



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

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

**TOWN COUNCIL REGULAR MEETING**  
**COUNCIL CHAMBERS**  
**TUESDAY, JULY 9, 2013 ♦ 6:30 P.M.**  
**A G E N D A**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Rev. Bert Bosworth, Calvary Bible Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL**
  - A. June 4, 2013 Special Meeting
  - B. June 13, 2013 Special Meeting
  - C. June 25, 2013 Special Meeting
  - D. June 25, 2013 Regular Meeting
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 to hear public comments on Dog Park Fees
7. **COMMUNICATIONS**
  - A. Proclamation
  - B. Department Reports
    - i. Fire
    - ii. Police
    - iii. Planning, Building & Zoning
  - C. Administrator's Report - Update on Current Events
8. **BUSINESS**
  - A. Second Reading Ordinances
    - i. #13-0751 to add §17-417 Docks on Town Lakes, Director Morris
    - ii. #13-0752 to adopt 2012 International Building Codes, Director Morris
    - iii. #13-0753 to adopt 2012 Property Maintenance Codes, Director Morris



**8. BUSINESS, continued**

- B. First Reading Ordinance #13-0754 to amend Town Council Travel Per Diem Reimbursement, Councilmember Smith
- C. Eastern Surfing Association, request to use beach on September 7 for surfing contest, Dr. Tom Chandler, District President
- D. Dog Park Fees (pursuant to Public Hearing, Item 6 above.)
- E. Direction to Town Administrator regarding Contract Negotiation (may be deferred until after executive session)
- F. **Committee Appointments** – (may be deferred until after executive session)
  - i. Recreation/Special Events Committee (reorganized 05/28/2013 – 5 vacancies)
  - ii. Stormwater Committee (1 term expired)
  - iii. Construction Board of Adjustments & Appeals (1 vacancy)
  - iv. Senior Citizens Committee (3 vacancies)

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

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

**11. COUNCIL COMMENTS**

**12. EXECUTIVE SESSION**

- A. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements (See Business Item 8.E.)
- B. Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of persons to a public body (See Business Item 8.F.)

**13. ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
JULY 9, 2013 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

1  
2  
3  
4  
5  
6  
7 **1. CALL TO ORDER.**

8  
9 Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore  
10 Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith, and Stevens were in attendance. A  
11 quorum was present. Others present: Town Administrator Fellner; Planning Director Morris; Police Chief  
12 Keziah; Fire Chief Cimini; Public Works Director Adair; Building Official Otte, and Town Clerk Herrmann.  
13

14 Mayor Samples thanked Mr. Gene Maruca for his long time, persistent work to get a US Flag  
15 located in Martin Park at the ball field. The flag was finally installed before July 4<sup>th</sup>. The American Flag  
16 raised at the ball field was flown over the United States Capital building and was provided by Senator  
17 Lindsay Graham.  
18

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

20  
21 Councilmember Johnson said the invocation, because Reverend Bosworth was unable to attend.  
22 Mayor Samples lead the Pledge.  
23

24 **3. AGENDA APPROVAL.**

25  
26 Mr. Smith moved to approve the agenda. Ms. Dodge seconded. All voted in favor. **MOTION**  
27 **CARRIED.**  
28

29 **4. MINUTES APPROVAL.**

30  
31 Ms. Dodge moved to approve the minutes of the June 4, 2013 special meeting as submitted. Mr.  
32 Smith seconded. All voted in favor. **MOTION CARRIED.**  
33

34 Ms. Dodge moved to approve the minutes of the June 13, 2013 special meeting as submitted.  
35 Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**  
36

37 Ms. Dodge moved to approve the minutes of the June 25, 2013 special meeting as submitted.  
38 Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**  
39

40 Ms. Dodge moved to approve the minutes of the June 25, 2013 regular meeting as submitted.  
41 Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**  
42

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

44  
45 Mayor Samples asked for comments on regular agenda items, as a public hearing to hear  
46 comments on the dog fees would be opened once public comments were finished.  
47

48 Betty Lowery, 4<sup>th</sup> Avenue North: "I have two things, so I'm gonna have to talk fast, I think. One is  
49 the dock issue. I am really begging you not to put the floating docks back in. It is a stormwater retention  
50 pond. It is not a recreational area and I think by putting the floating docks in, we are implying that it's  
51 okay to get down there in that water. It is no different than those ponds that are out there beside Wal-  
52 Mart on 544. We wouldn't put anything in there. We shouldn't be doing it here, and by putting in those  
53 floating docks, we are implying that it is okay. So, please, if you would, think hard about putting that back  
54 in again. And secondly, of course, is the dog park fees [sic.] The \$30 is prohibitive and it's simply not  
55 right. It's simply not. I know the dog park probably is expensive in some aspects. You provide the dog  
56 pooh bags for the beach, for the walking trail, and the dog park. But \$30 for nonresidents, first of all,

57 they're not gonna pay it. People who come in for a weekend or for a week, they're not gonna pay it, and  
58 nobody's down there to check to see who is and isn't licensed. This fee specifically (\*\*) those who use  
59 the dog park on a regular basis, and who want to do the right thing. With nobody checking, anybody can  
60 walk in down there. We, we don't check. The people who are trying to do the right things are the ones  
61 who are buying the dog licenses, and \$30 for someone who's going to be here for a week is ridiculous. I  
62 mean it is. If you're going to raise fees for the dog park, then make it across the board. Make it  
63 everybody; everybody who uses the dog park. Residents, nonresidents, and don't make it so extreme.  
64 But, please reconsider that."  
65

66 "My name is Sarah Andrews, and I spoke to you before and I just wanna thank each of you, the  
67 Mayor, and some of you on Town Council that I spoke with, Beth Kohlmann, Randle, Mary Mabry, and  
68 Mark Johnson. Did I speak with you, Rod?" Mr. Smith answered that she did. Ms. Andrews: "Okay, and  
69 Rod Smith. I want to thank y'all for the politeness and professionalism that you showed when I expressed  
70 the grievance that I had that as a very healthy taxpayer, my bill is quite healthy, that I was being  
71 discriminated against, and I appreciate the fact that all of you were willing to listen and to hear my  
72 grievance, and I also want to commend each one of you for the wonderful people that you have working.  
73 I have yet to encounter anybody, whether it's a policeman, or a sanitation worker, or anybody that is just  
74 not extremely polite and wanting to help you, and I think you've done a tremendous job in getting such a  
75 great corps of people. I live in Columbia, and believe you me, we don't get that kind of treatment when  
76 we go up to a county office. So, I want to commend each one of you for having such a wonderful,  
77 wonderful work force making Surfside Beach one of the best beaches on the coast. Thank you and I  
78 hope you will consider my grievance as you reach this decision on the dog park. Thank you."  
79

80 "Tom Dodge, 15<sup>th</sup> Avenue North. I know we like to do everything transparent and honest and  
81 above board, but I was a little distressed at the voting that took place at the last planning commission  
82 meeting. I would think that if someone lives on a lake, they should recuse themselves from a vote.  
83 That's my opinion. But I think ethically it would have been the thing to do, but not to be [sic.] I think that  
84 vote should be redone with the people recusing themselves. Thank you."  
85

86 "Ron Ott, 7<sup>th</sup> Avenue North. The travel expenses per diem, I believe that maybe we should have  
87 prepaid credit cards given to the council for when you go out of town. (\*\*) you're going out of town, don't  
88 shake your head at me, and if you want to take your spouse, punishment, go ahead. Take 'em, and I  
89 don't see any, you know, they're gonna stay in the room, if you're gonna stay overnight, I don't see  
90 anything wrong with that. I traveled a lot. I was always allowed to take her, but I never told her about it.  
91 (Laughter) I, I, but it's, it's up to the individual. Is this a, you know, it's a family beach. We tend to forget  
92 that, and I go along with Betty on this docks [sic.] That water's not touchable. I don't know, if you know it.  
93 I don't want, I'm not gonna put my hand in there. I've been there a dozen years and I'm still not gonna  
94 put my hand in the water. You wanna go swimming in there? You wanna have your kids splashing? Not  
95 me. It's not, if you can really clean up that water, maybe someday, but I don't think it's gonna happen.  
96 But sometimes when I put my lawn sprinkler on, it smells like, as my grandson would say, poop. It does.  
97 It, it actually has an odor. I'm not making it up, and we're thinking about boating on it or having anything  
98 on it. I could say that we could, you should be able to have people come up to it with a deck. No boats in  
99 the water. Stay out of the water until it's cleaned up. It's not clean, and if you're gonna vote this and  
100 somebody has any way of gaining financially, they shouldn't be voting on it, okay. I, I don't think so, but  
101 let these surfers go, too. Let them have that, that September 7<sup>th</sup> date. I have no; it's a great thing' brings  
102 people to the beach. Let's meet them down there and watch 'em. Thank you. I hope there's a wave that  
103 day."  
104

105 "I'm Holly Watson. 319 North Oak Drive. First, I'd like to say I oppose any structure in our town  
106 right-of-way or storm drainage retention ponds. This issue was addressed in 2004 and that council was  
107 very aware of the drainage problems and the contamination of our lakes within the town. If you did not  
108 attend the P&Z meetings during the holiday week at an earlier hour than the usual start time for their  
109 meetings, I can understand, because it wasn't advertised outside on the message board. At this time I  
110 would like to respectfully request that Councilman Mark Johnson recuse himself from voting on this matter  
111 as I believe he has three conflicts of interest. Mrs. Mark Johnson sits on the planning and zoning  
112 commission, and has voted for this measure in the adamantly affirmative already. Mr. Mark Johnson or

113 Mrs. Mark Johnson are lakeside property owners at tax map number 19112300013, otherwise known as  
114 123 Harbor Lights Drive. Mrs. Mark Johnson owns an insurance agency and will be available to sell the  
115 liability policies that she voted for the residents to acquire in conjunction with this ordinance. My property  
116 is downstream from these bigger lakes, and we already flood from heavy torrents into Myrtle Lake, a lake  
117 that exceeded EPA standards 62-percent of the time. This is unacceptable. We now have hit the EPA  
118 303D list of impaired waters in five areas in our little two mile stretch of beach. This is unacceptable. We  
119 do not know what's in our lakes now. We test for enterococci, enterococcus bacteria and e-coli. We  
120 don't test for lead, arsenic, mercury, pesticides, chemicals, zinc, herbicides, or any other type of  
121 contaminants that are in our waters, so we don't know what our exposure is, and a child's dead body is  
122 not gonna tell you what dock or deck that he fell off of. They're gonna sue the town. You can't buy  
123 enough liability insurance. How are you gonna take these decks and docks out of the water when a  
124 storm comes? We're in a flood zone. I'm in AE. Elizabeth is in X. Please vote no for this. This is  
125 unsafe. We're putting our tourists and the public in danger of all kinds of contamination. These are not  
126 recreational areas. They are stormwater retention ponds. We don't have the funds. We've lost money  
127 from our stormwater funds. We don't know where it went. We have no way of remedying this right now.  
128 So, vote no. Thank you."

