basins to collect the
464 rain water. Once it was all covered, a couple of catch basins were all that would be visible. Ms. Dodge
465 knew it was a problem, because of all the green sludge in the lake. But, she liked the idea of having a
466 lake there. Mr. Adair said the combination of shallow water, the heat, the direct sunlight, and all the
467 nutrients that pass through the system were a recipe for a lot of algae growth. Ms. Dodge said thank you
468 so much.

469
470 Mr. Stevens knew that Mr. Adair said it was approved by Town Council, but he could not find
471 anywhere in the minutes where council actually approved that action. It was mentioned on September
472 25, 2012 in the budget [sic] and then they talked about it on May 28th. He said there was a weir in the
473 lake and asked if the rotten board could be replaced, and if that would raise the lake level, as it was about
474 a foot higher than it was now. Mr. Adair said he could get the information to him.

475
476 Mayor Samples certainly hoped so, and said if not, the matter needed to be presented as an
477 agenda item. He asked if that was satisfactory. Mr. Adair said yes.

478
479 Mr. Johnson asked if a gazebo would be placed on the location, if the lake was filled in. There
480 was concern that it would be a gathering place for some transient residents. Mr. Adair said the actual site
481 design would be presented to Ms. Fellner for presentation to Town Council for approval, before any site
482 furnishings were purchased. He assumed some trees, bike racks, or benches might be placed there; it
483 would be designed to enhance the best use of the property.

484
485 Mr. Stevens concurred with Mr. Johnson, because there were homeless people staying in the
486 gazebo at the Veterans park as late as 12:30 or 1:00 o'clock on a constant basis. He asked what size
487 pipes would be used to channel the water, if the lake was filled in. Mr. Adair said that would depend on
488 the engineering plans. Mr. Stevens asked if engineering had been completed and paid. Mr. Adair said
489 that was what was submitted to DHEC; he did not have it yet. Mr. Stevens said okay.

490
491 Mayor Samples said as long as it was being discussed, he asked if there was a sanitary sewer
492 line running through the lake. Mr. Adair said yes, there was a high pressure Grand Strand sewer line that
493 ran under the pond. Mayor Samples asked if it was visible. Mr. Adair said possibly, but he had not seen
494 it, but it was there. Mayor Samples recalled that it was visible, but he would check.

495
496 **C. Administrator's Report – Update on Current Events.**

497
498 **i. Update on Current Events.**

499
500 Ms. Fellner reported that said that a public hearing was scheduled on July 9th to hear public
501 comments on raising the dog park fees. The advertisement was placed *The Myrtle Beach Herald*. The
502 hearing would be during the regular meeting. Town Council would have the choice to elect not to raise
503 the fees, or simply move to adopt the annual fees voted on at the June 11th meeting, which were to
504 increase fees for non-residents to \$30 for the first dog and \$15 for each additional dog. The reason that

505 staff implemented the increased fee was because council had voted in favor of the increase, and it was
506 not tied to an ordinance in any way. Once there was a public hearing, if council determined not to
507 increase fees, then staff would gladly refund the excess to those whom had already paid the higher fees.
508

509 Mayor Samples said if he understood Ms. Fellner's comments that there were fees that the town
510 charged that were not codified. Ms. Fellner said that was correct. Mayor Samples asked if there were a
511 lot of them; could she give examples. Ms. Fellner said the director of finance and she had already
512 discussed for the next budget presenting a list of all fees charged in the town to Town Council so that
513 there was clear documentation of all fees, and then there would be a record of when fees were changed.
514 Mayor Samples said that would be very helpful. He said business license fees were spelled out, and he
515 was trying to identify other fees that might be charged. Ms. Herrmann said the fees for copying costs,
516 notary services, or faxing documents were not codified. Staff just charged customary rates. Mayor
517 Samples said at that those costs were covered by Freedom of Information. Ms. Herrmann said not
518 making a copy for someone that walked in off the street and asked staff to make a copy for them.
519 Typically fees that were not applicable to everybody were not codified. Fees set that apply only to people
520 that want that particular service could be done by motion. Mayor Samples appreciated that and asked if
521 councilmembers wanted to know what fees were charged that may or may not be known. Staff was
522 asked to provide the information. Mayor Samples said the governing body had to answer for fees
523 charged. Ms. Fellner said many municipalities, but not all of them, included a list of various services fees
524 in the annual budget, which provided documentation of amounts and changes. She had no problem
525 doing so. Mayor Samples said it was a good idea.
526

527 Ms. Fellner informed Town Council and the public that the Surfside Beach merchant validation
528 letters were sent to realty management companies. Dunes Realty Company had already signed up. The
529 new parking brochures were completed and the parking ambassadors began distribution this past
530 Tuesday. The brochures were available at town hall, all realty management companies, the three hotels,
531 and the library. The brochure was also available on the town website for downloading. As she reported
532 at the June 13th meeting, the Key Bridge Foundation informed the Department of Justice (DOJ) that the
533 pier met ADA compliance. The complainant resolved mediation and requested that the case be closed.
534 A letter was received from DOJ that the case was now closed, and a copy was sent to Town Council.
535 Ms. Fellner said there were questions during the last budget meeting regarding a HTC detail charges for
536 communications. It was suggested that the budgeted amount of \$25,850 was for long distance, and that
537 was too high for long distance charges. Ms. Fellner said to clarify the question that less than \$1,000 per
538 year was for long distance charges. This past year a study was performed from March to March; long
539 distance was around \$670. The other charges were for fax lines; the elevator telephone, which had to
540 have a special dedicated line; ISPN, the integrated digital network, which was the interface that actually
541 brought service to the equipment, including the DID (direct dial) phone lines, which allowed 23 to 25
542 people to be holding telephone conversations simultaneously; point-to-point T-1 lines, which allowed
543 telephone conversations with Sandy Lane; PRI, which was the primary rate interface that allows both
544 voice and data transmission between the network and the user, and there were a lot of other
545 expenditures included. She thought staff did well managing long distance cost. Ms. Fellner reminded
546 everyone that the Surfside Beach Fire Department would be holding a class for seniors on the proper use
547 of fire extinguishers on Thursday, June 27 beginning at 4 o'clock in the afternoon.
548

549 **ii. Consensus Items.**

550
551 **a. Workshop – Keep Surfside Beach Beautiful Committee – consider Horry Georgetown**
552 **Tech Student Presentations.**

553
554 As directed at the May 28, 2013 Town Council Meeting, Ms. Fellner brought back the question of
555 whether council wished to hold a workshop pursuant to the Keep Surfside Beach Beautiful Committee
556 recommendation to consider the on the students' presentations. All members received a CD of the
557 presentations. She asked if a workshop was desired, when should it be scheduled and what should be
558 included.
559

560 Mayor Samples asked if members wanted a workshop.

561
562 Mr. Smith thought a workshop was needed.

563
564 Mr. Stevens agreed and suggested in July.

565
566 Ms. Fellner asked if the workshop could be at the first meeting in August, since it was already
567 June.

568
569 Mayor Samples said very good. There were no objections.

570
571 **b. Beach Access Parking Sign Location.**

572
573 Ms. Fellner said as directed at the June 11, 2013 meeting she brought the list of cross streets on
574 Highway 17 where the parking committee recommended placing beach access signs with arrows. The
575 streets were 16th Avenue North, 5th Avenue North, Surfside Drive, 10th Avenue South, and Melody Lane.
576 She said the parking committee also included 5th Avenue South in its request, but staff did not support
577 that, because 5th Avenue South dead ends into Willow and staff did not believe it would not be
578 appropriate to direct traffic on to a dead end street.

579
580 Mayor Samples asked if the signs could be posted without Department of Transportation (DOT)
581 approval. Ms. Fellner believed a courtesy phone call would be sufficient to obtain permission; DOT had
582 been very good about that type request. Mayor Samples said good. **COUNCIL CONCURRED.**

583
584 Mr. Johnson asked if Lanier Parking staff was using Surfside Beach golf carts or carts with a town
585 logo affixed. Ms. Fellner said they were. Mr. Johnson asked why. Ms. Fellner said Lanier did that in
586 every municipality and it was part of the contract terms. Mr. Johnson was concerned, because Town
587 Council approved Lanier Parking by a vote of 6:0, because it wanted Lanier to perform enforcement. His
588 assumption was that the purpose was to separate the town from Lanier. So he thought it was ironic that
589 Lanier was using town logo vehicles to enforce parking, if council wanted to disassociate itself from
590 enforcement. Ms. Fellner heard what he said; it could be viewed either way. Lanier had a separate
591 phone number and the new parking brochure had Lanier's contact information, not the town's. Mr.
592 Johnson said it was just a concern of his. Ms. Fellner understood. She had not heard any complaints
593 about that; there were a few complaints, which Lanier was quick to resolve. Mr. Johnson said good;
594 thank you.

595
596 Mayor Samples said that was like an in-kind contribution that the town made to Lanier. Ms.
597 Fellner said there were some others, like the Netbook computer instead of paying rent on a Lanier
598 computer. Mayor Samples brought it up, because at the end of this year he assumed an evaluation
599 would be done of the actions that this council had taken with respect to the parking management contract,
600 et cetera. Consequently, Town Council needed to recognize the true cost. Ms. Fellner said yes, sir. The
601 costs were actually in the budget, even though they were not cash expenditures. Mayor Samples said
602 the finance report indicated the town netted \$5,900, not including the capital purchase (**.) Ms. Fellner
603 understood his concern, and said she had the exact same concerns; having said that, the weather this
604 season was very overcast and rainy. Mayor Samples said just so long as a true accounting was done at
605 the appropriate time and a report of the technical side insofar as performance and satisfaction that people
606 might have with Lanier.