129  
130 **6. PUBLIC HEARING. Pursuant to §6-1-80 of the SC Code of Laws public hearing to hear**  
131 **public comments on Dog Park Fees.**  
132

133 Mayor Samples opened the public hearing at 6:45 p.m. pursuant to §6-1-80 of the SC Code of  
134 Laws public hearing to hear public comments on dog park fees. He recommended that the comments  
135 already made regarding the dog park fees by Mrs. Andrews, and Mrs. Lowery be entered into the record  
136 with respect to the public hearing. There were no objections.  
137

138 Ms. Lowery: Comments from July 9, 2013 meeting: [Regarding] "the dog park fees. The \$30 is  
139 prohibitive and it's simply not right. It's simply not. I know the dog park probably is expensive in some  
140 aspects. You provide the dog pooh bags for the beach, for the walking trail, and the dog park. But, \$30  
141 for nonresidents, first of all, they're not gonna pay it. People who come in for a weekend or for a week,  
142 they're not gonna pay it, and nobody's down there to check to see who is and isn't licensed. This fee  
143 specifically approaches those who use the dog park on a regular basis, and who want to do the right  
144 thing. With nobody checking, anybody can walk in down there. We, we don't check. The people who are  
145 trying to do the right things are the ones who are buying the dog licenses, and \$30 for someone who's  
146 going to be here for a week is ridiculous. I mean it is. If you're going to raise fees for the dog park, then  
147 make it across the board. Make it everybody; everybody who uses the dog park. Residents,  
148 nonresidents, and don't make it so extreme. But, please reconsider that."  
149

150 Ms. Lowery: Comments from June 25, 2013 meeting: "You know every time you see me it's the  
151 dog park, but there's something about the budget. I'm Betty Lowery. I live at 619 4<sup>th</sup> Avenue North in  
152 Surfside, and I've known Sarah Andrews since my husband and I came to Surfside. Love her. Anyhow, I  
153 think the dog park fee thing is wrong on several accounts. First of all, it's still under condition, ah,  
154 discussion, but it's already being charged. I got my fee. I'm a local, by the way. I got my tag on the first  
155 of June; paid \$10. Any nonresident who got their fee [sic] at the same time, or their license at the same  
156 time, they'd a paid \$10. Two weeks later, they're paying \$30. Again, an increase from \$10 to \$30, that's  
157 200-percent more. I don't know of any fees that we have charged that are that much over. I understand  
158 that it could be a financial thing. If the dog park has come to cost more than we expected, but I'm sure  
159 the dog park cost a lot less than the asphalt that it would take you to put in a parking lot, which was the  
160 original recommendation. You're targeting the nonresidents. People who come for the weekend and for  
161 the week, they're not buying dog park licenses, and that's what this is. I mean, half, I would say more  
162 than half of pets in Surfside are not licensed. People just don't do it. They're not trying to be ugly. They  
163 just don't. People who get licenses want to use the dog park. People who come in on the weekends for  
164 the week are not gonna go to the dog park. They're gonna walk their dogs through the yard, use the pooh  
165 bags and they're gonna go on. So, you know, it's specifically for those people who are using the dog  
166 park. So, if that's gonna be the case, then the dog park budget should not include pooh bags that are  
167 being used out on the beach and on the walking trail. Most of those people don't bring their dogs into the  
168 park. So, we have an issue there. The people who are nonresidents and having to pay this additional fee

169 have no voice in this, because they don't live here. They don't vote. You know, \$10, I can handle that.  
170 But it doesn't, it just doesn't seem to be fair. If we have an expensive dog park, and if you're gonna raise  
171 the fees, it should be across the board. You know, that means that I'm paying more fees. Okay. I'm  
172 paying more fees. I enjoy the dog park. But, I still think \$30 is excess. Secondly, a gentleman I talked to  
173 in the park just a few days ago paid his \$30. I reminded him of the farmers market. He said I'm not  
174 going. I said why. He said I'm boycotting Surfside. I paid my \$30, but that's it. We have no fees at all for  
175 the ones in Market Common. We have no fees at all for the one in Myrtle Beach. If they decide to go  
176 with their dog there, they're going to shop in Market Common. They're going right by Broadway at the  
177 Beach. We're gonna lose some people there. As it is, they go to breakfast here. They shop in the  
178 grocery stores here. *(Time ended)* You know, we're losing some customers that way. Okay, thank you."  
179

180 Ms. Andrews: Comments from July 9, 2013 meeting. "My name is Sarah Andrews, and I spoke  
181 to you before and I just wanna thank each of you, the Mayor, and some of you on Town Council that I  
182 spoke with, Beth Kohlmann, Randle, Mary Mabry, and Mark Johnson. Did I speak with you, Rod?" Mr.  
183 Smith answered that she did. Ms. Andrews: "Okay, and Rod Smith. I want to thank y'all for the  
184 politeness and professionalism that you showed when I expressed the grievance that I had that as a very  
185 healthy taxpayer, my bill is quite healthy, that I was being discriminated against, and I appreciate the fact  
186 that all of you were willing to listen and to hear my grievance, and I also want to commend each one of  
187 you for the wonderful people that you have working. I have yet to encounter anybody, whether it's a  
188 policeman, or a sanitation worker, or anybody that is just not extremely polite and wanting to help you,  
189 and I think you've done a tremendous job in getting such a great corps of people. I live in Columbia, and  
190 believe you me, we don't get that kind of treatment when we go up to a county office. So, I want to  
191 commend each one of you for having such a wonderful, wonderful work force making Surfside Beach one  
192 of the best beaches on the coast. Thank you and I hope you will consider my grievance as you reach this  
193 decision on the dog park. Thank you."  
194

195 Ms. Andrews: Comments from June 25, 2013 meeting. "My name is Sarah Andrews. I own  
196 property at 14<sup>th</sup> Avenue South, 112 14<sup>th</sup> Avenue South, Surfside Beach. I would like to take this time to  
197 thank Mayor Samples and the Council for giving me this opportunity to speak to you about something that  
198 has upset me this week. Ah, first of all, I would like for you to know that I am not speaking only for myself,  
199 but I am speaking for my neighbors, Kim King Dickson, and my sister-in-law. All three of us live on the  
200 first block on 14<sup>th</sup> Avenue South. I want to thank the Council and the Mayor for providing a beautiful place  
201 for the residents and the homeowners and the visitors that come to Surfside and bring their pets. It is an  
202 enjoyment to all these people, and I have met so many wonderful friends up there, all the way from New  
203 York to California. I've lived in South Carolina all my life, and it's just quite a treat to meet different people  
204 from different parts of the country. These are some of the most responsible people that you will find in  
205 the morning at the park. They take good care of it. They police the park, and if their dog barks, they try  
206 to their best to keep the dog quiet, and I think you would be proud of them, if you could come up and visit  
207 with them. I would also like to thank the Mayor and the Council for the wonderful people that you have  
208 working for your city. I have yet to deal with anybody in the city that has not been extremely gracious and  
209 helpful, and I certainly do appreciate that. Ah, when I arrived this summer, I usually spend about four  
210 months at my house. I do not rent it. It's my summer home, and this year when I came and brought my  
211 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  
212 and buy my knew license, and they said, well, they've changed it. Said you (\*\*\*) have to pay, I believe  
213 they said \$15, but we don't live in the city, cause we had been paying \$10, and so we have to pay \$30.  
214 So, I, they said we don't like it, but we understand it. We don't pay city taxes, so we understand that. So,  
215 I went up to the city office, and the nice lady in there started filling out my information, and she said to me  
216 now you know you have to pay \$30, and I said no, I own property here and pay taxes, and she said well  
217 you still have to pay \$30. So, I was quite shocked that as a property owner for 53 years, *(time ended)* I  
218 have owned that property for 53 years, and when we first got it, the taxes on it were \$28. Now I pay  
219 between \$4 and \$5 thousand a year. Mayor Samples interrupted saying that time was over. Ms.  
220 Andrews: "Am I limited to time?" Mayor Samples said three minutes. Ms. Andrews: "Oh, I'm sorry. I'm  
221 sorry. Let me get to the point." Mayor Samples asked her to go ahead and finish up. Ms. Andrews: "I'm  
222 sorry. I didn't know that. I apologize. Alright, I'm gonna get right down to the point. I pay taxes. I don't  
223 rent my home, but I feel I've been discriminated against, because you are treating one group of property  
224 owners differently from another group of property owners, and my due process and equal protection

225 under the law has been violated. It is not logical that I should pay \$30 when I pay taxes between \$4 and  
226 \$5 thousand a year to the city of Surfside and Horry County and people who live out of the county,  
227 Georgetown pays taxes to Georgetown, they pay \$30 and I pay \$30. To me it is not logical for those who  
228 pay those city taxes. Thank you. I hope you'll reconsider that ruling."  
229

230 There were no other public comments either in favor or against the fees. Mayor Samples closed  
231 the public hearing at 6:46 p.m.  
232

## 233 **6. COMMUNICATIONS.**

234  
235 **A. Proclamation.** Ms. Herrmann said there was no proclamation and apologized for the  
236 scrivener's error.  
237

### 238 **B. Department Reports.**

239  
240 **i. Fire.** Chief Cimini presented the written report, a copy of which is on file. June was a busy  
241 month for the department with 92 assistance calls; 7 fire runs; 50 rescue/medical incidents; 2 hazardous  
242 conditions; 15 service calls; 6 good intent calls, and 12 false or malfunctioning alarms. There was no  
243 dollar loss for fire. There were 29 fire prevention activities during the month, and 7 public education  
244 events. The fire prevention division performed 6 re-inspections; 11 new inspections, and 5 pre-plan  
245 reviews and updates. They received the 1920 American Trans Pumper fire engine; it is housed in the fire  
246 station. All the cost for the upkeep, maintenance, and insurance is paid by SAFER (Surfside Area Fire  
247 and Emergency Responders). They hope to have it running in time for the Christmas parade so they can  
248 transport Town Council in the parade. Chief Cimini invited Town Council and the public to stop by the  
249 station to see the truck. The training maze was completed, and several other training props were being  
250 worked on. The cost of the maze and props were funded by SAFER. A letter was attached to the report  
251 that would be sent to all businesses, condos, and any building that had a standpipe system. Chief Cimini  
252 said he was exercising his authority pursuant to NFPA 25 (National Fire Protection Association Fire  
253 Sprinkler and Standpipe Maintenance Guide) to allow owners to remove the hose lines from the system.  
254 The hose lines had to be maintained. Several weeks ago he spoke with a resident who told him that they  
255 were charged \$1,100 to have their hose tested, which was a requirement of the code. Code allows the  
256 department to remove the individual hoses. Chief Cimini preferred that the hoses be removed, because  
257 there was a risk that an untrained person might try to use it to fight a fire, and that would create a bigger  
258 issue. This will be quite a savings for the businesses and owners.  
259

260 Mayor Samples asked if removing the hoses would affect the ISO (Insurance Service  
261 Organization) rating. Chief Cimini said it would not.  
262

263 Chief Cimini said the emergency operation plan was almost completed. It was in the  
264 administrator's office for review. He hoped it would be delivered to everyone with a week. A town  
265 meeting would be scheduled for hurricane training for residents. As soon as the date was set, it would be  
266 announced and published on the website.  
267

268 Ms. Dodge said she saw the fire truck and she thought it was the neatest thing. She looked  
269 forward to riding on it.  
270

271 Mayor Samples said he also saw the fire truck. He wanted to make sure there was not any tax  
272 money being used to support it. It was all being done based on donations. Chief Cimini reiterated that  
273 the SAFER volunteers were funding the truck. Mayor Samples asked with respect to the July 4  
274 concessions stand whether SAFER or the town received the revenue. Chief Cimini said SAFER. Mayor  
275 Samples said they could discuss that again in terms of accounting.  
276

277 **ii. Police.** Chief Keziah presented the written report, a copy of which is on file. He was pleased  
278 to announce that a new officer was hired to fill a vacancy. The new officer was certified and formerly  
279 worked for the Mullins police department as a patrol supervisor. He should complete field training and be  
280 on the road by the weekend. There was only one use of force during the month of June, which was

281 unusual for June. They were very pleased with that number. There were no injuries to the officer and no  
282 property damage. Lieutenant Hoffman and Chief Keziah attended a free workshop in Columbia on June  
283 20th that dealt with crime prevention relating to environmental designs for churches. They were now  
284 certified them to meet with interested area churches to perform a site survey and offer some tips for crime  
285 prevention relating to bushes, lighting, and parking lot layout. They were looking forward to implementing  
286 that program. The US Marshall's Task Force, with the assistance of Sergeant Bailey who was assigned  
287 to the task force, cleared 25 outstanding town warrants, and collected over \$9,200 in outstanding bonds  
288 and fines. On June 14<sup>th</sup> the department participated in a donut eating contest at Krispy Kreme (*laughter*)  
289 to raise money for Special Olympics. On June 27<sup>th</sup> the Town Hall Meeting was held at Journey Church to  
290 introduce the command staff and department to the public. There was a small turnout, but he understood  
291 the summer season affected attendance. They were trying to judge interest in the neighborhood watch  
292 and the community patrol officer program that were being offered. He believed there was great interest in  
293 them, and plans to hold quarterly meetings. He said everyone should save the date of August 9<sup>th</sup> when  
294 the department would hold its annual pancake charity dinner at the Golden Egg; 100-percent of the  
295 proceeds will be donated to Special Olympics. All the food will be donated by area food companies and  
296 the Golden Egg. Last year the department raised \$4,900 that was donated and stayed in Horry County.  
297 Chief Keziah said moving municipal court bonding to Horry County started on July 1<sup>st</sup> and the process  
298 went very smoothly. He appreciated Town Council's support. He had already seen a decrease in some  
299 man hours and some savings in gasoline.

300  
301 Mr. Stevens referred to the last page of the report and asked for an explanation of the sector  
302 map. Chief Keziah said this was the community officer program that was implemented to basically divide  
303 the town into four sectors and a corporal assigned to each sector. The corporals are shift supervisors,  
304 and are responsible for answering complaints from the respective sectors. The corporals are now the  
305 point of contact for citizens within the sector to discuss any issues; the corporal will be responsible for  
306 opening up a quality of life case and do his best to take whatever steps necessary to resolve the issue.

307  
308 Ms. Kohlmann encouraged everyone to attend the next crime watch meeting. She said you don't  
309 have to participate actively, but you would learn a lot from going to the meetings. It sounds like everyone  
310 would be out there looking for crimes, but it was very educational and would open your eyes to a lot of  
311 different things.

312  
313 Ms. Dodge thought the sectoring was great. She looked forward to seeing it work. She believed  
314 it really would, and it brought the force and the community together. She thanked Chief Keziah so much  
315 for trying it.

316  
317 Mr. Stevens asked how many people signed up for the Citizens Police Academy that starts  
318 Thursday night. Chief Keziah said 13 were registered, which was a good number for the pilot program.  
319 He invited Town Council to attend some of the sessions. He also planned to invite the media to attend to  
320 publicize the academy.

321  
322 **ii. Planning, Building and Zoning.** Ms. Morris presented the written report, a copy of which is  
323 on file. Staff issued 93 permits in May, which was down from 95 permits issued in May 2012; 68  
324 inspections were performed; 86 business licenses were issued, which included license renewals; 16 plan  
325 reviews were performed, and there were several consultations with property owners. This was the  
326 season when the department receives many complaints about high grass, abandoned homes, and  
327 signage in the rights-of-way. Those complaints were handled on a case-by-case basis. A call was  
328 received from the police department about a home that was in foreclosure and was being illegally used by  
329 individuals. Steps were being taken to have the house secured and made safe. Staff is now working on  
330 weekends. Over the past three weekends, 41 illegal signs were removed; three persons were stopped  
331 while building without permits, and several other small zoning violations were found. They will continue to  
332 work weekends as long as it appeared to be necessary. The proposed updated Comprehensive Plan  
333 was received from Waccamaw Regional Council of Governments. The draft will be distributed to Town  
334 Council for review and comment, hopefully, this week. A public hearing is required to be held before  
335 Town Council and will be done within the next month or so. The goal is to have the plan adopted in early  
336 September. She and the public works director were working on the comprehensive planning plan for

337 Ocean Boulevard. The draft is expected to be prepared for review during October. A call was received  
338 from DNR (Department of Natural Resources), FEMA (Federal Emergency Management Agency) last  
339 week about a community assistance visit in regards to the CRS (Community Rating System) inspection,  
340 and that was scheduled for Thursday, July 11. They will review permits, making property visits, and CRS  
341 activities for the town to determine the town's CRS rating.  
342

343 Mayor Samples asked how long it would take the reviewers to determine the rating. Ms. Morris  
344 said typically, the inspector can tell on that day whether the town could at least stay at the current rating.  
345 The data is reviewed and within two to three weeks a decision should be delivered. She hoped the rating  
346 could be reported at the next council meeting.  
347

### 348 **C. Administrator's Report – Update on Current Events.**

349  
350 **i. Update on Current Events.** Ms. Fellner said there were no consensus items at this meeting.  
351 Ms. Dodge asked at the last meeting about the history of filling in the small retention pond at the corner of  
352 Willow and 6<sup>th</sup> Avenue South. A formal decision paper was written and scheduled for consideration in  
353 October 2012, but it was removed from the agenda, because they were waiting for a decision from the  
354 Army Corps of Engineers. Mr. Adair will present the matter at the next meeting. A resident mentioned at  
355 the last meeting that the Harbor Lights HOA (Homeowners Association) was concerned that the town had  
356 not yet moved forward to take over the roads in their development. It was further stated that the town had  
357 all the necessary paperwork since January. Just to inform Town Council and the public Ms. Fellner said  
358 the holdup was with the developer's engineer. The town requested additional information and had not  
359 received it. The information has now been received. Mr. Adair completed his review. Ms. Fellner had  
360 made some specific recommendations with regard to the streets, and Ms. Morris was completing her  
361 review. Ms. Fellner anticipated bringing the Harbor Lights roads to council for a decision sometime in  
362 August. Some councilmembers may have noticed that the right-of-way on Surfside Drive in front of the  
363 farmers market was barricaded today. That was due to increased parking causing ruts and damaging the  
364 grass. Town staff repaired the area, but it was still fragile. The excessive rain was a contributing factor,  
365 but all visitors needed to park in either the public parking in the business district on Surfside Drive, the fire  
366 station lot, or the town hall complex lot. Event signage was posted to directing drivers to those locations.  
367

368 Mr. Stevens asked if each parking meter on Ocean Boulevard had a personal identification  
369 number. Ms. Fellner said yes, but there were some old meters being used throughout the town that did  
370 not have identification numbers. Mr. Stevens asked if there were any old meters on Ocean Boulevard.  
371 Ms. Fellner did not believe so. Mr. Stevens asked if she could provide Town Council with an up-to-date  
372 itemized statement of revenue for each individual parking meter on Ocean Boulevard as of the end of July  
373 4<sup>th</sup> week. Ms. Fellner said that could be done, if it Town Council believed it was important and wanted the  
374 information now. However, that would be a lot of work and there were other things right now that were  
375 taking staff time, because this is the busy season. At the end of the summer season, Town Council  
376 would need to review the parking revenue and expenditures so that council could look at all the facts and  
377 figures. Mr. Stevens said he asked because specifically on July 4<sup>th</sup> he noticed there were about 70  
378 parking meters being used on Ocean Boulevard and the rest of them were vacant. The parking  
379 committee recommended that the town adopt a policy to allow parking by permit only on side streets from  
380 Ocean Boulevard and Dogwood Drive. It seemed to him that the problem was that people were not using  
381 metered parking, because they found free parking on side streets. He said, as a matter of fact, they were  
382 parking as far away as the library. The library was closed on July 4<sup>th</sup>, but the parking lot was full at eleven  
383 o'clock. Ms. Fellner understood what he was saying, but Town Council did not give further direction on  
384 the parking committee recommendation.  
385

386 Mayor Samples said point of information, July 4<sup>th</sup> was always the town's busiest parking day. It  
387 was not surprising that there was parking at the library. In fact, it would not have surprised him if there  
388 had been parking beyond the library, given the number of people who came into town. He knew there  
389 certainly was last year. Mayor Samples could not speak about this year, because he did not drive around  
390 town to see where people were parking.  
391

392 Mr. Stevens was talking about the middle of the day from eleven o'clock to two o'clock, which was  
393 one o'clock sometime [sic] that was the main time that people went to the beach. He realized that the  
394 fireworks event had people parking as far up as Hollywood and up Surfside Drive. He rode around  
395 checking the boulevard and noticed people were not using parking meters like they should, but were  
396 parking all over the place. They were blocking very many intersections. There were about 30 cars  
397 parked on 7<sup>th</sup> Avenue North. The parking committee tried to recommend things and he thought it would  
398 be wise to take a look at it the first half of the year. Mr. Stevens said that was just his personal opinion.  
399

400 Ms. Kohlmann said she wondered if it would make it easier for the administrator, and asked if she  
401 did get daily numbers; she got printouts on revenues. Ms. Fellner said she received daily reports, but the  
402 reports were not broken down by meter. Ms. Fellner said Mr. Stevens was asking for revenue for each  
403 meter, which would involve a lot of work. Ms. Kohlmann said that was a separate kind of issue. Lanier  
404 generated a report for the town every day that gave the revenue as a whole. Ms. Fellner said right. Ms.  
405 Kohlmann said it would be a whole another task.  
406

407 Mayor Samples said he would be happy to share with all members of council some information,  
408 which he was provided, because he asked for it. He expressed concern over the first three months of  
409 collections. During the month of June the town netted about \$16,000 and only \$5,900 in the three  
410 previous months. Historically, July was the busiest parking month. He appreciate the interest and desire  
411 to manage the matter, but he thought it was suggested earlier that Town Council evaluate the parking  
412 season in its entirety rather than in the middle of the season. At that time, he thought the very specific  
413 information Mr. Stevens asked for would be valuable for council to review. Ms. Fellner agreed. Mayor  
414 Samples said a separate issue was the recommendation made by the parking committee. If it was Town  
415 Council's desire to take action on that recommendation, any member was more than welcome to suggest  
416 some direction and council would be polled to determine interest on proceeding.  
417

418 Mr. Stevens said that was exactly what he would like to see. He believed on January 22<sup>nd</sup> the  
419 parking committee recommended only 30 at the most, stretching it to 60, meters and the town ended up  
420 with 134.  
421

422 Mayor Samples said frankly, he did not recall that point of information. While he understood what  
423 he heard outside of meetings, and he understood that people had made statements, he did not believe  
424 that was stated in a committee meeting, except in conjunction with a statement that the committee  
425 wanted to eliminate parking on Ocean Boulevard.  
426

427 Mr. Stevens said no, sir. January 22<sup>nd</sup>, he believed was the date, chairman Harry Kohlmann and  
428 Gene Maruca both were quoted in the public minutes as saying 30 to 50 or 30 to 60.  
429

430 Mayor Samples said Mr. Stevens was welcome to continue this discussion during council  
431 discussion, but right now they needed to move along to tend the business items on the agenda.  
432

433 Mr. Stevens said that would be fine.  
434

435 Right now, this was time for the administrator's report, and asked if there were other questions for  
436 Ms. Fellner. There were no other questions.  
437

## 438 **7. BUSINESS.**

### 439 **A. Second Reading Ordinances**

440  
441  
442 i. **#13-0751 to add §17-417 Docks on Town Lakes, Director Morris.** Ms. Fellner said that  
443 Town Council may wish to defer second reading, because staff had not yet heard from the Municipal  
444 Association of South Carolina (MASC) was still researching whether or not allowing docks on the town's  
445 stormwater retention ponds would increase the town's liability insurance premiums. Even though an  
446 opinion was requested right after the last council meeting, MASC was still researching the matter. She  
447 wanted to make sure that Town Council had all the facts so an informed decision could be made.