607
608 Mr. Smith suggested tracking the daily weather so that when the reports were compared a year
609 from now it would account for low months. Ms. Fellner said the daily reports included the weather
610 conditions. Mr. Smith said thank you.

611
612 Ms. Dodge said she was in Lanier's corner and was very impressed with its staff that was doing
613 enforcement and how they were treating visitors. She was sure that it would give her as a visitor a good
614 feeling about the town that they actually care about her, but they did have a job to do. She was very
615 much in favor what Lanier had done so far.

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8. BUSINESS.

A. Second Reading Ordinance #13-0749 to adopt FY2013-2014 Millage Rate.

Mr. Smith moved to adopt second reading of Ordinance...

Mayor Samples interrupted and said before the motion he would like to explain the business item for the public's benefit. This was second reading of Ordinance 13-0749 to adopt Fiscal Year 2013-2014 Millage Rate.

Mr. Smith moved to adopt second reading of Ordinance #13-0749 to adopt Fiscal Year 2013-2014 Millage Rate. Mr. Stevens seconded.

Ms. Mabry moved to amend the motion to adopt a 44.96 millage rate. Mr. Johnson seconded.

Mr. Smith did not think taxes should be increased and that was what the amendment proposed. He liked the ordinance as it was presented keeping millage at 40 mils.

Ms. Mabry explained that next year the county would do a property reassessment. She already talked with the assessor's office, and usually when reassessments were done, millage went down. If the millage was not raised now, and if the town was allowed to increase the millage next year after reassessment, the millage might not even be 40 mils. The millage was already down, and the budget had already been sliced and diced as much as they could. She asked what council would do. Millage was at 44, now it was 40, and all the amendment proposed was to bring it to 44.96, which was the maximum allowed. Ms. Mabry asked what would happen if the millage goes down again; what will be done if they ended up with 38 mils. It sounded wonderful, but what happened in reality was there would be nothing left to cut, except services, which were already being done. It was only going to increase, so when somebody said they would raise the millage next year, what they were saying was they may not even be up to 40 mils. They were down to the bare bones. Now they would start losing police. The police did not just take care of citizens; hundreds of thousand visitors came here. What would be done when the police service was not available? What would be done when police were laid off? There was a program called CRS (Community Rating Service). The town could put money a very little amount of money in that program, but they did not have it. Doing so would lower flood insurance premiums by 25-percent for property owners on Ocean Boulevard, just as Myrtle Beach did. Some towns got as much as a 45-percent discount. That was real help for people. The town was not allowed to participate in those programs. There was a bigger picture than whether there was a shower on the beach or whether they had the right amount of policemen; there were also programs that were cut. Ms. Mabry wanted everyone to be aware that this was a necessity. All the amendment did was increase the millage back to where it always was. She was not asking them to pay a whole lot more. The average house would pay \$40 a year more. On the boulevard, it could be \$400, but those owners could save so much more than that just in their flood insurance premiums, if the town was allowed to raise the millage and go ahead with some programs that need to be implemented in town. Ms. Mabry said they could not think small, they had to think big so that some real savings could be realized that everyone could see. That was why she was pushing hard for the increased millage.

Mr. Stevens said perhaps he would need some answers from the administrator, if he was correct, if they did not adopt a 4 mil increase, and did nothing, then the millage rate would drop to 35 mils, because the stormwater millage would be eliminated.

Mayor Samples said that was not right.

Mrs. Mabry said that was not right.

Ms. Fellner said no.

672 Mr. Stevens asked if the stormwater millage expired July 1st, and asked what happened when it
673 expired. Ms. Fellner said it did expire July 1st, and if council moved forward with this budget, 1 mil would
674 be allocated for stormwater. Mr. Stevens asked if there would be a 4 mil increase to the general fund.
675 Ms. Fellner said that was correct. Mr. Stevens said 35 mils are placed in the general fund right now, and
676 asked if it was correct that with 40 mils it would go from 35 to 39 mils in the general fund and 1 mil for
677 stormwater. Ms. Fellner said yes. Mr. Stevens said that, in fact, was a 4-percent [sic] increase on
678 general fund taxes and asked if that was correct or not.
679

680 Mayor Samples said in his opinion that was not correct. He said to explain why it was not correct:
681 Mr. Booth resigned the week before Mr. Smith and Ms. Dodge took office. Town council appointed Mr.
682 Duckett. Both were of the same philosophy and council allowed it. They never went into detail budgets.
683 What they did was come in here and the previous mayor said it was not council's job to put the budget
684 together. It was the staff's job to put the budget together. Mayor Samples understood that the staff put
685 the budget together, but he also understood as an elected official they could not delegate their fiduciary
686 responsibility to anyone else. Mr. Booth was no longer here; Mr. Duckett was no longer here. Ms. Fellner
687 was. They had invested a great deal of effort in this budget. He asked if anyone disagreed that more
688 time than ever was spent looking at this budget for ways to cut. Mayor Samples said the truth was that in
689 2008, Town Council readopted 5 mils for stormwater, which meant since 2008, 5 years, about \$1.5 million
690 was raised for stormwater. You could do the math. There was about \$.5 million saved for stormwater
691 projects. He asked where the other \$1 million was spent. This council spent some of it on stormwater,
692 but much of it was not spent on stormwater. Mayor Samples was trying to lay out the truth. It was a fact.
693 He asked if anyone saw any big stormwater projects going on during the last five years. No. Mayor
694 Samples said he, too, would vote for the amendment.
695

696 Mr. Smith said in response to Mr. Stevens question that there would be an additional 4 mils going
697 into the general fund compared to the previous year.
698

699 Mayor Samples said legitimately; he wanted to qualify it.
700

701 Ms. Mabry said it was nice to know the history, but she was more concerned about where the
702 town was this day and where it would be tomorrow. Council's job was to insure the future of the town.
703 The history was important so that the same mistakes were not made again. But now that they were here,
704 here was where they were, and they needed to insure the town's future. By backing off, you would not be
705 insuring it. Town Council raised millage to 55 before, because there were projects that had to be funded.
706 They were funded for a couple of years, and then millage was dropped back down to 44. The millage had
707 never been 40, except during the last four years. This was what happened. If the 5 mils were taken out,
708 the town was being operated on 35 mils. It was impossible to run the town on 35 mils. If there were any
709 issues, and there was not enough money in capital improvements, then money would be taken out of the
710 general fund. The only reason there was not a shortfall in general funds was because council took every
711 dime that could be squeezed out of every fund balance the town had and threw it into the general fund.
712 Then they said look at us; we were in balance! So now, there was nothing in any of the other funds, and
713 the reserve fund had been depleted for four years. Ms. Mabry said the town was not in good shape, and
714 this was the public's town, and they should demand that the town has the best. Most people were willing
715 to spend \$40 more a year. For goodness sakes, she said, it was not much more than a couple pizzas. If
716 you lived on the boulevard and you had to pay more, you would be enjoying a huge benefit from your
717 discount on your flood insurance, which would more than offset what they were asking them to pay. You
718 had to think about the future. You could not just worry about what was happening today. You have to
719 think about what would happen down the road, and she wanted the town to be the best it could be ten
720 years from now. They, hopefully, would all be here.
721

722 Mr. Johnson was not concerned with the past or the present, but was about the future. He did not
723 want to take anything away from his fellow councilmembers, but the last reassessment was down.
724 History indicated that it would be down again next reassessment. That would limit the amount of millage
725 that the town could increase, if council wanted to increase it. It might be 40 mils; it might not be. But, the
726 town was obligated by law to have a certain set millage. The town could not raise it to 55, 60, 70 mils on
727 a whim. The town was obligated by state law, so in his thinking, he wanted to be proactive. He did not

728 want to raise taxes, but he did not want the town to go into debt trying to operate. Mr. Johnson said yes,
729 mistakes were made and he sat up there and told them. He told them at the last meeting the town had
730 administrator after administrator after administrator telling council this, that and the other; everything was
731 good. This past week, he brought out his budget books for the past five years. The three or four were 15
732 to 18 pages thick. Those of you that attended the budget meetings the last time saw that the book was
733 about that thick (*indicating about two inches*), because they were trying to do the right thing. Council tried
734 to cut wherever possible; was trying to appropriate correctly and cut this, that, and the other. Every
735 administrator had their own ideas and now they were finally on the right path. Mr. Johnson said he just
736 wanted to do the right thing.
737

738 Mr. Smith said again that he was against increasing the millage and he personally did not think
739 public works was being impacted by keeping the millage the same. There were still 26 employees. The
740 police department had 27 employees and they would not be impacted by keeping the millage the same.
741 The sanitation was an enterprise fund and that would not be changed, and in fact, the fee was increased
742 for sanitation this year. Mr. Smith said when services were discussed, the services that counted had not
743 been affected; would not be affected, and council should not increase the millage.
744

745 Mr. Stevens concurred with Mr. Smith. Council raised the sanitation rates \$3.75 per month; he
746 and everyone was paying it. They were discussing raising the millage rate another 4.96 mils; almost 5
747 mils. He did not see it. The police department was getting new vehicles. A new \$250,000 garbage truck
748 was being purchased. All kinds of expenditures were in the budget. If anything, Mr. Stevens wanted staff
749 to look seriously at next year at how they could trim, and slim, and slim down, and cut the fat out of
750 government. He said that was what they had to do; cut the fat out of government. (*Applause.*)
751

752 Ms. Mabry said she studied the budget before she ran for council, and she studied the budget;
753 she kept it in mind. Political statements were fine. They were wonderful. She said saying I did not raise
754 your taxes; not going to raise your taxes; going to get the fat out of it. She asked whether that would
755 sound good; if she went to your door. That would sound wonderful. Ms. Mabry said the fact was that
756 there was not any fat. They were not able to do the programs they needed to do. They were not able to
757 move forward the way they needed to move forward, and that was a fact. She said if they wanted to get
758 rid of some policemen, fine. But she said let me tell you, you would not be real happy when you did.
759 When you got ready to get rid of the fire department, and it was just running during the day, they would
760 not be happy when at three o'clock in the morning; they would have to call everybody to come to the
761 station. There would not be a five minute response time. You want what you want, and she wanted
762 everybody to have it, except she wanted them to have it in abundance. Ms. Mabry wanted to be able to
763 take care of programs that needed to be taken care of. She was sorry, but she received a lot of phone
764 calls, and she made a mistake when she did not stand up against the \$30 increase, but if they thought
765 they were going to get \$300,000 from raising dog fees \$30, they kind of missed the boat on the dais.
766 When they did not get the tax millage and lost that \$300,000; where did they think they got it? It was
767 taken right out of the reserves, which was already depleted. Council had done so for six years in a row.
768 She asked when it would be stopped. (*Applause.*)
769

770 Mr. Johnson called for the vote.
771

772 Mayor Samples, Mayor Pro Tempore Mabry, and Councilmember Johnson voted in favor.
773 Councilmembers Dodge, Smith and Stevens voted against. Mayor Samples said since there was no
774 majority the amendment failed. **MOTION TO AMEND FAILED.**
775

776 Mr. Johnson called for the vote on the primary motion.
777

778 Councilmembers Dodge, Johnson, Smith and Stevens voted in favor. Mayor Samples and Mayor
779 Pro Tempore Mabry voted against. **MOTION CARRIED.**
780

781 Mayor Samples said what Ms. Mabry said was, and it was public record available to any citizen
782 who wanted to view it, this was the sixth year in a row, including the budget that was being presented for
783 adoption at this meeting, that the town had spent more money than it brought in. He thought that spoke

784 for its self. He encouraged members to look for items to cut. There would be another opportunity when
785 the budget was presented in the next business item.

786
787 **B. Second Reading Ordinance #13-0750 to adopt FY2013-2014 Municipal Budget,**
788 **Administrator Fellner.**

789
790 Mayor Samples said this was second reading of Ordinance #13-0750 to adopt the Fiscal Year
791 2013-2014 Municipal Budget.

792
793 Ms. Fellner presented the ordinance saying there were no changes from first reading.

794
795 Mayor Samples asked how much the budget was short for total spending. Ms. King said about
796 \$157,000. Mayor Samples said "\$157,000 for the record; the budget that we were gonna adopt tonight
797 proposes to spend \$157,000 more than were bringing, and undoubtedly in the next 12 months, there is
798 gonna be something that comes up that we don't know about; we haven't planned for. It is what it is.
799 Okay, can I get a motion?"

800
801 Mr. Smith moved to adopt second reading of Ordinance #13-0750 Fiscal Year 2013-2014
802 Municipal Budget. Ms. Dodge seconded.

803
804 Mr. Smith said the general fund received the revenue from property taxes, and there would be a
805 \$290,000 surplus in the general fund. The other funds were the ones that would be short, because they
806 were not putting as much in capital projects fund next year, but they were spending the money already
807 saved. He said it was like spending your savings. They would exceed the amount collected, and that
808 was why you had savings, so you could use it. Mr. Smith said he considered the general fund the most
809 significant fund and there would be a surplus there.

810
811 Ms. Mabry said obviously Mr. Smith and she were on opposite sides of the fence, but she thought
812 the unassigned reserve funds were to be used if there was a storm; in case of a real emergency. She did
813 not consider slapping hospitality money, capital improvement money, everything the town owns into
814 general funds and saying there was a surplus. She said that was not a surplus. When monies were
815 taken from reserve funds for six years, you were not in a surplus. You were in a deficit. The town has
816 been in a deficit, because money was being taken from savings. That account should be built up; not
817 depleted. She said, "So, no."

818
819 Mr. Stevens just wanted to go on the record, "I'm not running for office in 2014, and may not run
820 in 2016, because my wife would like it a lot better. The fact is, just heard people up here say we've
821 depleted our reserves over the last six years. I don't know why. I wasn't here then. I only got elected a
822 year ago. So, I don't know why the reserves was [sic] gone. I do know that we spent \$1,224,000 from
823 July of last year up until February until I found I violated *Lambries* decision without it even being on the
824 agenda. There's [sic] other reasons we've spent money, but I don't know, I don't know 'em all. I don't
825 know all the answers, but we've done it. And the fact is I'm not gone [sic] raise taxes, if we can't be
826 fiscally responsible and we can't start cutting the spending and cutting some of the fat out of the
827 government."

828
829 Mayor Samples asked if he would like to introduce a motion to that effect.

830
831 Mr. Smith said there was a motion on the floor.

832
833 Mayor Samples said an amendment could be offered to amend the budget. He made that point,
834 because councilmembers had the freedom as elected officials to say almost anything they wanted. But it
835 did not make it so.

836
837 Mr. Stevens interrupted saying he could cut a quarter of a million out by eliminating a front
838 loading ...
839

840 Mayor Samples continued saying he took exception to the point that was made by Mr. Stevens of
841 the council spending a \$1.2 million that was not on the agenda, because that just was not so. He
842 reminded everyone that ...

843
844 Mr. Johnson said point of order, council was in discussion, but...

845
846 Mayor Samples said yes, they were in discussion, and to clarify for the record, "that \$780,000
847 was voted on. It was on the agenda. We, we brought the man from DOT down here to make a
848 presentation to us, and so, I think it's unfair to say it wasn't on the agenda. I don't believe that that is
849 accurate. Thank you."

850
851 Mr. Stevens said they were crucified in *The Myrtle Beach Herald* for that one particular \$780,000.

852
853 Mayor Samples said he would not say they were crucified.

854
855 Mr. Smith called for the vote.

856
857 Councilmembers Smith and Stevens voted in favor. Mayor Samples, Mayor Pro Tempore Mabry,
858 and Councilmember Dodge and Johnson voted against. **MOTION FAILED.**

859
860 Mayor Samples asked if a member voting in the prevailing side like to reconsider their vote.

861
862 Ms. Dodge said she would change her vote to yes, and moved to reconsider the motion. Mr.
863 Smith seconded. All voted in favor. **MOTION CARRIED.**

864
865 Mr. Smith moved to adopt second reading of Ordinance #13-0750 Fiscal Year 2013-2014
866 Municipal Budget. Mr. Stevens seconded.

867
868 Mayor Samples asked if there was further discussion.

869
870 Councilmembers Dodge, Smith and Stevens voted in favor. Mayor Samples, Mayor Pro Tempore
871 Mabry, and Councilmember Johnson voted against. **MOTION FAILED.**

872
873 Mr. Smith said then there was no budget.

874
875 Mayor Samples asked if Mr. Stevens would like to move to reconsider. Mr. Stevens declined.
876 Mayor Samples said a special meeting would have to be called before June 30th.

877
878 Mr. Johnson moved to reconsider. Mayor Samples said that he could not. Ms. Herrmann said
879 the vote was a tie, so either side could move to reconsider.

880
881 Mr. Johnson moved to reconsider the motion. Mr. Smith seconded. All voted in favor. **MOTION**
882 **CARRIED.**

883
884 Mr. Smith said the motion on the floor was to adopt second reading of Ordinance #13-0750 Fiscal
885 Year 2013-2014 Municipal Budget and it needed to be done before July 1st. He thought the budget
886 needed to be passed and everybody should vote yes.

887
888 Mayor Samples said there was a motion and called for a second.

889
890 Mr. Johnson said he would only second because it had to be done in a timely manner, and he,
891 therefore, seconded.

892
893 Mayor Samples, Councilmembers Dodge, Johnson, Smith and Stevens voted in favor. Mayor
894 Pro Tempore Mabry voted against. **MOTION CARRIED.**

895

896 **C. Second Reading Ordinance #13-0751 to add §17-417 Docks on Town Lakes, Director**
897 **Morris.**
898

899 Ms. Morris reiterated that the planning commission worked very hard on the dock ordinance.
900 They were mostly concerned with liability, which obviously everyone was. The commission proposed the
901 \$1 million insurance policy, and recommended no floating docks at the last meeting. She was sure
902 council was aware that a motion was adopted to amend the ordinance to allow floating docks. However,
903 Mr. Adair and she had talked with several lake front property owners, and after doing so the PowerPoint
904 presentation was developed, which showed proposed encroachment into the lake from the top of the
905 banks, which had not been addressed by the planning commission. She asked permission to show the
906 presentation and requested that council amend the ordinance based on the new information.
907

908 Mayor Samples asked councilmembers if that was okay. Several members responded
909 affirmatively.
910

911 Ms. Morris said the dock issue was presented to the planning commission several times and
912 asked for its consideration. The commission had very good, legitimate concerns, liability being the most
913 important. Materials were certainly an issue, as was safety as far as who could get on the dock. One
914 feature was overlooked. Ms. Morris accepted full blame for the oversight, because she did not present it
915 to the planning commission at the time, because she honestly did not realize it might be an issue. She
916 proposed amending the ordinance in three areas: (1) in no case shall a dock or dock access way extend
917 more than 20 feet into the water measured from the top of the bank or the bulkhead; (2) engineered
918 drawings required, and (3) that the planning commission be allowed to review all changes including the
919 approved motion to amend the ordinance to allow floating docks.
920