448  
449  
0  
451  
452  
453  
454  
455  
456  
457  
458  
459  
460  
461  
462  
463  
464  
465  
466  
467  
468  
469  
470  
471  
472  
473  
474  
475  
6  
7  
478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
488  
489  
490  
491  
492  
493  
494  
495  
496  
497  
498  
499  
500  
501  
502  
J3

Mayor Samples asked what council desired. Ms. Mabry preferred to hear from MASC before making a decision. Several members verbally agreed. Mayor Samples said the ordinance would be deferred to another council meeting.

**ii. #13-0752 to adopt 2012 International Building Codes, Director Morris.** Ms. Morris said this ordinance was presented at the last Town Council meeting for first reading to allow adoption of the mandatory 2012 International Building Code, which included the 2012 International Residential Code; 2012 International Building Code; 2012 International Plumbing Code; 2012 International Fire Code; 2012 International Mechanical Code; 2012 International Fuel Gas Code; 2009 International Energy Conservation Code, and 2011 National Electrical Code. Ms. Morris reiterated that the State of South Carolina mandates adoption of these codes, and staff requested that Town Council approved second reading.

Mr. Smith moved to adopt second reading of Ordinance #13-0752 to adopt 2012 International Building Codes. Mr. Stevens seconded.

Mr. Smith disagreed with a few sections of the code, and asked if she could bring local ordinances that would help in those areas. Ms. Morris said she could. Mr. Smith disagreed with the code to allow a one hour fire resistant wall, if a sprinkler system was installed. He believed it should remain a two hour fire resistant wall with a sprinkler system. He also believed the distance between the bathtub and water closet should be no less than 15 inches instead of 12 inches, which would allow room for the shower curtain.

Mayor Samples asked councilmembers whether they agreed with Mr. Smith's recommendations.

Mr. Stevens believed those were good ideas. Some other members responded affirmatively. No members responded negatively.

Mr. Johnson asked what the logic was for recommending a one hour instead of a two hour wall.

Mr. Smith replied that the current code requires two hours; the new code will allow a one hour wall when sprinkler systems were installed. He believed the walls should remain a two hour rated wall.

Mr. Johnson apologized; he misunderstood and thought the recommendation was to reduce the fire rating to one hour.

Ms. Mabry asked if the town was allowed to change the code if it was adopted. Ms. Morris said according to legal counsel, the town must adopt the code as written. However, the code standards are minimum requirements. The town can adopt its own ordinances with more stringent requirements. Ms. Mabry asked if that would be done in a separate ordinance. Ms. Morris said that was correct.

All voted in favor. **MOTION CARRIED.** Mayor Samples asked Ms. Morris to bring an ordinance to address Mr. Smith's recommended changes.

**iii. #13-0753 to adopt 2012 Property Maintenance Codes. Director Morris.**

Mr. Smith moved to adopt second reading of Ordinance #13-0753 to adopt the 2012 Property Maintenance Codes. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

**B. First Reading Ordinance #13-0754 to amend Town Council Travel Per Diem Reimbursement, Councilmember Smith.** Mr. Smith said there was some discussion at the last meeting about an article in the Municipal Association's magazine about per diem and how it should be treated. He thought just to make it clear that they should amend the ordinance to say that the councilmembers shall not be required to return unspent travel days per diem, but that the town would follow the IRS regulations when unspent travel days per diem is taxable. According to the information that he was provided by the

504 administrator, there was quite a bit of documentation on that, and the proper procedure for council to  
505 follow was to have the town report the per diem in Box 12 on the W-2 form with a code of L, and then the  
506 councilmembers would fill out form 2106 Employee Business Expenses to properly account for their per  
507 diem expenses, and that was the reason he was suggesting that council adopt the amendment.  
508

509 Mr. Smith moved to adopt first reading of Ordinance #13-0754. Mr. Stevens seconded.  
510

511 Ms. Mabry asked if she could amend the motion. Mayor Samples said certainly. Ms. Mabry said  
512 the reason she wanted to amend was obviously, she had... Mayor Samples asked Ms. Mabry to first  
513 state her amendment. Ms. Mabry moved to amend the motion on travel expenses, particularly per diem.  
514 She asked if that was enough. Mayor Samples said Ms. Mabry should be specific.  
515

516 Mr. Johnson also said specific.  
517

518 Ms. Mabry moved to specifically amend travel per diem reimbursement for the Town of Surfside  
519 Beach; the motion that was on the floor.  
520

521 Mayor Samples did not believe that was sufficient in that there was an ordinance that was  
522 provided to all councilmembers, and a motion was made to adopt the proposed ordinance, and seconded.  
523 So, Ms. Mabry needed to state the desired changes or offer a substitute motion; he asked the  
524 parliamentarian.  
525

526 Ms. Mabry asked how the motion should be worded.  
527

528 Mayor Samples said the parliamentarian was not to state how the motion should be worded, but if  
529 he was correct, Ms. Mabry was allowed to introduce a substitute ordinance as an amendment and it  
530 would be voted on. Otherwise, Ms. Mabry had to be specific with respect to the document presented for  
531 adoption and her specific changes that she wished to make to the ordinance.  
532

533 Ms. Kohlmann said since it was first reading she asked Ms. Mabry's changes could be offered at  
534 second reading.  
535

536 Mayor Samples said Ms. Mabry could, but he asked the parliamentarian for a response. Ms.  
537 Herrmann said if Ms. Mabry wanted to offer an amendment to change language, she should cite the  
538 language that she wanted to remove and provide the proposed language that she desired. That was  
539 typically how an amendment was handled. Mayor Samples said that was correct.  
540

541 Ms. Mabry moved to remove the entire proposed wording and substitute it with:  
542

543 *The Town of Surfside Beach will reimburse elected officials for approved business and*  
544 *training travel. The town administrator will have final approval, or when there is a dispute,*  
545 *reimbursement shall be decided by duly approved motion taken by Town Council at a*  
546 *regularly scheduled public council meeting. The town clerk, or other assigned personnel,*  
547 *shall make all travel arrangements. Town Councilmembers shall be notified of upcoming*  
548 *events and the appropriate times to submit registration requests, specifying their lodging,*  
549 *travel, rental cars, and other needs when deemed appropriate.*  
550

551 *Elected officials will be given a per diem of eighty dollars (\$80) per travel day for*  
552 *overnight travel. This money is approved for meals, tips, parking, and all necessary*  
553 *expenses incurred when traveling. Alcoholic beverages shall not be included for*  
554 *reimbursement. Receipts shall be submitted to the town clerk within thirty (30) days. All*  
555 *unused per diem money will be returned to the town within thirty (30) days, along with*  
556 *receipts for expenditures. Should any councilmember fail to report expenses within thirty*  
557 *days from the last travel date, he or she shall forfeit expense reimbursement. If the*  
558 *councilmember fails to comply, future per diem is forfeited.*  
559

560 *Current IRS mileage rates shall apply when an elected official uses a personal vehicle for*  
561 *travel.*

562  
563 *A companion may accompany an elected official when the presence of a companion will*  
564 *not interfere with the successful completion of business objectives. Per SC Code §5-7-*  
565 *170, the Town of Surfside Beach shall not pay for any expense for any traveling*  
566 *companion of an elected official. This includes any events that the official chooses to*  
567 *attend, meals, tips, travel arrangements, or any other expenses incurred by the*  
568 *companion while traveling.*

569  
570 *Expenses that shall be reimbursed with prior approval may include the following: airfare,*  
571 *train travel in coach or economy class or the lowest available fare; car rental fees for mid-*  
572 *sized or compact car; accommodations are reimbursed at the negotiated rates published*  
573 *by the Municipal Association or event sponsor, and all expenses to and from the airport.*

574  
575 *Abuse of this travel expense policy, including falsifying expense report is prohibited.*  
576

577 Ms. Mabry believed the reason councilmembers needed to bring expense ... Mayor Samples  
578 interrupted and called for a second to amend the motion. The motion to amend died for lack of a second.  
579 Mayor Samples called for discussion on the motion.

580  
581 Mayor Samples called for discussion on the primary motion and recognized Ms. Mabry.  
582

583 Ms. Mabry said first of all, this was public money. The council was held to a higher standard.  
584 She spoke with Cathy Hazelwood, attorney for the South Carolina Ethics Commission, and this language  
585 was what they recommended. This was the public's money being spent. The town was not a private  
586 business where a boss was giving her \$80 a day, God bless her, if she ate soup and got to keep the rest  
587 of the money. What the proposed ordinance said was that councilmembers would keep the rest. Ms.  
588 Mabry said she wanted everyone to know that these were the invitations (held up several invitations) that  
589 she had received to go out to dinner, to go to receptions, to go to breakfasts, and to do all these things  
590 that somebody else was going to pay for while she was in Greenville at the Municipal Association  
591 Meeting; paid for by a third party when the council goes for travel and training. She said she would not  
592 use her \$80 a day. There was no way one person was going to do it. She reiterated that she would not.  
593 She felt like the public was entitled to have the money returned to the town. She was certainly entitled to  
594 have a meal, or to pay for her parking, but the public was entitled to what she did not spend. It should  
595 come back to the town. Ms. Mabry thought it was wrong on every level for the councilmembers to take it  
596 and put in their pockets.

597  
598 Mr. Stevens asked in the event that Ms. Mabry's suggestion was adopted, if it would cost the  
599 town staff time. He said there was inherent cost, no matter which method was adopted and asked what  
600 kind of money would be spent in staff time to process expense reports.

601  
602 Ms. Kohlmann would not be opposed to Ms. Mabry's suggestion, but she would like to have seen  
603 it before the meeting, because it was very wordy and meaty. She did not attend those functions; she  
604 received the invitations, but she did not attend, not because she did not like people, she did not like  
605 spending taxpayer money on big dinners and dances and stuff like that. She reiterated that she would  
606 have liked to see the proposal before the meeting so she could have digested it. Ms. Kohlmann said she  
607 did not go very many places, but she agreed with that.

608  
609 Mayor Samples said as Ms. Kohlmann pointed out, this is only first reading. The opportunity to  
610 make changes still exists.

611  
612 Ms. Dodge said she worked for both federal and state governments. If they traveled and were  
613 given money ahead of time, they returned any unspent portion of that money immediately when they  
614 returned. She really thought that was how it should be done with town money. Councilmembers were  
615 using town people's tax money to travel with and it should be specifically for travel; not anything else. If it

616 meant a little bit of record keeping, so be it. That was part of the travel. Ms. Dodge said that was how  
617 she felt.

618  
619 Mayor Samples agreed with Ms. Dodge and Ms. Mabry. There were two ways of handling per  
620 diem. In the old days, councilmembers used to get reimbursed, although they could get an advance, for  
621 actual expenses. Now, there was no expense report required, and the council was awarded, it was  
622 essentially an award, of \$80 per day. He was not in favor of it when it was presented originally, and he  
623 believed the record would show he voted against it in the end, and he could guarantee them that he  
624 moved to propose a lower amount, and that was also defeated. Mayor Samples said that he did not like  
625 the language that was put in the proposed ordinance; the last sentence that states "The town shall follow  
626 Federal IRS regulations on when unspent travel days per diem is taxable income." The town has nothing  
627 to do with it; the people receiving the money were the ones that had to follow the IRS regulations. His  
628 concern was that with that language included, in this litigious society that we live in, if anybody ever got  
629 on the hook for per diem reporting that they would point to the town ordinance and the town would be the  
630 one who bore some responsibility. Mayor Samples said for the record that "I saw the administrator  
631 nodding." He believed the proposed ordinance needed some more work. While he did not like the  
632 dances and the good times that people had, there was some work that actually happened at the events,  
633 and it was a cost of doing business. They obviously had to know and network with other elected officials,  
634 and certainly in Columbia with the Legislative Delegation and that sort of thing. There was a function that  
635 was performed. Mayor Samples believed the councilmembers should only be reimbursed for expenses  
636 and he thought to award a flat rate was an abuse.