921 Ms. Morris gave the following explanations:
922

923 (1) Ms. Morris said the planning commission required that the dock be no more than 12 feet by
924 12 feet. The ordinance did not, however, stipulate guidelines as to how long the plank could be. In some
925 cases there was a large difference in the actual property land and the water level. Some of the docks
926 would have to have a boardwalk or access down to the floating dock so there would be a landing, then
927 the plank, then the dock, which could extend out several feet into the lake. Of course, that was a concern
928 with Mr. Adair, because of there would be no room to perform maintenance. Railing was absolutely up to
929 the property owner. Ms. Morris described a slide that showed an access way from the property to the
930 dock, which was what she had presented to the planning commission, and was what the commission
931 studied and recommended to council. Another slide showed a situation in which the distance from the
932 property to the water was as much as six feet to reach a floating dock. In that case, there would need to
933 be a boardwalk or access way down the property to a landing the edge of the water, then have a plank to
934 actually access the floating dock. Ms. Morris reiterated that boardwalks and planks maximum width and
935 length were not addressed with the planning commission. The amendment requested was that the total
936 square footage of any and all access ways that would include boardwalks or access ways be equal to or
937 less than the total square footage of the permitted dock. Ms. Morris said the widths and lengths could
938 vary as long as the total square footage did not exceed the total square footage of the dock. She
939 believed they were being cautious, but did not think the recommendation was too restrictive. She said
940 they did not want a large boardwalk that went down the entire property that would effectively extend the
941 property then have another large plank that could go as far as 12 or 14 feet, because it was not regulated,
942 and then have the 12 foot by 12 foot dock.
943

944 (2) Ms. Morris said that the building official recommended that engineered drawings be required
945 and staff would like to included that requirement in the ordinance.
946

947 (3) Ms. Morris said in her opinion these were major amendments. The planning commission had
948 not considered these points, and if council chose to do so, she recommended that the ordinance be
949 returned to the planning commission for additional consideration. She said Mr. Smith moved to have
950 changes made to the ordinances at the last meeting and she asked that the planning commission be

951 allowed to review all the changes, including the approved amendment, and make a full recommendation
952 to Town Council.

953
954 Mr. Johnson concurred with Ms. Morris's recommendations.
955

956 Ms. Mabry said that was two major changes. and she believed under law the council was
957 required to send major changes back to the planning commission for consideration. The commission will
958 meet next week, so there would not be a huge delay. In her opinion, the planning commission should
959 consider the changes.
960

961 Mr. Stevens listened to folks that had been calling and talking to him. He said there were a lot of
962 other concerns like they did not want bass trackers in the lakes, nor did they want electric jet skis, or
963 people in the lakes with gasoline motors. He had a lot of concerns now, because so many things were
964 brought up to him. He thought this needed a public hearing before council.
965

966 Ms. Morris said a public hearing was held before the planning commission, and would be glad to
967 hold another.
968

969 Mayor Samples asked council how it felt about sending the ordinance back to the planning
970 commission.
971

972 Mr. Stevens had no problem sending it back.
973

974 Mr. Smith said to respond to Mr. Stevens that the concerns about boats was a separate issue
975 from docks, and he thought that should be approached in a separate ordinance, if required. As far as
976 sending the ordinance back to the planning commission, he did not have a problem. He said the access
977 ways would be limited to 144 square feet, and asked if there would be a limit as to how far the dock
978 including the access way could protrude into the lake from the property line. Ms. Morris said it was
979 actually measured 20 feet maximum from the top of the bank. The property line was not used, because
980 the goal was to be fair to all. In some cases the property line actually extended out into the lake and was
981 under the water. So instead of the owner building from the property line, the recommendation was using
982 the top of the bank or bulkhead for measuring distance, which could be uniformly applied. Mr. Smith
983 asked if that was where the water was. Ms. Morris said the recommendation was the top of the bank or
984 bulkhead. Mr. Smith said okay. He would like to make sure that the language was clear. If there was a
985 bulkhead, it was pretty obvious. If there was no bulkhead and the property just slanted down, it would be
986 the high water mark; whatever they decided, he wanted it to be very clear so that it did not have to be
987 brought back. Mr. Smith was really disappointed that these things were not considered before. Since it
988 was not ready, it was not ready
989

990 Mayor Samples asked Ms. Dodge if she had any comments. She did not.
991

992 Mayor Samples thought the comments made by Mr. Stevens regarding motorized boats, et
993 cetera, was something that council might need to consider. That was not really a planning issue, per se.
994 He asked councilmembers to consider that when individuals were required to get insurance, if in fact the
995 ordinance was adopted, what was the town going to if an owner let the policy lapse. He did not want an
996 answer at this meeting, but he believed there was an obligation to anticipate that that may occur. If and
997 when that occurred, something should be written in advance to deal with the situation so there were no
998 surprises. He asked if any members disagreed with that.
999

1000 Mr. Johnson did not disagree, but wanted to point out that if the town was made an additional
1001 insured on a policy, then it would receive a cancellation statement.
1002

1003 Mayor Samples said he knew that Mr. Johnson was in the insurance business, and respected
1004 that. But, he also understood that even the US Mail failed sometimes, and he wanted the town to be
1005 prepared.
1006

1007 Mr. Stevens said a picture was worth a thousand words, and sometimes actually being there and
1008 looking [helped.] He was standing at one house looking across the lake to the newest Harbor Lights
1009 houses and looking along Lake Elizabeth. He noticed that a lot of the homeowners had pipes going into
1010 the lake and they obviously had irrigations systems that pumped water from the lake on their lawns. That
1011 was also a concern that somebody with a boat in the lake might be knocking those pipes every which
1012 way; pop them out and that would be a problem, because pipes would be floating everywhere. That was
1013 another thing that needed to be addressed. In addition to the docks, all the folks that had irrigation
1014 systems using lake water had to be considered. He counted at least 20 and could not believe that many
1015 actually used the lake. He said that presented a situation that he did not know how to address. He said
1016 at Plantation Lakes there was a community dock. All the docks were built into the land and they went no
1017 more than one foot over the water. They prohibit floating docks there, but they had a deck and pontoons
1018 with 25 horsepower motors on their lakes. The deck might be only a foot over the lake, but they could
1019 fish from it. That might be a possibility. He said the bulkheads were definitely a problem, but at
1020 Plantation Lakes when the bulkheads were built, the docks were cut in.

1021
1022 Mayor Samples asked for consensus to send the ordinance to the planning commission.
1023

1024 Mr. Smith said to Ms. Morris regarding the issue of insurance cancellation and what the town
1025 might do, since it was going back to the planning commission, he thought the ordinance should include
1026 language that said if the insurance was not kept current what the remedy would be; either a fine or the
1027 dock would have to be removed, or some other remedy that the commission might propose to be included
1028 in the ordinance what to do if the insurance was cancelled. Ms. Morris said that could be done.
1029

1030 Ms. Mabry said if the home was foreclosed upon, the bank would probably not pay the insurance
1031 premium. Ms. Morris said right.
1032

1033 Mr. Smith said that should be in the ordinance, too, that the town could remove the dock. Ms.
1034 Morris said yes, sir.
1035

1036 **COUNCIL CONCURRED to send Ordinance #13-0751 to the Planning Commission for**
1037 **additional consideration.**
1038

1039 Mayor Samples called for recess at 8:35 p.m. and reconvened the meeting at 8:45 p.m.
1040

1041 **D. First Reading Ordinance #13-0752 to adopt 2012 International Building Codes, Director**
1042 **Morris.**
1043

1044 Ms. Morris introduced the ordinance saying that the state reconsidered building codes every
1045 several years. The International Residential Code; the International Building Code; the International
1046 Plumbing Code; Fire Code; Mechanical Code, and the International Fuel Gas Code were 2012 editions
1047 and were adopted by the State of South Carolina. It was mandated that if the town did not opt out, which
1048 Surfside Beach did not, that the town adopt those codes. Also, the 2009 International Energy
1049 Conservation Code and the 2011 National Electric Code were also approved by the State, and state law
1050 mandated that the town adopt them. The codes go into effect July of this year.
1051

1052 Mr. Smith asked if the town could be stricter than the building code. He asked the question
1053 because he was concerned about the changes in the state building code where it cited the minimum
1054 distance for side clearance for a bathtub and a water closet was 15 inches and now that was changed to
1055 12 inches. He said 12 inches was not enough room for a shower curtain. It was too close at 15 inches.
1056 He asked again if the town requirements could be stricter and keep the 15 inch requirement. Ms. Morris
1057 said the building codes were minimum standards. The building official was present tonight, just in case
1058 there was a question she could not answer. She said the state adopts minimum standards, so the town
1059 could be more stringent. Mr. Smith said it would nice if they would consider that one, because they want
1060 room for the shower curtain, and men had a problem with that shower curtain. He was also concerned
1061 about the code stating that if a sprinkler system was installed in a townhouse, that a 2-hour rated fire wall
1062 was not required between the townhouses and that a 1-hour rated fire wall was allowed. He believed that

1063 a 2-hour wall should be required even with a sprinkler system. Mr. Smith said those were the only ones
1064 he would mention at this meeting.

1065
1066 Mayor Samples asked Mr. Smith if wanted to introduce those amendments.

1067
1068 Mr. Smith said he wanted the building official to look at them and come back with a
1069 recommendation. If he thinks the town should keep those standards, then an amendment could be
1070 made. He did not want to be ahead of the game.

1071
1072 Mayor Samples asked if council wanted to defer first reading or would a member like to offer a
1073 motion.

1074
1075 Mr. Smith believed first reading should be done and moved to adopt first reading of Ordinance
1076 13-0752 to adopt 2012 International Building Code. Ms. Mabry seconded. All voted in favor. **MOTION**
1077 **CARRIED.**

1078
1079 **E. First Reading Ordinance #13-0753 to adopt 2012 Property Maintenance Codes, Director**
1080 **Morris.**

1081
1082 Ms. Morris believed the council received an email link to view the changes being made between
1083 the 2006 and 2012 codes. This code was not mandated by law. The town actually enforces the 2006
1084 Code by ordinance now. She reiterated there was no requirement to adopt the new version. She and the
1085 building official reviewed the code and there were very minor changes. A copy would be provided to
1086 councilmembers for review prior to final reading, but she asked that council approve first reading. The
1087 property maintenance code changes were identified by large, bold black lines on the margins.