637  
638 Mr. Smith said that when the \$80 was adopted that was the number that Mayor Samples  
639 proposed, because the number presented by the then administrator was higher. The other thing about  
640 the town following the Federal IRS Regulations was that the requirement was that it be properly reported  
641 on the W-2; that was what was meant by following the regulations. This type per diem would be reported  
642 in Box 12 with a code of L on the W-2, and that was the reason for that statement.

643  
644 Mayor Samples said he stood corrected; but, he thought the principle was the same. They were  
645 proposing a higher rate. It was hard to remember everything. He still thought \$80 was too high.

646  
647 Mr. Stevens said like Ms. Kohlmann said he would have liked to have seen the information before  
648 the meeting. But, that was okay. He understood Mr. Smith's version, and he understood Ms. Mabry's  
649 version. He did not understand why the Municipal Association held its meeting in Hilton Head during  
650 peak season, but he did not make those rules. The councilmembers always needed to watch out for  
651 taxpayers' money. That was council's job. If staff could present some type of simple expense report that  
652 did not take a rocket scientist to figure out, he did not have any problem with noting expenses. He  
653 thought councilmembers should be open and transparent when they do things. He also knew if you mess  
654 around with the IRS, they would take care of you, too. Mr. Stevens thought what needed to be done was  
655 to ask Ms. Mabry if staff could present something. Council should probably go ahead with first reading,  
656 and then Ms. Mabry could make an amendment at second reading so the full council would have time to  
657 digest it.

658  
659 Mr. Smith withdrew his motion to adopt first reading saying there seemed to be a lot of confusion  
660 and discussion, and so he did not think it was appropriate to go forward. Mr. Stevens withdrew the  
661 second.

662  
663 Mayor Samples asked Ms. Mabry and Mr. Stevens if they would work together to bring a  
664 proposal. Ms. Mabry said she did not mind at all working with Mr. Stevens. Mayor Samples said that Mr.  
665 Johnson was welcome to sit on the review committee, if he wished. Mr. Johnson said he would consider  
666 it. *(Laughter.)*

667  
668 **C. Eastern Surfing Association, request to use beach on September 7 for surfing contest,**  
669 **Dr. Tom Chandler, Regional President.** Dr. Chandler presented a request from the Eastern Surfing  
670 Association (ESA,) which was the largest amateur surfing association in the United States. ESA started  
671 in 1967, and surfing contests have been held in this district for as long as he could remember. Contests

672 were held from Cherry Grove to Pawleys Island. There were six contests scheduled this year, one of  
673 which was the contest planned on September 7<sup>th</sup>, for which he was asking Town Council permission to  
674 hold in Surfside Beach. There were previous contests held in Surfside Beach, and they were always well  
675 attended. There are about 80 surfers of all ages, from 5 years old and up to middle aged individuals.  
676 ESA is a family-oriented, nonprofit association. The contests were for the kids and they were a lot of fun.  
677 His request was for the weekend of September 7<sup>th</sup>; typically the event is finished in one day, but  
678 sometimes they might run over to the next day. The contest generally starts at eight o'clock in the  
679 morning, and ends at about six o'clock in the afternoon. ESA has a beach presence of a 10 x 20 foot  
680 administrative tent, a 10 x 10 judges tent, American and South Carolina flags, and two beach flags to  
681 delineate the surfing area. While the contest is open, they try to keep other swimmers out of the area for  
682 safety reasons. They use a very small generator that provides power for the sound system and time  
683 clock. No alcohol is allowed; nothing would be done or sold for profit. Water and food would be provided  
684 for the competitors. Dr. Chandler reiterated his request for permission to hold the ESA surfing contest the  
685 weekend of September 7<sup>th</sup>.

686  
687 Mayor Samples thanked Dr. Chandler for requesting permission well in advance so that Town  
688 Council could consider it. Sometimes requests were made the weekend before an event.  
689

690 Ms. Kohlmann asked what the exact location would be on the beach; would it be 13<sup>th</sup> Avenue  
691 South to Melody Lane. She asked what the fee schedule was for the event, and if there was any cost to  
692 the town. Dr. Chandler said at 13<sup>th</sup> Avenue South and about 75 yards of the beach. The contestants  
693 have to be members of the ESA; the contest fee was \$25. There was no cost to the town. Ms. Kohlmann  
694 suggested that Dr. Chandler meet with recreation supervisor Ellis to advise her of the event. Dr.  
695 Chandler said he would do that.  
696

697 Mr. Stevens noted that insurance coverage was provided that showed coverage of \$2 million  
698 general aggregate; \$1 million products; \$1 million personal injury; \$1 million each occurrence; \$300,000  
699 fire damage, and \$5,000 medical expenses/one person. He asked if the Town would be named as a third  
700 party insured.  
701

702 Mayor Samples said an insurance endorsement was required, and asked if Dr. Chandler was  
703 waiting for Town Council to give the event approval before adding the town. Dr. Chandler said the town  
704 had actually already been added; the endorsement would be sent to Ms. Herrmann. Mayor Samples  
705 introduced administrator Fellner to Dr. Chandler and said either Ms. Fellner or Ms. Herrmann could assist.  
706

707 Ms. Kohlmann moved to permit Eastern Surfing Association to use the beach in Surfside Beach  
708 on September 7, 2013 for a surfing contest. Mr. Stevens. All voted in favor. **MOTION CARRIED.**  
709

710 Dr. Chandler thanked Town Council and asked for approval to complete the event the next day,  
711 September 8<sup>th</sup>, if they were not finished on the 7th.  
712

713 Ms. Kohlmann moved to amend the motion to include September 7 and 8, if need be. Ms. Dodge  
714 seconded. All voted in favor. **MOTION CARRIED.**  
715

716 **D. Dog Park Fees (pursuant to Public Hearing, Item 6 above.)**  
717

718 Ms. Kohlmann moved to suspend rules to allow discussion. Ms. Mabry seconded. All voted in  
719 favor. **MOTION CARRIED.**  
720

721 Ms. Kohlmann wanted to clarify for everybody at the meeting about the dog park fees. She  
722 understood that some people believed a fee was a tax; whatever they wanted to call it. She looked at it a  
723 little differently. Ms. Kohlmann said she was a dog owner. Every year she went to town hall and bought  
724 a dog license, because that was what responsible pet owners did. She paid \$10 for the license, and her  
725 dog did not go to the dog park, but she still got a dog license. People did not seem to understand that a  
726 license for a dog had a lot of roles. It helped the police department; if her dog went across the street and  
727 bit a young child, and the police came to her house, they would be able to immediately identify that her

728 dog was up-to-date on its vaccines. It also calmed the fears of the family members and shortened the  
729 time for emergency response. That was one aspect of it. Another was that if her dog ran away from her,  
730 and an officer found her dog, it would be easier to find her to return her animal to her. There were places  
731 all over the United States, in most of the towns and villages and cities that you go to, where that was a  
732 requirement for dog owners, and that was the right thing to do. There was no additional fee for the dog  
733 park in Surfside Beach that she was aware of. For nonresidents, the license fee was also \$10. She just  
734 wanted to share and hoped she was not boring everybody, but she liked facts, and she liked to look at  
735 things. From June 2012 to June 2013 there were 120 residents in the Town of Surfside Beach that got  
736 dog licenses, which resulted in \$1,200. During the same period of time there were 112 nonresidents,  
737 which resulted in \$1,120. The total was \$2,320 in revenue. As of June 1<sup>st</sup> of this year to today, there  
738 were 96 residents that got dog tags. That's \$960. There were only four nonresidents. Now, one of  
739 those nonresidents was actually a nonresident property owner, and she hoped that they would change  
740 that \$30 back to \$10 and then they would be down twenty bucks right off the bat. Ms. Kohlmann believed  
741 that if they raised the nonresident rates, they were shooting themselves in the foot, because from what  
742 she gathered, information from speaking to different sources, people were coming in and asking for a  
743 nonresident dog license to be able to utilize the park. When they are told \$30, they turned around and  
744 walked out the door. That only four nonresidents bought licenses was evidence that they were down,  
745 because if you took the numbers and divided them, there should be about nine or 10 people a month  
746 getting dog licenses. The town would not get that number anymore. Not only that, but nobody would pay  
747 it, if they did not want to. The licenses are not policed. Ms. Kohlmann said let us not put fees or  
748 ordinances in place that would not be followed through on. She thought this was giving the town a bad  
749 image. She considered the situation differently than others, and she knew that, and that was fine. She  
750 understood that many people disliked comparing dogs to children, but for some people their pets were  
751 their children. It was their right to believe so. But when they come on vacation and took their kids to the  
752 park, was the town going to start charging people that are not residents to use the parks and play tennis?  
753 Those were all amenities that were here that the town provides. The dog park was a further amenity, and  
754 friendships were made at the dog park. Whether they lived on Surfside Drive or in Deerfield; friendships  
755 were formed. She thought that they needed to remember that when they were discussing the dog park  
756 tonight. Ms. Kohlmann thought they would end up losing revenue. Instead of what was being done with  
757 the dog park, she would love to see an educational program for the residents in the Town of Surfside  
758 Beach. She believed that a lot of people in town did not even know that a dog license was required. They  
759 just assumed that they had a dog and it was fine; they did not need to have a license unless they wanted  
760 to use the dog park. Ms. Kohlmann wanted Mr. Adair to let people know that everyone needs to register  
761 their dogs and pay \$10, and there was a reason for it. It was for health and safety reasons more than  
762 anything else, and if you bought a dog license, then you could use the dog park. When she was  
763 campaigning, she knew that every other councilmember did, too, when you knocked on the doors in town,  
764 and some places had three dogs, not just one or two. There were hundreds of dogs in the Town of  
765 Surfside Beach, and yet, there were only 120 that were registered. That was a loss of revenue and it was  
766 not very good when coming to the health and safety of the people of the town. She was not in favor of  
767 raising the dog park rates. Ms. Kohlmann said she was for \$10 across the board for everybody; let them  
768 all play, and that was how she felt.

769  
770 Mr. Johnson completely agreed with Ms. Kohlmann's comments. The dog park was an amenity.  
771 The town was a small town and should not be taxing or throwing taxes on the back of the visitors. It  
772 should be welcoming these people, instead of tax, tax, tax, fee, fee, fee. It was just like the park. Mr.  
773 Johnson was opposed to the \$10 fee from the beginning, but he realized that there were some  
774 administrative costs and some revenue was needed. He was totally against an increase in all the fees,  
775 especially for the nonresidents. To him it just did not make sense.

776  
777 Ms. Mabry also disagreed with raising the fees for anyone. The town depended on people  
778 coming into town. She loved to give facts, and said the Town of Surfside Beach 4-percent property  
779 assessment residents, the residents that vote, pay \$340,600 a year in property taxes. The nonresident  
780 property owners that pay taxes based on a 6-percent assessment were short just \$7 paying \$2 million in  
781 property taxes. The rest of the revenue comes from hospitality taxes, accommodations taxes, business  
782 licenses, franchise fees, and other ways. The town was tourist related town. Ms. Mabry did not know that  
783 in town residents paid so little in property taxes. The in town residents did not pay enough in property

784 taxes to operate the town for one month. According to the administrator at the budget meeting, it cost  
785 about \$554,000 a month to run the town. The citizens' property taxes pay about \$340,600. The town had  
786 to be welcoming; there was no choice. She said \$10 was nothing, and she also added that service dogs  
787 should not have to pay anything. Individuals with handicapped licenses do not pay for parking; owners of  
788 service dogs should certainly not have to pay for a tag.  
789

790 Ms. Dodge agreed that service dogs should not have to pay, but town residents pay a pretty good  
791 amount of taxes. When people come from outside, everywhere they had ever gone, to every state,  
792 almost every state in the Union, they expect visitors to pay part of the cost that they absorb on providing  
793 amenities for everybody. She did not see that asking for a little bit from someone from outside the town  
794 who brings their dog here, because they did not have another place to take the dog; she did not think they  
795 should mind paying.  
796

797 Mr. Stevens agreed with Ms. Dodge, Ms. Mabry, and Ms. Kohlmann. They all had their points.  
798 Sarah Andrews spoke very loud and clear at the last meeting. She was a second homeowner that pays a  
799 lot of property tax. Mr. Stevens had no idea how much second owners paid until Ms. Kohlmann told him  
800 what she paid on her house on 7<sup>th</sup> Avenue; it was five times what he paid on his residence. He was glad  
801 he did not have a second home. Those people pay property taxes and they deserve every right to use  
802 everything. Mr. Stevens said he was glad the town was not Lexington, South Carolina, because he saw  
803 in a news release that back in late March or early April, the Lexington Town Council decided to charge  
804 the residents \$30 a year for the first dog, and \$15 for each additional dog. They charge nonresidents  
805 \$50, and \$25. Mr. Stevens said the town was definitely a bargain. As far as residents and nonresidents  
806 paying the same amount or nonresidents paying a little bit more, Mr. Stevens said he really did not have a  
807 dog in the fight, excuse his pun. He agreed that it did cost a certain amount of money to run a dog park,  
808 although he did not know the amount. He asked Ms. Fellner for a breakdown, so he would know. Ms.  
809 Fellner said it cost about \$3,500 a year, which included bags, chemicals, insecticides, fertilizer, fence  
810 repairs, water, weekly labor and those type things. Mr. Stevens asked if that included property taxes.  
811 Ms. Fellner said the town is exempt from property taxes. Mr. Stevens said that was good information to  
812 know, and said if it only cost \$3,500 a year, and that was what he was waiting on to make his decision,  
813 then he agreed (*\*\*two speaking at once.*) Mr. Stevens said he agreed with Ms. Mabry; the fees did not  
814 need to be raised.  
815

816 Mr. Smith had asked Ms. Fellner to make a recommendation and he believed it was sent to all the  
817 councilmembers. He had sent Ms. Fellner some information about what he thought the numbers should  
818 be after Ms. Andrews spoke to council. He said staff recommended the following registration rates for  
819 dogs, which would allow them to use the dog park: residents, \$10 per dog; nonresident property owners,  
820 \$10 per dog; nonresidents who are not property owners, \$30 for the first dog, and \$15 for each additional  
821 dog; town employees, \$10 per dog, and for tourists/weekly visitors, \$10 per dog per week, which would  
822 allow tourists to pay \$10. If they did not want to use the dog park, they would not have to pay. Mr. Smith  
823 believed those were pretty good numbers and it helped the nonresident property owner who already paid  
824 taxes. The nonresident who did not own property, they were not necessarily contributing to the town, and  
825 just like they did on the parking, he thought nonresidents who were not property owners should pay a little  
826 bit more.  
827

828 Mayor Samples said this was foolishness. He did not know how else to describe it. He could not  
829 believe that leaders in a town were wasting their time talking about how much they should be charging for  
830 dogs to go into the dog park. He did not support any access fee. There was a law on the books now for  
831 dogs. Yes, in fact, all dogs in the Town of Surfside Beach must be tagged. There was a \$10 fee. It had  
832 nothing to do with the dog park. If council was going to talk about adding new taxes, and adding new  
833 fees, he wanted members to call it what it was. This was a nickel and dime attempt to raise a little bit of  
834 money. In fact, it would have an adverse affect. Mayor Samples said believe it or not, people who live  
835 across Highway 17 in Deerfield and Caropines or in Garden City actually shop in the Town of Surfside  
836 Beach at our businesses. What he was suggesting was that council needed to slow down; think about  
837 the impact of silly actions that this Town Council was contemplating.  
838

839 Mr. Stevens said this was introduced during the budget. He did not think that Mr. Smith was  
840 being silly. He was just looking at a way to offset cost. It was a noble cause. He said let us face it, there  
841 were places that charge and places that did not. Mr. Stevens said he did not have a dog in hunt; in this  
842 fight, and he really did not care one way or the other. He said that Ms. Kohlmann said we paid \$2,120  
843 last year and it only cost \$3,500 to run it, then it was pretty much...

844  
845 Mayor Samples said if he may interrupt Mr. Stevens, Ms. Kohlmann made an excellent comment  
846 about adopting rules and ordinances that were not enforced.

847  
848 Mr. Stevens thought that problem had existed for years.

849  
850 Mayor Samples said he was not speaking about the past, but was speaking about tonight. If  
851 somebody would move to reconvene regular session, the council could move on with business.

852  
853 Mr. Johnson moved to reconvene regular session. Ms. Mabry seconded. All voted in favor.  
854 **MOTION CARRIED.**

855  
856 Ms. Kohlmann moved that there would be no dog park fees and that the ordinance for the dog  
857 licensing for the Town of Surfside Beach remain as it is. Mr. Stevens seconded.

858  
859 Mr. Johnson asked if Ms. Kohlmann could restate the motion.

860  
861 Ms. Kohlmann moved that the town would not have a dog park fees and that the ordinance  
862 requiring a \$10 registration fee for dogs remain the same and in effect.

863  
864 Mr. Stevens asked if that would be under the rules that existed before this was brought up during  
865 the budget.

866  
867 Ms. Kohlmann said there was an ordinance in the books now for dog registration and that it would  
868 remain as is with no changes to it.

869  
870 Mayor Samples said correct.

871  
872 Ms. Mabry moved to amend the motion to include that service dog registration shall be exempt  
873 from fees. Mr. Johnson second. All voted in favor. **MOTION TO AMEND CARRIED.**

874  
875 Ms. Dodge said the people of this town foot the bill for everything. If someone from outside of  
876 town comes in, our neighbors or so forth, she did not think they would be averse to helping out, and that  
877 was the reason for her comments.

878  
879 Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Johnson, Kohlmann, and  
880 Stevens voted in favor. Councilmembers Dodge and Smith voted against. **MOTION CARRIED AS**  
881 **AMENDED.** Mayor Samples said there are no dog fees for the park in the Town of Surfside Beach.  
882 *(Applause.)*

883  
884 Mayor Samples said Business Items E. and F. would be deferred until after executive session.

885  
886 **E. Direction to Town Administrator regarding Contract Negotiation (may be deferred until**  
887 **after executive session.)**

888  
889 **F. Committee Appointments – (may be deferred until after executive session.) i.**  
890 **Recreation/Special Events Committee (reorganized 05/28/2013-5 vacancies); ii. Stormwater**  
891 **Committee (1 term expired); iii. Construction Board of Adjustments & Appeals (1 vacancy), and iv.**  
892 **Senior Citizens Committee (3 vacancies).**

893  
894

**9. Discussion – any matters of concern or information to be discussed by Town Council.**

Ms. Kohlmann wanted to reiterate about the education programs for the residents, because she really believed they did not know about the dog licensing, and she asked residents who went to the dog park if they could work with the town to help get the word out to people that they needed to go to town hall and register their dogs. It was not about the \$10 fee; it was about a health and safety issue.

Mayor Samples asked if Ms. Kohlmann would like the information to be shared in the next newsletter.

Ms. Kohlmann said certainly. The second thing she wanted to say for the record was that "I'm sure people don't want to hear this. I'm gonna say it anyway. I think that we need to wait until the end of the season before everybody starts screaming and yelling about the parking and doing added further things [sic.] I saw it differently on 4<sup>th</sup> of July. I saw 4<sup>th</sup> of July on the boulevard as packed everywhere; every meter just about taken. Some people didn't park correctly and they got tickets. Other people probably got away with it. That's just a fact of life. Do we have to be a little bit diligent with watching who's doing our ticketing and all that kind of thing? Absolutely, but that's part of business. But, making further changes in the middle of July, again, I think gives the town a black eye. It is what it is. We have to live with it. But, I think we have to be adults and we have to evaluate what we have and see where we're gonna go in the future, and we're not gonna do that right now, in the middle of the summer. So, I would hope that everybody can have patience and my point I was trying to make, not to put you on the spot, was actually I was trying to help you, that if somebody up here wanted to see what was going on with the money, is it available for us to come up so that you didn't have to put things together. That was what I was trying to say about the collection."

Mr. Stevens said once again he thought it would behoove them to know how much each individual meter on the boulevard was bringing in. They were kind of like a satellite receiver, they have their own personal identification number, and to know what each meter brought in; was it the meters closer to the pier bringing in more money, or the meters down at 16<sup>th</sup> Avenue. He wanted to know that, if the administrator could get that information, he thought it would be valuable to council. If the town was over metered, he wanted to know it.

Mayor Samples said to remember that a lot of people parked for free.

Mr. Stevens said he realized that; they park at the library.

Mayor Samples said they wanted people to be able to park for free.

Mr. Johnson said that he honestly thought that getting that information in the middle of the season would be a waste of staff time. Council all agreed that the season would be evaluated at the end, because they knew that everything would have to be tweaked. That was a foregone conclusion. Mr. Johnson said the town was in the busy season when they made their money. Staff was overworked as it was. He saw no logic in having staff prepare this information midstream.

Mr. Stevens said he was trying to get some information that he thought would be valuable. He did not care if the information was provided at the end of the season, if the administrator could identify the particular meters. For example, the meter at 7<sup>th</sup> Avenue North on Ocean Boulevard, could he find out how much money that particular meter took at the end of the parking season. Ms. Fellner said the answer was yes, except for the old meters that were still used throughout the town. She reiterated that she was not opposed to providing that information at the end of the season, because Town Council would have to review all of that information, and that would be a logical time to do it. Mr. Stevens asked if they could identify each meter number for each individual month. He was just asking, because it was technology and he did not know how it worked. Ms. Fellner said the transactions would be noted by date, depending on how the transaction took place. There were multiple ways to track the information. Theoretically, that could be done, but that was like picking from a relational data base, and would require looking at a lot of different pieces of paper on a monthly basis. She did not think that would be a good

951 process. Mr. Stevens was only talking about Ocean Boulevard. Ms. Fellner knew what he was talking  
952 about and said there were 136 meters on Ocean Boulevard. Mr. Stevens said he knew that, and he was  
953 just wondering if they could identify how much they pulled in by a month basis or did it have to be done by  
954 a yearly basis. Ms. Fellner said when the information was pulled it would be daily. Mr. Stevens said  
955 okay. Ms. Fellner continued saying when it was pulled all the information attached to that particular meter  
956 number would be provided; every single day, every single hour, whenever a transaction took place. Mr.  
957 Stevens said so at the end of the season, and he did not have a problem waiting until the end of the  
958 season, if they can get that information, because he would like to know what each individual meter did.  
959 Ms. Fellner said that would not be a problem. Mr. Stevens said okay, she had answered his question.