1088
1089 Mr. Smith asked for an example of one of the changes. Mr. Otte said basically with some of the
1090 changes there were minor changes in number as far as square footage on occupancy; spacing of
1091 windows, and what was considered free space in a window. There were not any major changes that
1092 would affect the building industry, per se. Most of the property maintenance document addressed things
1093 in town like grass, weeds, rodents and those type of things to keep them from getting out of control. Staff
1094 drove around to see what building conditions were. If there were circumstances that fell under the
1095 property maintenance code, then the owners were sent a letter or a card was left on the door asking them
1096 to call the department. Mr. Otte reiterated that there were no drastic changes in this particular document.

1097
1098 Ms. Morris said the homes on which major complaints were received, and the homes on which
1099 councilmembers had asked staff to investigate, like the ones on 15th Avenue South and 16th Avenue,
1100 were removed because the town enforces this code. She reiterated her request that Town Council
1101 consider that, because the department received a lot of complaints about abandoned structures, and this
1102 was used to enforce those issues.

1103
1104 Mr. Smith said there were some blanks in the document that needed to be filled for the
1105 councilmembers so when they read it, it would be read like it would be enforced. Ms. Morris said that
1106 could be done.

1107
1108 Mr. Smith moved to adopt first reading of Ordinance 13-0753 to adopt 2012 Property
1109 Maintenance Code. Mr. Stevens seconded.

1110
1111 Mr. Stevens knew that they received some information on this. He requested it from Ms. Morris
1112 and Ms. Fellner and they sent the information to all councilmembers. It was in detail, if you went to the
1113 links, you could actually read the property maintenance code. So, he thought her suggestion to go ahead
1114 and accept first reading was okay. He said they would have plenty of time to read over that and look over
1115 it and get themselves up to snuff on exactly what it said. He did not have any problem with approving first
1116 reading.

1117
1118 All members voted in favor. **MOTION CARRIED.**

1119
1120 **F. Moving Municipal Court Bonds to Horry County, Administrator Fellner.**
1121

1122 Ms. Fellner said this topic was discussed a number of times with regard to what to do with the
1123 liability issue and the possibility of increased insurance rates because of prisoner transports.
1124 Consequently, instead of putting in video bonding, which would include high dollar equipment
1125 expenditures, she offered this proposal. The council chamber was a multipurpose room as it was used
1126 for many meetings and court. A secure storage facility would have to be identified, and staff would have
1127 to be available to set it up and remove it. Someone had to operate the equipment, and maintenance
1128 costs had to be considered. She knew there were a lot of good press reports about video bonding, and
1129 the question was asked why the town was not jumping on the band wagon. She explained that over the
1130 long run, video bonding was very expensive. The decision paper, a copy of which was on file, was to
1131 send the bond function to the J. Reuben Long Detention Center to be done by one of the magistrate
1132 judges at that facility. It would be a contractual agreement between the town and Horry County. Ms.
1133 Fellner said money would be saved on gas, as well, and there would be no cash outlay for the video
1134 bonding equipment. She asked if council wished the decision paper to be read.

1135
1136 Mayor Samples asked if council desired the paper to be read.

1137
1138 Mr. Smith said no.

1139
1140 Mr. Johnson said no, but he asked Ms. Fellner to briefly summarize the advantages and how it
1141 would work. Ms. Fellner said court would still be held in town. However, bonds would no longer be set
1142 here. Instead of having to travel to Conway to pick up prisoners and bring them here for their bond
1143 hearing, and then return them to Conway, amounting to four trips per day, there would be one trip to
1144 deliver them to the detention facility and one trip back to town. It would be a rare day when more than
1145 one trip was necessary. There would be a savings on gas. There was a huge liability issue transporting
1146 prisoners, which was why so many municipalities were using video bonding. She said that the cities of
1147 Aynor and Loris also opted not to do video bonding, because of the expense, and contracted with Horry
1148 County under similar arrangements. Mr. Johnson asked if this was Ms. Fellner's recommendation. Ms.
1149 Fellner said yes. She believed it was the most economical solution for the town, and it solved the liability
1150 issue. It also created some other economies at the same time.

1151
1152 Mr. Stevens said this was a contract, and asked if it was for one year. Ms. Fellner said typically
1153 contracts with the county were for four years. However, there was a very clear opt out clause that usually
1154 requires 60 days written consent, which was the same as Judge Blanton's contract. It was a standard
1155 boiler plate contract that the county used.

1156
1157 Mr. Smith moved to give permission to the administrator to move municipal bonding to Horry
1158 County J. Reuben Long Detention Facility. Ms. Dodge seconded.

1159
1160 Ms. Dodge said she did not hear whether an estimated cost was given for the county to handle
1161 the town's bond hearings. Ms. Fellner said approximately \$8,000, but then the town would save \$5,600
1162 on gas using best estimates, and there would be no expenditure for buying the video bonding equipment.
1163 If the liability insurance went up, the town would not be subject to that, because that liability would be
1164 reduced as much as they could.

1165
1166 Mayor Samples asked if there were any economies in terms of level of (**) that were being
1167 achieved by the proposed move. Ms. Fellner said she mentioned in the facts on the decision paper that
1168 the bond judges would also realize a significant reduction in workload as bonds and all associated tasks,
1169 including input into the CMS (Court Management System) software, would be handled by the county at
1170 the J. Reuben Long Detention Facility. The reduced workload would be studied for a possible staff
1171 economy. Also, the transport and evidence officer would have more time to spend on evidence, which
1172 had become an onerous task in the last three years. It would also free up additional time for him to assist
1173 with neighborhood watch inspections, internal audits, and reports. She not know whether council was
1174 aware, but there were some evidence issues, which was why the evidence software and hardware were

1175 in the budget for this year. The town wanted to insure that a piece of evidence did not mean a lost case
1176 in court. Mayor Samples asked if that had happened. Ms. Fellner said yes. Mayor Samples said that
1177 was news to him. Ms. Fellner said evidence was being transported on CDs and that was not the way
1178 evidence should be handled. Mayor Samples agreed with that, but was surprised to learn of the problem
1179 at this meeting. Ms. Fellner said the \$38,000 for evidence software that Town Council approved in the
1180 budget was very expensive and was to correct that very problem. It automated everything. Mayor
1181 Samples said he understood.

1182
1183 All members voted in favor. **MOTION CARRIED.**

1184
1185 **G. Proposed Ordinance to Limit Parking on Side Streets off Ocean Boulevard,**
1186 **Councilmember Dodge and recommendations from Parking Committee Chairman Ron Saunders.**
1187

1188 Ms. Dodge asked if she could move to defer this to the next meeting, because she did not believe
1189 they were ready to discuss the matter this evening. She asked Mr. Saunders if that was right.

1190
1191 Mr. Saunders (*speaking from the audience*) said he was ready.

1192
1193 Mayor Samples said it was a business item for action.

1194
1195 Ms. Dodge said if Mr. Saunders was ready, she was ready.

1196
1197 Mr. Saunders said on June 13th, Ms. Fellner contacted him and asked that the parking committee
1198 look into a request from one of the councilmembers that the parking committee look at the side street
1199 parking, the connecting street along Ocean Boulevard. The committee met on June 17th and went over
1200 all the options that they could find and determined there were four options:

1201
1202 1. Do nothing. Let people continue to park there. It was a terrible inconvenience to the residents
1203 who live in those homes right along there, and he understood there had been many complaints to council
1204 and to the parking committee.

1205
1206 2. Install parking meters on the side streets. That would be a very expensive proposition, and in
1207 light of the publicity received for the parking meters along Ocean Boulevard, he thought that might need
1208 to be put at the back of the line.

1209
1210 3. No parking signs. Do not allow anyone to park on the side streets.

1211
1212 4. Parking by permit only. The committee chose this as its recommendation: to allow parking by
1213 permit only. The permit would be the town issued logo decal, which would allow residents who live on
1214 those streets to park, and other town citizens with decals to park in the vicinity, and that would kind of
1215 urge the visitors into the paid parking lots.

1216
1217 Mr. Saunders said there had been a lot of rocks on the road on this issue. It was batted back and
1218 forth a lot of different ways, but as far as he knew, from New Jersey where you actually have to pay to
1219 park and then pay to go onto the beach, to Virginia Beach where you pay every place to park anywhere in
1220 connection with the beach, all the way down the coast to here, you had to pay to park now. He said it
1221 was not because they were trying to do something mean or to be difficult. It just that the crowds had
1222 grown and grown and grown, and there was just so much land down there.

1223
1224 Mayor Samples asked if he understood that the committee recommendation was not to install
1225 meters. Mr. Saunders said no; just put up signs allowing parking by permit only. (*Two speaking at once.*)
1226 Mr. Saunders said the committee did not want to say no, you could not park here, but it did want to say
1227 parking was allowed by permit only.

1228
1229 Ms. Dodge asked how far back would they go, to Dogwood or further. Mr. Saunders thought it
1230 would have to go back to Dogwood, but as he rode it and looked at it since Ms. Fellner called; he spent a

1231 lot of time riding up and down the streets at different times during the day looking at how far back the
1232 people were parking. It was usually within the first two or three blocks that the cars were parked on the
1233 side streets. There were some parking at Martin Park, but if the side streets were included back to
1234 Dogwood, not Dogwood itself, yet, that might have to be addressed later, but they knew when they
1235 started down this road that parking would be pushed to the side streets. At some point there would be a
1236 point of diminishing return where they would not walk that far.