960  
961 Mayor Samples (*laughing*) said he could not help himself, and continued saying it would be good  
962 to have all that information and then they could sell off meters to individuals in town, okay. (*Laughter*) We  
963 could help raise revenue there and let them take ownership of the meter...but in all seriousness, Mayor  
964 Samples said some of the issues that were related, like the range of paid parking was currently from  
965 seven to seven. In fact, it may make sense to adjust hours, if no revenue was being generated during  
966 that time. Those were questions that could be noted and given to staff for research and then at the end of  
967 the season council could consider them.

968  
969 **9. PUBLIC COMMENTS – General Comments (5 minutes.)**  
970

971 "Glen Curtis, 257 Palladium. I walk every single day the beach roads from Woodland on down to  
972 Surfside, and if you look, the meters are not filled until you get about to 3<sup>rd</sup> Avenue to Surfside pier.  
973 Surfside parking lot is just a constant load, so you can automatically see from there what goes on. The  
974 second thing I wanted to say was 4<sup>th</sup> of July was fantastic. You couldn't get a shoehorn on that beach.  
975 The parking lot, you had to kill to get through, and you couldn't do it. Even the streets, with the music and  
976 everything else, it was terrific and I wouldn't want to go any place else. Thank you."

977  
978 "Ron Ott, 7<sup>th</sup> Avenue North. Well, common sense I heard tonight, a little bit of common sense. If  
979 you're gonna put in a dog park, and you can't afford it, (\*\*) did do it, and I was amazed to find out that we  
980 actually charge to go in there. I couldn't believe it. I said for what. What's in there." Mayor Samples and  
981 Ms. Kohlmann both said the town does not charge to use the dog park. Mayor Samples said that was  
982 just not correct. Mr. Ott: "That's not? Well, what was the \$30 for? What's the \$10 for." (\*\**several*  
983 *speaking at once.*) Mr. Stevens said that was only proposed. Mayor Samples said just to answer the  
984 question, the current code requires all dogs in the Town of Surfside Beach to be registered, and there  
985 was a \$10 fee. Mr. Ott: "Right, and you were gonna charge nonresidents..." Mayor Samples said higher  
986 rates. Mr. Ott: "Higher rates." Mayor Samples said the registration fee got tied to the dog park, which  
987 was a mistake. Mr. Ott: "Yeah, but they (\*\**two speaking at once.*)" Mayor Samples said Town Council  
988 rectified that tonight. Mr. Ott: "Alright, but you can walk on the beach for nothing, so. It didn't make any  
989 sense. It didn't make any sense at all, and there's nothing in the dog park, but dirt, you know. You know,  
990 I didn't find anything in there. (\*\**multiple speakers in the audience*) If P. L. ain't there, there's nothing in  
991 that little park at all. If we can't afford it, take it down. You know, let 'em stand there without the fence in.  
992 That's all. Thank you."

993  
994 "Hi, I'm Mary Anna Thompson, 210 South Hollywood. To your point, Beth, I just want to add that  
995 you're preaching to the choir when you're talking about the people that use the dog park. They are the  
996 ones that are registered. You want to talk about the people that don't bother that don't take care of their  
997 animals. The ones there are the dog park are the ones that actually pay the fee; they take care of their  
998 animals. They actually take very good care to make sure that it's cleaned. That people pick up. They  
999 will actually go and pick up what's not theirs and tell people, hey, you gotta go clean up after your dog.  
1000 So, I just want to say there is a need for education, because until the dog park came, I didn't know there  
1001 was a \$10 fee. So, there's a need for education, but the dog park has actually helped in that regard as  
1002 opposed to put a hindrance, and so you're preaching to the choir. So, thank you."

1003  
1004 "Ralph Magliette, Harbor Lights Drive. I'd just like to talk very briefly about the ah, I sent an email  
1005 to member about a Surfside Beach food drive for the South Strand Helping Hand, and last year in August  
1006 of 2012 the Town of Surfside Beach sponsored a food drive for South Strand Helping Hand. It was a

1007 success with over 1,300 pounds of food collected. Food locations were town hall, the fire department,  
1008 Piggly Wiggly and Bi-Lo. I hope that the Town of Surfside Beach would also again sponsor the food drive  
1009 in August of 2013. South Strand Helping Hand is a crisis intervention center, which was established in  
1010 1986 by local churches to aid families and individuals in the greater Surfside Beach, Garden City area  
1011 who find themselves facing a time of crises or emergency. Food is their most immediate and urgent  
1012 need. With your support we can make a difference in the lives of those less fortunate in our community.  
1013 And, it's good that we all talk about data, because data is data, and you only can make an objective  
1014 decision based on good data. So, what I'd like to do very briefly is talk about the number of people that  
1015 South Strand Helping Hand helps, and I have data here which I collect up through the month of May, and  
1016 so for January and February, March, April, May as far as food, we helped 3,424 people with food. We  
1017 helped 297 people pay their electric bill. We gave 235 people clothing; 17 people diapers. We helped 27  
1018 people with their water and sewer bill. We helped 11 people with prescriptions; 15 people with lodging;  
1019 11 people with gas cards so they could get back to their families out of state; 3 people with propane. So,  
1020 South Strand Helping Hand does a lot more than just provide food. It also provides people with the tools  
1021 and things that they need to provide for their family. So, I humbly ask the town to again consider  
1022 sponsoring the August 2013 food drive for South Strand Helping Hand." Mayor Samples asked if there  
1023 were any objections to sponsoring the food drive. **There were no objections; several members voiced**  
1024 **support and believed it should be sponsored.**  
1025

1026 Mr. Stevens said Mr. Magliette's email message had three subjects that would be covered at the  
1027 library. One was Sandy Island, he asked if he recalled the other two subjects. Mr. Magliette: "Oh yeah,  
1028 there were three programs going in at the library in July. One of them is a talk on Sandy Island with  
1029 photographs and pictures and details on Sandy Island. The second one was from Clemson University,  
1030 Dr. Forrester about fall gardening, and the third one was on genealogy, and those three are offered at the  
1031 library in the month of July. I don't have the exact dates with me, but they sound like three very good  
1032 programs." Mr. Stevens asked if the senior citizens committee sponsored them. Mr. Magliette: "That's  
1033 sponsored through the library through Glenda Hemingway through input from Friends of the Library and  
1034 people like me who talk about what kind of programs we think might be of interest, not just me, but a  
1035 whole group of people, to provide programs which would be of interest to the people in the greater area of  
1036 Surfside Beach."  
1037

1038 Mayor Samples said for everyone's information, the town website calendar has a list of library  
1039 events.  
1040

1041 "Hello, Patricia Magliette, 104 Harbor Lights. I'll be quick. I just wanted to clarify what my  
1042 husband said. If you go to the South Strand Helping Hand they are a very tightly run organization. As my  
1043 husband mentioned, they help with electric. What they do is they give them the amount of money to  
1044 provide being, to keep them from being turned off with electric. Also, they do employ a computer program  
1045 called Charity Tracker, which means that their clientele come to them like every eight weeks in crisis  
1046 mode, and this gets them past that. It is very well organized and policed that you don't have people just  
1047 saying they can go to South Strand instead of, you know, it is a very, very well run program. Very tightly  
1048 ran, and I think it makes a good difference in the community that we're able to support them with our  
1049 donations and our prayers. Thank you."  
1050

1051 "John Ard, 612 Cypress Drive, Surfside. I have a couple of things I'd like to say that I didn't get to  
1052 say before, and all. Back during the month of June, on June the 4<sup>th</sup>, my mother-in-law died, and I'd like  
1053 to thank the council and the town's people, and especially Debra Herrmann for all the condolences,  
1054 flowers, food, and especially the prayers. It just meant a lot to my family and everything, and I do thank  
1055 each and every one of you for it. The week after we buried her, I had a heart catheterization, and I'd like  
1056 to thank everybody for the prayers and stuff on that, and again, especially Debra Herrmann, and thank  
1057 each and every one of you, and I do appreciate it and my family appreciates it very much. I'm a little  
1058 concerned about these piers and stuff. I've done some reading and it seems like whether it's called a  
1059 conflict of interest here. If you're in a business deal or something, if you're on the council, a committee, or  
1060 anything like that, if you get involved in something through the town while you're on one of these, it's a  
1061 conflict of interest, which means if you go out and you buy a house and you build a dock out there, you  
1062 buy a house for a certain amount, and you build a dock that's gonna up the price for your house and your

1063 property, and when you're voting on this, a councilman, the mayor, or a committee member that owned  
1064 this property should excuse their self [sic] without exception. (\*\*) I came up with the thing I read this  
1065 afternoon on the computer and it says that is a situation in which someone who has to make a decision in  
1066 an official capacity stands to profit personally from the decision. So that means if you are on that council,  
1067 you're on that committee, I don't care what kind of business deal you're on, if it involves this town and  
1068 you're making money at it, if you own a house that's lake front property and you build something on it,  
1069 and you stand to gain that's a [sic] ethics violation. Thank you."

1070  
1071 Ms. Betty Lowery: "I'm irritable, so I probably will say something I shouldn't. I sit on the planning  
1072 and zoning committee. I'm a volunteer. Somebody said to me that they thought it might be a good idea if  
1073 I ran for council. I'm not crazy! (*laughter*) If there was a single crack in my sanity, it was cured tonight. I  
1074 have, I have to speak up for Ms. Johnson. She sits beside me. We didn't even know each other before  
1075 we began working together and she hasn't been on there that long. We don't have any kind of social  
1076 connections. We don't have any kind of a business connection. But, to say that she adamantly voted for  
1077 this every time, good grief! (*speaker's emphasis*) They just moved into this house. They're more  
1078 concerned with where the bed's gonna go. They, what, where a dock goes isn't even on their agenda  
1079 right now, and as far as that goes, she and I were in the minority and voting against any docks at all at the  
1080 last planning meeting. Now, I don't know exactly how that's gonna put any money in their pockets. The  
1081 only reason that we wound up voting for it, because it seemed to be the lesser of two evils. Now, and I, I  
1082 just resent it. I think all of you are crazy to deal with small town politics where people lie about you, and  
1083 implying these things about your character. I mean, you can't prove it, but you can certainly sully  
1084 somebody's reputation with an implication, and I'm sorry. That just makes me angry. (*Applause*) Now, to  
1085 get on to the dog park; I don't know if I have any time left or not. To give you an example of how  
1086 someone contributes, we had a superintendent of education, retired, who wanted to bring his dog to the  
1087 beach. His rental property will not allow dogs. So, he paid I don't know how many thousands of dollars  
1088 for his rental, because he had to bring his dog, he had to board his dog in Surfside. He would go get his  
1089 dog in the morning, bring it to the dog park, play with his dog, and then he'd have to take it back to that  
1090 bordering. Now, he's eating here. He's sleeping here. He's boarding his dog here. He's only here for a  
1091 week. I couldn't in good conscience tell him he was gonna have to get a dog license for \$30, you know, I  
1092 wasn't gonna tell anybody that. But, you said that we needed to education them. We do. We do. When  
1093 the dog park opened no one really knew. A lot of people don't even know where the dog park is. They  
1094 didn't know we had one. But when they come in, we let them know that they're supposed to have their  
1095 dogs licensed, and we try to tell them nicely. We want to be sure that the dogs are vaccinated and if  
1096 anything happens we know where to find the owners, you know, if they're lost or hurt or something. They  
1097 want to know where it is. We send them right straight down Pine Avenue, and we do, we support that,  
1098 but you know, you can't, the price of any price is what the market will bear. Your comment was when  
1099 they turn around and walk out; you found what the market will bear. They aren't gonna pay it. You could  
1100 charge anything you want. They're not gonna pay it. A lot of the visitors come. They don't use the dog  
1101 park. They're (\*\*) dog license. And as far as the dog park being empty, it really isn't. We have two water  
1102 fountains that are specially designed to water the dogs. We have two very, very nice benches that are  
1103 great for some of our elderly people who really cannot stand and watch their dogs. They, they have to sit.  
1104 They're not physically capable. We have a shaded area in the big dog park, and I don't know that that  
1105 was by design. That's where the trees were and some of us are just really touchy about our trees. You  
1106 don't cut our trees down. We're funny that way, and we do take care of our park. We do have our  
1107 friendships and they span the state, they span the country. They come in, one guy comes in regularly  
1108 from Florida, and he says it's the nicest dog park he's seen anywhere, and I know really that can't be true,  
1109 because we have so much dirt, but you can't, you just can't grow grass under a big dog's foot. (*Laughter*)  
1110 It's just isn't gonna happen. But, we're very pleased with it, and we're very happy with it, and thank you  
1111 so much for, for being reasonable about it, (*time ended*) it just, we encourage people to get their dogs  
1112 licensed, we do."