1237
1238 Mayor Samples asked what the purpose was for the recommendation. Mr. Saunders said to
1239 allow the residents who live along those streets to park in front of their own houses. Mayor Samples said
1240 only allow residents in town to park. Mr. Saunders said by permit only. Mayor Samples said by permit
1241 only. Mr. Saunders said people who live and reside here who have stickers on their windshields or golf
1242 carts can park there. Mayor Samples asked if Mr. Saunders did any car counts where this was a
1243 problem. Mr. Saunders said he did not write any numbers down. When he rode by the streets and
1244 looked where the situations occurred he saw six to eight cars at four or five locations. Mayor Samples
1245 said they were talking about the public right-of-way. Mr. Saunders said the property that the Town of
1246 Surfside Beach owned. Mayor Samples said right, which was the public right-of-way and he did count the
1247 cars, because he curious. On Sunday, because he figured people arrived on Saturday, which was the big
1248 change over day according to what people say, from 11 to 11:30 on the south end he counted 25 vehicles
1249 that were clearly in the town right-of-way. On the north end he counted 16 vehicles. Many of those
1250 properties were vacation rentals. He could not say how many of those cars belonged to people who paid
1251 big bucks to come to the Town of Surfside Beach to rent. He asked if there would have to be another
1252 merchant program or would they just get tickets unless they had a blue sticker. He asked if the intent was
1253 to ticket people that did not have the blue sticker that was where he wanted to get to. Mr. Saunders said
1254 yes, they wanted to encourage people who come here to park to use the paid parking facilities, and leave
1255 the rest of it for the residents of Surfside Beach. Mayor Samples asked if this would go all the way back
1256 to Dogwood, but would not include Dogwood. Mr. Saunders said as it stands, but that certainly could be
1257 talked about later. He said when they first went into this they knew, and the mayor knew, that this would
1258 be an issue; the mayor even talked about pushing parking back into the residential areas. Mayor
1259 Samples said that was right; he did say that. Mr. Saunders said they were getting there, and it had to be
1260 addressed and this was the committee's recommendation.

1261
1262 Mr. Smith was also concerned about the rentals. He did not count them, but he did ride up and
1263 down on a couple of different days once he saw this. It appeared to him that the majority of people
1264 parking were people renting houses. He had a friend that lives on 14th Avenue North and he was in favor
1265 of the recommendation. His friend told him every time he saw him that they were just going to push them
1266 back into the neighborhood. Mr. Smith had a different view and said he thought it was premature to do an
1267 ordinance or anything on this yet. He liked the recommendation and that was the solution, if it was really
1268 needed. But he did not think it was needed at this point, because most of what he saw was people who
1269 were renting houses and had six cars. They could not get them all under the house, and they were
1270 parking on the street. He reiterated that he thought it was premature do anything at this time, but if they
1271 have to do it, the committee's recommendation was probably what they would do. But, then there would
1272 have to be some way of helping out those people who rent. He was not sure what that was, and the
1273 administrator needed to think about that before they could go forward.

1274
1275 Mr. Saunders assured him that the parking committee, when it studied Ocean Boulevard, per se,
1276 actually went down there at different hours of the day. They were told the people were tourists and were
1277 parking there, because they were renting the houses. They went down there at 6:30 at night, and they
1278 were gone. They reported to people in town that they were gone, and were told they had gone to dinner.
1279 The committee went back at one o'clock in the morning and they were still not there. The cars had South
1280 Carolina plates on them, so they had to assume that most of them were local people going back home
1281 that came over to the use beach. The committee could study that further. The committee only looked at
1282 it in response to the town administrator and the Town Council. That was the committee recommendation,
1283 and he would not be offended either way.

1284
1285 Ms. Mabry said first of all that she wanted to thank the parking committee. They did a lot of work
1286 from the time they started and the recommendation was reasonable. However, she had the same

1287 concerns as Mr. Smith, along with the concern about being a little more welcoming to our tourists. She
1288 was talking about day tourists. They shop in our grocery stores. They shop at CVS. They help pay our
1289 taxes, and just because they did not have a house here did not mean that they did not contribute to
1290 Surfside Beach. She thought the publicity with the parking had been so in-your-face that maybe it would
1291 be better to wait until next year, or March or April, and see how things go next year. If it needed to be
1292 implemented, it could be. Mr. Saunders said the county had a proposal to add meters along Waccamaw
1293 Drive in Garden City and would charge \$1.25 an hour, if they were successful. He said maybe that would
1294 take some of the pressure off Surfside Beach. (Laughter.)
1295

1296 Mr. Smith thanked Mr. Saunders, and other councilmembers reiterated thanks.
1297

1298 Mr. Johnson saw two sides of the situation. He also drove the areas and saw that vehicles were
1299 not parallel to the pavement; they were parked perpendicular in the rental district. He thought that should
1300 be considered before any action was taken.
1301

1302 Mayor Samples agreed and said if and when action was taken, there would be more work added.
1303 He believed it was important to determine the impact to the Lanier contract, because Lanier would
1304 enforce the parking. He asked who enforced the 10-foot rule from the driveway rule. Ms. Fellner said
1305 Lanier. Mayor Samples said this would be brought back.
1306

1307 Mr. Stevens said had travelled up and down the boulevard on his bicycle and saw the same
1308 things. He saw people at different times of the day parked there. Then at night he saw people parked
1309 there. The idea of using permit only parking was excellent and Town Council may want to revisit this and
1310 not wait until next year; go ahead and revisit it in the fall and get it passed.
1311

1312 Mayor Samples said well, that might be true, but they may want to put it up for a vote and let the
1313 people decide and have a referendum on the whole parking issue. If you really wanted to get down to
1314 taking public input, that would do it.
1315

1316 Mr. Stevens said he was always for public input.
1317

1318 Ms. Mabry said *point of order*, Mr. Stevens did not have the floor.
1319

1320 Mayor Samples said he did not understand Mr. Stevens comment.
1321

1322 Mr. Stevens repeated that he would be for a referendum.
1323

1324 Mayor Samples said okay, very good, and thank you.
1325

1326 **9. DISCUSSION – Any matters of concern or information to be discussed by Town**
1327 **Council.**
1328

1329 **Town Code of Ordinances §2-20 Compensation and Benefits of Town Council, ¶(b)**
1330 **Expense reimbursement, specifically Town Council Per Diem, and MASC Uptown Article, Mayor**
1331 **Pro Tempore Mabry.**
1332

1333 Ms. Mabry said she had told all of them more than once that they get the Municipal Association
1334 publication, the *Uptown*, all the time and it gives all kinds of information. She learned about FEMA
1335 (Federal Emergency Management Act), and a lot of other things by reading the *Uptown*. The article this
1336 month was about ethics and she read from the article: *Reimbursement for actual incurred expenses*
1337 *while performing as a public official or employee is not considered income and does not have to be*
1338 *reported. If the official receives a per diem, which the council did, he must provide the municipality with*
1339 *supporting documentation for expenses and return the unspent money.* Ms. Mabry said an opinion was
1340 obtained from the town attorney that concurred with the article. The council can take the per diem, save
1341 the receipts, and give back the unused money or they can count it as income and pay taxes on it. She

1342 was not married to either method, as long as the town did what it was obligated to do by law. Either way
1343 that the council chose to do it was fine, but the way that it was being done now was not right.
1344

1345 Mr. Smith said what they received was a travel per diem. Even the federal government had a
1346 travel per diem, and they did not have to have receipts, and they did not have to give back the unspent
1347 money. The town's travel per diem was based on the federal government's travel per diem. They
1348 decided to select one number for all travel, and not to base it on the location or what city you were
1349 travelling to, but he did not think that they should have to give receipts. The way the ordinance was
1350 written it says that receipts for those expenses are not required. He thought they should maintain that.
1351 The reason was that it made it very difficult for a staff person to question a councilmember about how the
1352 money was spent. That was why the federal government went to a fixed number and did not require
1353 receipts. He said the town was really doing the right thing with the way it was written, and he had spoken
1354 with the administrator a few weeks ago about other changes to this ordinance. Mr. Smith said what he
1355 proposed was that the ordinance be brought back and have a few amendments to it, for example, they
1356 could say councilmembers shall not be required to return unspent travel days per diem. This was in line
1357 with what the federal government did. The Town Council shall follow federal IRS (Internal Revenue
1358 Service) regulations on when unspent travel days per diem is taxable. If the federal government did not
1359 tax travel per diem, then they did not have to report it. But, they would follow whatever guidelines they
1360 gave them. Whatever laws and regulations the IRS wanted to give them that would be what they would
1361 follow. Mr. Smith said they probably wanted to amend the ordinance to add those two sentences.
1362

1363 Mayor Samples said this was an issue that he thought came up under administrator Booth.
1364

1365 Mr. Smith said as he understood it, it was brought up under Mr. Booth's administration on a
1366 number of occasions. He was able to get information on this for the last five years, and it had been an
1367 issue. They thought it was resolved, but it seemed like it was still an issue.
1368

1369 Mayor Samples said that was because up to that point, the practice was that councilmembers
1370 provided an expense report and documented the expenses and were properly reimbursed for their
1371 legitimate expenses. He learned from Mr. Smith tonight that the federal government had changed its
1372 policy, because there was a time when they required receipts for expenses. Mayor Samples thought that
1373 Ms. Mabry was just suggesting they either have to declare if their per diem was in excess of expenses,
1374 and be advised that they had to pay taxes on the excess; you had to claim it. Frankly, he was quite
1375 happy to provide expense receipts and expense reports. He thought that was the proper way to do
1376 business, but he was voted down under Booth, and it would not surprise him to see it happen again. That
1377 was his comment.
1378

1379 Ms. Mabry said this was under ethics, how to properly report income. It was cut and dry.
1380 Numbers were numbers and the laws were laws. The town attorney gave them a ruling that they can
1381 count the \$80 a day, which was what they got when they travel from the day they travel, while they were
1382 there, and on the travel coming back. She liked everything to be out in the open. They could count it as
1383 income, pay taxes on it and then they would not have to have any receipts. That was legal. Or, they
1384 could take their money and have receipts showing how the \$80 was spent. If they did not spend it that
1385 day, for instance they usually pack a lunch traveling to the event, so she did not spend money going to
1386 the event, then she was not entitled to that \$80; she did not spend anything. Then she had to return it or
1387 it would be deducted from the next per diem that was due her. So it could be done a lot of different ways,
1388 but you could not just take the per diem and put it in your pocket. That basically was it, unless you
1389 wanted to pay taxes on it. Ms. Mabry was perfectly fine with considering the per diem as income, paying
1390 taxes on it, and not having to show receipts. But she would pay taxes on it, so that made a difference. If
1391 this was being brought up, then they had an obligation to look at it and do the right thing. The town's
1392 ordinances never supersede the state laws. The Municipal Association wrote this article for a reason.
1393 The town attorney agreed with the Municipal Association for a reason. The town did not get to write
1394 ordinances and laws that supersede that. So, if the town's law was wrong, and she thought it was, they
1395 just needed to make that small correction.
1396

1397 Mr. Johnson recommended that the receipts be done away with and include the per diem as
1398 income.

1399
1400 Mr. Stevens just wanted to make sure he understood what was being said. The attorney said that
1401 you could report it as income or they could take it and then itemize receipts. So, it was either 'a' or 'b'.
1402

1403 Ms. Mabry responded affirmatively.
1404

1405 Mr. Stevens said okay. If they wanted to put it as income, then it would be income for the
1406 councilmember. If they wanted to do itemized expenses, then basically; Mr. Stevens ask if that would be
1407 an incurred cost to the staff, as well, if they have to bring that in and do that.
1408

1409 Mr. Johnson asked if he meant itemized.
1410

1411 Mr. Stevens said if they itemized and all that would it cost. Basically, what they would be doing
1412 was they would be coming in and giving expenses and all that and have to proceed with that. So, that
1413 would take up staff time. But, if the per diem was counted as income, that took up no staff time. Ms. King
1414 said the income would have to be tracked to be added to the W-2 forms. Mr. Stevens said okay.
1415

1416 Mayor Samples said then what would actually happen would be they would have different
1417 amounts, so there was accounting either way it was done.
1418

1419 Mr. Stevens asked if the only time they would actually incur a per diem was when they traveled to
1420 the Municipal Association that was coming up in Greenville and the one in Columbia and Hilton Head.
1421

1422 Mayor Samples said overnight trips.
1423

1424 Mr. Stevens said overnight trips, so other than that it would not incur anything. If he went to a
1425 training course in Georgetown, there was no cost other than the cost of the training.
1426

1427 Mayor Samples said correct.
1428

1429 Mr. Stevens said okay.
1430

1431 Mayor Samples said mileage was not reimbursed if travel was less than 50 miles from home.
1432

1433 Mr. Smith thought because of the information that he received about the federal government, he
1434 wanted to ask the administrator to find out how they handle travel per diem, especially how the IRS
1435 handled it, since they knew that did not keep receipts either. He thought they needed that information
1436 before they could take any action.
1437

1438 Mayor Samples appreciated his comments and also appreciated Ms. Mabry brining the topic up
1439 for discussion. It was under ethics in the Municipal Association magazine that they received. He thought
1440 it was important that everything was all laid out.
1441

1442 Mr. Smith said there was another statement in that same ordinance that said that the
1443 councilmember is responsible for all expenses incurred by a companion. There seemed to be some
1444 misunderstanding in that. For the last three years while he had been on council, the meeting fees at the
1445 annual meeting, the breakfasts and the lunch and the dinner dance for the companion was paid for by the
1446 town. As he understood it, in the previous years at least two years prior to him being elected to council,
1447 they were also paid for by the town. Mr. Smith said so that there was no misunderstanding, he thought
1448 they probably needed to put some language in the ordinance so that this would not be questioned each
1449 and every year. Does the town pay for the companion to go the annual meetings, et cetera, so he would
1450 propose that they add some terms to the ordinance. The sentence currently there was *the*
1451 *councilmember is responsible for all expenses incurred by a companion.* Mr. Smith proposed an
1452 exception to state: *To encourage councilmembers to attend the Municipal Association of South Carolina*

1453 (MASC) annual meeting and Hometown Legislative Action Day meeting, the town shall pay the MASC
1454 meeting fees for a companion, such as awards breakfasts, delegate's lunch, president's dinner dance,
1455 and spiritual breakfast. He said the annual meetings and the Hometown Legislative Action Days were
1456 informative for the councilmembers, but there was also a social component. It was good for a
1457 councilmember to take his companion and socialize with other councilmembers. They learned what they
1458 were doing in their towns and what was going on. The companion was a big part of that socialization,
1459 and he thought that they as a council should encourage councilmembers to take their companions. Mr.
1460 Smith suggested that at the next meeting that council consider amending this ordinance to include that
1461 sentence.

1462
1463 Mayor Samples said historically what he said was true; spouses, to be specific. He asked if there
1464 was general agreement of council to ask staff to review the ordinance and bring it back.

1465
1466 Mr. Johnson said that was fine.

1467
1468 Mr. Stevens said he thought so.

1469
1470 Others commented in the affirmative.

1471
1472 Mayor Samples asked staff to look at it and make it clear that it was expenses associated directly
1473 with the Municipal Association events and for purpose of clarification that there was no inference that
1474 companions received any per diem or when councilmembers went out for a non-function dinner during
1475 the event, the councilmember's meal was allowed to be reimbursed, but not the companion's.

1476
1477 Mr. Smith said what he said was MASC meeting fees.

1478
1479 Mayor Samples said he agreed, but he wanted to make sure staff had clear direction, also.

1480
1481 **10. PUBLIC COMMENTS – General Comments (5 minutes.)**

1482
1483 "How's it going? Wanda Burgess, 311 15th Avenue South. I want to commend Ms. Mabry for
1484 saying that we need to look to, towards the future in this town, and I will restate again, as I did last fall,
1485 asking Town Council to take a look at the facility they have at Tybee Island. The pier they have; the
1486 concessions that they can offer; the concerts they have, and what something like that could do for this
1487 town. I think we're being penny wise and pound foolish a lot of times. But, we do need to look to the
1488 future. That pier is not gonna last forever, thank God. We need to make some changes, and we need to
1489 start planning now for those changes. And one side note, since we're all so proud of our parking meters,
1490 we need to get some Rust-Oleum paint, because the posts are starting to rust."

1491
1492 "Hi. I'm Anita Crone, 215 15th Avenue South. My concern is for the parking. On the south end
1493 the beach accesses say beach access no parking. There are golf carts parked in a neat little row. I think
1494 you need to remove the no parking sign or let them park there, or do something to enforce the no parking,
1495 because people come by with wagons and carriers that they've got their kids in and they're starting to
1496 block the access." Mayor Samples asked if Ms. Crone could give a specific address. Ms. Crone
1497 (**responded from the audience.) Mayor Samples said she was right, it was confusing. They said no
1498 parking, and he knew there were some golf cart parking only signs, also. Ms. Crone (**responded from
1499 the audience.)

1500
1501 "Hi. My name's Billy Phillips. I'm president of the Harbor Lights Homeowners Association, and
1502 we'd like to know when you guys are gonna assume responsibility for our roads and our street lighting.
1503 We've already given you \$12 million worth of ratable; we'd like to get a little bit back." Mayor Samples
1504 asked Mr. Phillips to set up a meeting with the... Mr. Phillips: "I did and he hasn't returned my call; Mr.
1505 Adair." Mayor Samples continued, ...with the administrator, Micki Fellner. Mr. Phillips: "Okay, thank
1506 you."
1507

1508 "Ron Ott, 7th Avenue North. That was a surprise. Boy, that was a surprise. No, they're still
1509 paying for their lighting. Well, it was good to see that everybody (***two speaking at once*) in agreement
1510 that the sky's falling a little bit and we're in debt. Gotta save some money. But, the important thing is to
1511 tell us the truth. We need to start doing that instead of, you know, just hiding it and shuffling it under the
1512 table, and doing it in an executive session or wherever you guys do it, and Ron Saunders had some really
1513 good ideas here. I think that, I don't know if they have any sample size data information on who's parking
1514 where, and if these people are on the side, does that mean the parking meters in the front are vacant.
1515 We need, they need to know that, and have that information. I don't know how he's gonna get that
1516 information, but that's really needed. When you know it, it would help make a decision. Now, if we do
1517 eventually pass these docks on the lakes, here's what's gonna happen. We're gonna have open boating,
1518 okay. Now, those lakes belong to, well, they belong to the town of Surfside, but Horry County, they also
1519 have an agreement with us that they do 70-percent of the costs on that. So, we need to invite everybody
1520 and to do that, because you can't just say some people are gonna boat and some people aren't, because
1521 everybody pays their taxes so we have to allow them to come in there. So we have to open up the lake
1522 accesses at the end of every lake, put boat ramps in there, and docks and make sure they're all ADA
1523 compliant. (*Laughter.*) I'm telling you the truth, because if you don't call 'em, I'm calling 'em. (*Laughter.*)
1524 The beach access parking, that's a little touchy, too, for me. Why? Why is that? Because I pay money
1525 for a sticker and other people that are gonna come over and park, just like my golf cart, and they don't
1526 have to pay for that. But, when I go get that sticker, I have to show them proof of insurance. They don't.
1527 So, again, the residents in this town are not being treated fairly. We're doing things they aren't doing.
1528 Okay. Lanier. I was thinking about them, too. Why don't we put 'em on tricycles. They'll see more, and
1529 they won't be zooming around like I see 'em on those golf carts at our expense, cause they're our golf
1530 carts. Tell them to buy their own tricycles. I'm sure you're paying 'em enough money. And, for your per
1531 diem, I used to travel a lot and we used to, the people that were allowed to travel, we used to throw
1532 receipts around, and the company finally got wise about it and everything. They handed us an American
1533 Express card and said here, use these and that kind of controlled everything. Just an idea. Thank you."
1534