1113  
1114 "Carrie Johnson, Harbor Lights Drive. Isn't it strange how we have a resident come up this  
1115 evening who serves on the parking committee along with another council person's husband who serves  
1116 on the parking committee and once was the chairman of the parking committee. He asked someone to  
1117 recuse themselves from voting on issues brought forth by the planning and zoning. But, when it came to  
1118 the parking committee, he didn't come up and ask those two council people to recuse themselves, and

1119 you know what, most of what was voted on that the parking committee recommended was passed. A lot  
1120 of which, in my opinion, was detrimental to this town. But, most of the issues that were voted on passed  
1121 4:3. Of course, they already had two votes before it was even brought forth. Therefore, I wouldn't think  
1122 that it would be a problem for Mr. Johnson to vote on recommendations from planning and zoning. He is,  
1123 after all, only one vote, and it looks like to me that the precedence has been set. As far as the Municipal  
1124 Association goes and all the dances and the dinners and so on and so forth, it's not really what it's all  
1125 about. It's about going class to learn how to do your job correctly. It's also about, as the Mayor said, and  
1126 I was glad that he said this, networking with other elected officials to glean from them, to get ideas for  
1127 things that would benefit our town, and also to learn from them of things that did not work. So, that's just  
1128 all I have to say right now. I do thank you all for doing your job, cause it's not an easy one. Thank you  
1129 very much." (Applause)

1130  
1131 "Everett Goff, Millwood Drive. I just had one question about the dog park fees, that sounds  
1132 stupid, but the residents have to get, register their dogs for \$10. How about the nonresidents?" Mayor  
1133 Samples said all dogs. Mr. Goff: "So we should notify them." (\*\*two speaking at once) Mr. Goff: "Any  
1134 dog in Surfside that's gonna be in here should be registered, okay." Mayor Samples said that was how  
1135 the ordinance read. Mr. Goff: "Okay, very good." Mayor Samples suggested that Mr. Goff speak with the  
1136 county councilmember to expand the subject, because he understood that there was no dog licensing or  
1137 registration in Horry County. Mayor Samples encouraged Town Council to use its influence with others to  
1138 improve the community. Mr. Goff: "I just wanted to clear that up, because I didn't know, just like Betty  
1139 said, I didn't know anything about a license until someone happened to mention, cause I asked in Myrtle  
1140 Beach at that dog park, do you need to license your dog, and they said no. My second comment would  
1141 be about 4<sup>th</sup> of July. I was down in Disney World in June, and the Epcot fireworks; Surfside Beach's put  
1142 theirs to shame! I mean, I think our 4<sup>th</sup> of July celebration was great, so thank you."

#### 10. COUNCIL COMMENTS.

1143  
1144  
1145  
1146 Mr. Johnson: "Thank you, Mr. Mayor. I'm gonna keep my comments short and sweet, and thank  
1147 everyone for coming out, and I hope to see you at the next meeting. There's a lot I could say right now,  
1148 but I'm gonna take the high road. Thank you very much."

1149  
1150 Ms. Dodge: "I'm gonna read this. As the council representative to the senior citizens committee,  
1151 and a senior citizen myself, I've met the county director of the senior center, Mr. Fontaine, and can speak  
1152 to his committee and the commitment of his staff to the Surfside Beach Senior Center, which is located at  
1153 1032 10<sup>th</sup> Avenue North in Surfside Beach. Probably a lot of you don't know, because you're not senior  
1154 citizens. I am. In support of this effort, because I am the council representative to that body, I wanted to  
1155 write the following resolution:

1156  
1157 *Be it resolved, that I, Anna Dodge, the Surfside Beach council representative to the*  
1158 *Senior Citizens Committee of the Town of Surfside Beach, do here by offer my personal*  
1159 *support to the Surfside Beach Senior Citizens [sic] and to the citizens whom it serves,*  
1160 *and I will work with Mr. Fontaine, his staff, and our Horry County representatives in this*  
1161 *effort to assist senior clients in any way that I can.*

1162  
1163 [I] also wanted to thank Patti and Ralph Magliette. Ralph is very active on the senior citizens  
1164 committee. They're also active in so many other ways in our town. I really appreciate their efforts and  
1165 they do make this world a better place by their being in it. Thank you."

1166  
1167 Ms. Kohlmann: "Ms. Thompson, I wasn't trying to say the dog park people or the dog park  
1168 patrons weren't paying. I wanted them to assist us with educating the community, because I do know that  
1169 the people that are there are doing, following the rules. I know that, and they're maintaining the park. So  
1170 that's a good thing. To the resident that believes that I vote for the parking committee obviously didn't  
1171 read the minutes or didn't pay much attention, because I voted against some of the things that they  
1172 proposed. So, I am my own woman. Always will be, and my door is always open, and I will tell you  
1173 whatever you want to know. Knock on my door. Some of you always knock on my door, and you don't  
1174 like what I have to say, but it will always be the truth."

1175  
1176 Mr. Stevens: "My brother's sitting back there, Yancy Stevens sitting right back there from Denton,  
1177 Texas, beside Mr. Tom Dodge. I know when he goes home to Denton, Texas, he's gonna say Surfside  
1178 Beach is gone to the dogs. *(Laughter)* But, anyway, on, on, on the dog park issue, I will say we all  
1179 remember a few, a couple of months back I asked for a good neighbor resolution, and Ron Ott said that  
1180 the dog park patrons are smart people. Dog owners are smart people, and I'll tell you, I don't know what  
1181 y'all've [sic] done, but I watch Marshall Dillon every day without anybody calling me complaining about  
1182 dogs. I haven't got one complaint since April 23<sup>rd</sup> when it was brought up, and I commend the people  
1183 who go to the dog park. Y'all are really, y'all are taking care of your own, and I commend you for that,  
1184 because I had absolutely no complaints. On other matters, the parking committee, I think they do a great  
1185 job. Maybe they're not perfect, but they certainly work hard, and they don't get paid one dime. It's the  
1186 same thing with the planning and zoning. They don't get paid one dime. The senior citizens, every  
1187 committee that serves in this town doesn't get any money. Y'all do it; you're volunteers, and Mrs. Lowery,  
1188 I know what it's like to be told and called and said things about. Believe me. People don't care. They'll,  
1189 they'll stab you in the back as quick as they can do it, and don't, won't blink an eye, and they'll look you  
1190 right in the face while they're doing it. So, I know how it is. But, anyway, I thank all y'all for coming out.  
1191 It's a great crowd. I've heard a lot of good public comments, and I'm glad we settled this dog issue. Let's  
1192 put it back on the back, back, back burner somewhere. I think the Mayor said that a few months ago, and  
1193 let's not bring it back ever. I got dog parks around my house; it's better than a parking lot, believe me.  
1194 Thank you."

1195  
1196 Mr. Smith: "No comments."  
1197

1198 Ms. Mabry: "Since Mr. Johnson wants to take the high road, I believe I will, too. Thank you for  
1199 coming out, and hope to see you at the next meeting. Thank you."  
1200

1201 Mayor Samples: "I want to remind everybody that our next regular meeting is July 23<sup>rd</sup>. That's  
1202 two weeks from tonight. I also want to remind members that there is a League of Cities meeting at  
1203 Briarcliffe Acres Thursday night. If you haven't responded, you're too late, okay. You're too late. But  
1204 they'll still take you, Ms. Dodge assures me. You just won't get dinner. But, anyway, you know, I am  
1205 serious about council focusing on important issues, important matters. Time is a resource. We shouldn't  
1206 waste it. We shouldn't waste it [sic.] These, well, I call 'em distractions; there's no question that there are  
1207 some unbudgeted items that are gonna be coming to us soon, I believe, the administrator has indicated to  
1208 me, so I want you to prepare yourselves to do your due diligence again. We'll see you next time."  
1209

1210 **11. EXECUTIVE SESSION**  
1211

1212 **A. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements (See**  
1213 **Business Item 8.E.)**  
1214

1215 **B. Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person to a public**  
1216 **body (See Business Item 8.F.)**  
1217

1218 Mr. Smith moved to enter executive session at 8:40 p.m. Ms. Mabry seconded. All voted in  
1219 favor. **MOTION CARRIED.**  
1220

1221 Mr. Stevens moved to reconvene regular session at 9:38 p.m. Ms. Dodge seconded. All voted in  
1222 favor. **MOTION CARRIED.**  
1223

1224 Mayor Samples said that no action was taken during executive session.  
1225

1226 Mr. Stevens moved to appoint Anita Crone, Ashleigh Justice, Michelle Hargrove, and Gene  
1227 Maruca to the new recreation/special events committee, and further to defer establishing the committee  
1228 until five members were appointed. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**  
1229

1230 Mr. Stevens moved to appoint Melodye Lane-Laveglia and Sandra Elliott to the stormwater  
1231 committee. Ms. Herrmann said that Ms. Lane-Laveglia's term had expired and she did not wish to be  
1232 reappointed, but would continue to serve until a replacement was appointed. Ms. Ross had moved  
1233 outside of town. Mr. Stevens withdrew the motion.

1234  
1235 Mr. Stevens moved that Sandra Elliott be appointed to the stormwater committee. Ms. Dodge  
1236 seconded. All voted in favor. **MOTION CARRIED.**

1237  
1238 **12. ADJOURNMENT.**

1239  
1240 Mr. Stevens moved to adjourn the meeting at 9:40 p.m. Mr. Johnson seconded. All voted in  
1241 favor. **MOTION CARRIED.**

1242  
1243 Prepared and submitted by

1244 Debra E. Herrmann  
1245 Debra E. Herrmann, CMC, Town Clerk

1246  
1247  
1248 Approved: July 25, 2013

1249  
1250 Douglas F. Samples  
1251 Douglas F. Samples, Mayor

1252  
1253 Mary Beth Mabry  
1254 Mary Beth Mabry, Mayor Pro Tempore

1255 Ann Dodge  
1256 Ann Dodge, Town Council

1257  
1258 Mark L. Johnson  
1259 Mark L. Johnson, Town Council

1260 Elizabeth A. Kohlmann  
1261 Elizabeth A. Kohlmann, Town Council

1262 Roderick E. Smith  
1263 Roderick E. Smith, Town Council

1264 Randle M. Stevens  
1265 Randle M. Stevens, Town Council

1266  
1267 *Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are*  
1268 *detailed minutes documenting each member's comments. Appointments to hear audio tapes may be*  
1269 *scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed*  
1270 *to local media and interested parties. The agenda was posted on the town website, the entry door at*  
*Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the*  
*Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as*  
*possible. When (\*\*) is used a section of the tape is inaudible.*