1535 "Ralph Magliette, 104 Harbor Lights. It's been a long night, but I want to change the whole
1536 concept of people coming up here and complaining and having drama to something which is close to my
1537 heart, which is this is a wonderful town, because of its volunteers, and the people who are dedicated to
1538 providing services; most of whom who provide services that go beyond the call of duty. Having said that,
1539 for the last six months, I've been working with trying to get people to do the Adopt-A-Beach program in
1540 Surfside Beach. All most all the beach accesses have been adopted, except for one. If anyone would
1541 like to volunteer to help us with the Adopt-A-Beach it would be wonderful. We could have all the beach
1542 accesses done. The other thing with the beautification committee, we decided at our last meeting, thanks
1543 to Mr. Adair, that we have adopted Surfside Drive and every Saturday at nine o'clock we go there to clean
1544 the Surfside Drive area; the litter, and we're gonna collect data, and the data will be valuable for a variety
1545 of reasons. We don't have the number of volunteers to clean any area more than once a month, so we
1546 don't have a clue as far as what is the extent of the litter and what is the quantity. However, we have the
1547 opportunity now on Surfside Drive, which is heavily used, to clean that area on a weekly basis to see over
1548 time what's the distribution of the littler, and if a weekly cleaning really does solve most of the little
1549 problem. So, if anyone is interested in helping with our experiment, we meet every Saturday at nine
1550 o'clock at the pier to do litter patrol. If anyone is interested in helping us to fill the last one or two slots we
1551 have on the monthly Adopt-A-Beach program, I would appreciate it. And, again, Patti and I would say this
1552 is a wonderful town. It's great to disagree, but we are a family here, and I want to just remind people that
1553 as a family beach, but, I'm kind of corny, we all belong to the same family, and we can disagree, but we
1554 really need to work together. We're all here for the same purpose. It's all quality of life issues. We found
1555 friends. We found fellowship. We found a lot of positive things in this town. If we only work towards the
1556 positive things, I think that we can just overlook a lot of our problems, and just make this a better town.
1557 Thank you very much."
1558

1559 "Shelby Smith, 10th and Cedar Drive. Just a short statement; I'd like to really reinforce what was
1560 said previously this evening about these lakes. They're not recreational bodies, and I think it's real
1561 important to have that perspective so when planning and zoning gets together again they're stormwater
1562 retention and that's the concept of the lake, and they're beautify a community. Y'all remember this (*held*
1563 *up schematic of lake*) these are the zones. We had 20 zones seven years ago when Harbor Lights (****)

1564 those 22 acres that was a R-3. Planning and zoning recommended R-3, they were gonna put 83
1565 buildings into that 22 acres, and the town, and this petition went around, and we had teams, and went to
1566 every door. It wasn't just to drop something off and get a quick response, we discussed in detail the
1567 residential aspect of our community, and we, we all enjoy and welcome tourists, but it's R-1
1568 neighborhoods around these lakes and in the community, and seven years ago the town spoke on this,
1569 and it was changed to R-1, and now the beautiful community there, Harbor Lights, and the 49 residences
1570 there is wonderful. So just have a perspective of the residential community and these docks. Thank you
1571 very much."

1572
1573 **11. COUNCIL COMMENTS.**
1574

1575 Mr. Stevens: "I wanna thank everybody for coming out tonight. I wanna thank the parking
1576 committee for making their recommendations, and I want to thank all the folks that did the public
1577 comments, because without your comments, we would know how we were doing. We would not know if
1578 something's wrong. We would not know whether it's right, wrong or whatever, and believe me, I welcome
1579 public comments. That's your freedom of speech, and you, you deserve it, and I think that every person
1580 on council needs to treat every person who speaks up in public comments with respect. Treat those (**)
1581 people, because they are the voters. They're the people that pay the taxes in the town. I sat out there
1582 with you just like many of you, I sat out there and I know what it's like to get up here and speak, and I
1583 know what it's like to be sitting there watch, look, thinking that nobody was listening. Believe me, I listen
1584 to everybody. I don't care what, how controversial, when the folks got up here and hammered me on the
1585 dog park, I listened, and I took their words, because they, they're, they're, they're paying their taxes to
1586 use that dog park. Somebody comes here and talks about taxes, whether they want to raise the taxes or
1587 not raise the taxes, now I'm not gone [sic], I'm not in favor, never been in favor of raising taxes and never
1588 will be. I know eventually, we will have to do it, but the fact is, is we have to respect as council people,
1589 we have to respect everybody out there and your comments, and believe me, you have a comment and
1590 you need to talk to me about something, I'm easy to find. I'm right behind the library and the dog park's
1591 all the way around me. Thank you."

1592
1593 Ms. Mabry: "Thank you for coming out. It means a lot when you are out there to all of us, it really
1594 does. I want to take a minute to thank our staff. They have done triple duty getting this budget together.
1595 We've had, I think, eight or nine meetings just on the budget alone. We seem to be having meetings
1596 almost every week, and that puts a huge strain on them. I know that P&Z now is working every weekend
1597 in addition to their regular duties, so there's a lot going on that people aren't aware of, but our staff is
1598 stellar, and I want to thank them. When you cut somebody's budget to the bone, it's, it's awful hard to
1599 keep their morale up, and I want them to know that things will get better. Sooner or later, things have got
1600 to go on the upswing, and thanks for hanging in and thanks for all that staff does."

1601
1602 Mr. Smith: "The first thing I'd like to say is all of our budget decisions are done out front. No
1603 budget decision is done in executive session. The budget is available, if you want to see it. Everything is
1604 on line, so there's no decisions made in executive session. It's all out front. Checks are on line. You can
1605 see everything you want to see about the budget. Concerning the budget that we passed tonight, thanks
1606 to Ms. Mayberry [sic,] we want to thank the staff. They did a great job of putting it together, and since
1607 we've accepted the responsibility of going in detail, there will be a lot of meetings, and so we thank the
1608 staff for persevering with us. I'm disappointed that we did not finish the dock ordinance tonight. But I
1609 appreciate planning and zoning's recommendations, and I think it will make it a better ordinance, so thank
1610 you for that. As far as the boats on the lakes, I think that we need to look at that and see whether we
1611 should be limiting the size and so forth. It's pretty obvious that we don't want any power boats. We don't
1612 want any gasoline Indian [sic,] engines, and if we have electric motors we don't want 'em to be any faster
1613 than you can paddle a boat. So, electric, a boat with an electric motor and a guy with a paddle, they
1614 would be neck-in-neck all the time. No one would win the race. But, I think that we've made good strides
1615 in the budget keeping the tax rate the same, and thank you."

1616
1617 Ms. Dodge: "Thank you, Mr. Mayor. I wanna thank the parking committee. Did that once before
1618 myself; it's a thankless job. You work hard and you think you've covered everything and nothing
1619 happens. I wanna see something happen with what this parking committee has done. One of the things

1620 that they considered was the parking on side streets. What we need to do as councilmembers is
1621 remember who pays the price in this town and it's the citizens of our town. We worry too much about
1622 citizens or people from outside of the town. We want to be welcoming, but our job is to work for the
1623 citizens of this town, and what they recommended was parking by permit only to allow citizens and
1624 property owners on those side streets a place to park their cars, then if there were other parking places
1625 further back, people from out of town could park there. That may be sounding selfish and unwelcoming,
1626 but again, these people are the ones who pay for it and they should be the ones that we're most
1627 concerned about at all times. I hope we can get that done. Thank you."
1628

1629 Mr. Johnson: "Thank you, ladies and gentlemen, for attending. Thank you to staff for all your
1630 hard work, and thank you to fellow councilmembers for all your hard work over the past several months.
1631 See you next time."
1632

1633 Mayor Samples: "We'll see you next time. Take care."
1634

1635 **12. ADJOURNMENT.**
1636

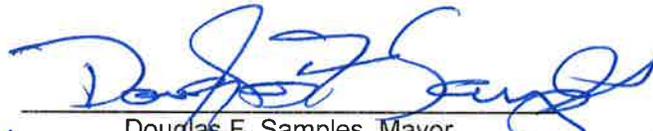
1637 Mr. Smith moved to adjourn the meeting at 9:53 p.m. Ms. Mabry seconded. All voted in favor.
1638 **MOTION CARRIED.**

Prepared and submitted by,

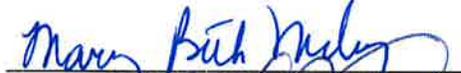


Debra E. Herrmann, CMC, Town Clerk

1644 Approved: July 9, 2013



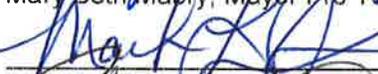
Douglas F. Samples, Mayor



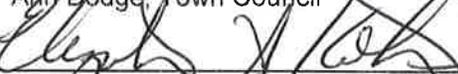
Mary Beth Mabry, Mayor Pro Tempore



Amy Dodge, Town Council



Mark L. Johnson, Town Council



Elizabeth A. Kohlmann, Town Council



Roderick E. Smith, Town Council



Randie M. Stevens, Town Council

1660 Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are
1661 detailed minutes documenting each member's comments. Appointments to hear audio tapes may be
1662 scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed
1663 to local media and interested parties. The agenda was posted on the town website, the entry door at
1664 Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
1665 Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as
1666 possible. When (**) is used a section of the tape is inaudible.