



TOWN OF SURFSIDE BEACH
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PUBLIC NOTICE: Town Council Workshop, Tuesday, August 13, 2013 at 5:30 p.m. to Discuss Horry Georgetown Technical College Signage Recommendations.

SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING AGENDA COUNCIL CHAMBERS TUESDAY, JULY 23, 2013 ♦ 6:30 P.M.

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Pastor Kay Standaland, South Strand Assembly of God
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting – July 9, 2013
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **COMMUNICATIONS**
 - A. Department Reports
 - i. Finance
 - ii. Recreation
 - iii. Public Works
 - B. Administrator's Report
 - i. Update on Current Events
 - ii. Procedures for committees/committee members to solicit donations to fund specific Town Council approved projects not funded in the budget
7. **BUSINESS**
 - A. First Readings of Ordinances
 - i. 13-0754 to amend §2-20(b) Travel Per Diem, Mayor Pro Tempore Mabry and Councilmember Stevens
 - ii. 13-0755 to amend §2-23 Registration of dogs, to exempt service dogs from registration fees, Administrator Fellner
 - iii. 13-0756 to add Chapter 12, Article 5, Stormwater Retention Ponds allowable boats on town stormwater retention ponds, Administrator Fellner
 - iv. 13-0757 to amend §13-52(d)(8) *Marine Construction*, to eliminate docks, Administrator Fellner
 - B. 6th Avenue South Pond, Director Adair
 - C. 50th Anniversary Plans & Events and Town Magazine, Administrator Fellner



7. BUSINESS, continued

- D. Recommendation from Keep Surfside Beach Beautiful Committee, Administrator Fellner
- E. Committee Appointments (may be deferred until after executive session)
 - i. Recreation/Special Events (1 vacancy): Linda Woodlief; Cindy Grace, and Erin Adams
 - ii. Construction Board of Adjustments & Appeals (1 vacancy): David Morrison

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

Stormwater Millage and the Disposition and past, present and future expenditures of stormwater funds, Councilmember Stevens

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

10. COUNCIL COMMENTS

11. EXECUTIVE SESSION - Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person or persons to a public body (See Item 7.E. above.)

12. ADJOURNMENT



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
JULY 23, 2013 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Kay Standaland from the South Strand Assembly of God gave the invocation. Mayor Samples lead the Pledge.

3. AGENDA APPROVAL.

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

4. MINUTES APPROVAL.

Ms. Dodge moved to approve the minutes of the July 9, 2013 meeting as submitted. Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**

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

"Betty Lowery, 619 4th Avenue North. I'm gonna be quick, because I've got two antsy little girls that want to go home, and they just got here. I'm concerned about the idea of watercraft on the retention ponds. At the last council meeting we heard about FEMA refusing to pay for any damage that was the result of anything that we put on the lakes. Somebody's kayak; somebody's canoe; somebody's pedal boat, it won't make any difference. If it messes up the weirs; we have flooding, FEMA has already said they will not pay. Secondly, putting any kind of water craft on those retention ponds again creates the illusion this is a recreational area, and it is not. It is not. It is a glorified drainage ditch, and it doesn't matter what we call 'em; what name we give 'em, that's what they are. I keep thinking about the dirty diaper I found in the Piggly Wiggly parking lot next to my car knowing that the water that runs across that parking lot and through that diaper and into the road and everything else winds up in that pond. We don't need to have anything in that pond that's going to encourage anyone to contact the water, and I realize there are some people who have been doing it for a long time and they're going to say well, I've been doing it since I was a kid. Well, Surfside now is not Surfside when they were a kid. (**) It has changed. It is developed. We have a lot going in Surfside now we didn't have all that time ago. Thirdly, the idea of a 20-foot minimum, that's three times my height. We (**) for a two person water craft you don't need 20 feet, and I realize that's a maximum, but it's just not necessary. I, I think Surfside will be opening a can of worms; if we put any kind of water craft whatsoever in that lake. I would like to see you amend that motion [sic] to say water craft of any kind is prohibited with the exception of what is needed by the town to maintain the lakes. Thank you."

"Good evening. Ron Ott, 7th Avenue North. I read the, on the Internet, about the recommendation we could put on 20-foot sailboats. That ain't gonna make it. You know they have a keel and the keel has to be a certain size or actually weight to the mast head, and I don't see the avenues that you can actually steer safely a sail boat. Once that keel gets caught, you, you, you lose that lever

57 movement. The boat's gonna turn into the wind and it's gonna flop in the water. I don't know if John
58 Adair's ready to start pulling these sailboats out of the water. I don't have any trouble with the canoes
59 and paddle boats and stuff like that, but I think you're, you're gonna have a problem with the sailboats.
60 They just, can I say it, they're, it's really redneck, you know, 20 foot sailboats in Lake Elizabeth don't, they
61 just don't make it. The 6th Avenue South pond, we look at what it would (**). I guess we have some kind
62 of, and that's the amount of what's it's gonna cost to connect all these pipes and fill it in. The connecting
63 of what, three pipes coming in, and two pipes going out making this connection versus what it would cost
64 if we put another little pump in there and, because it did look really nice for a long time a couple of years
65 [sic.] The pump went down and so did the lake. The lake's not, it's not a lake, it's just a little retention
66 pond. That's all it is. (**) It was a nice little water treat there for the people. Did we ask the people in the
67 area how they felt. Maybe some want it and maybe some of them don't. The stormwater millage, we're
68 gonna discuss that. I hope we find that missing \$1 million. Where is stormwater? Yeah, I'd like to see
69 that, if anybody wants to know about that, it's in the minutes. Thank you very much."
70

71 "Alan Beck, (**) 10th Avenue North. I sent you all an email with my concerns on this proposed
72 motion and the special meeting, and I urge that you reconsider those, because I believe they were based
73 on faulty data. I read in the newspaper about how polluted our ponds were. I've heard people talk about
74 that tonight. I'm one of the Surfside water testers. The rate for the last three years on Dogwood Lake, I
75 don't know about other ponds may be polluted and have a problem; we have a clean lake. Dogwood
76 Lake's data from the data base, which I drew out for the last three years, says the median e-coli has been
77 33.0. We test every two weeks. The limit for full body immersion, I'm quoting the EPA max, is 575.
78 Thirty-three pollution compared to 575 EPA maximum limit for being in over your head totally is just way
79 off the chart! (*Speaker's emphasis*) If you look at nitrates, nitrites, or ammonia, the other three things we
80 test for the last three years, (**) June, (**) July, three years back, zero! Every two weeks zero! We
81 haven't had it in Dogwood Lake. Those lakes five or six years ago had ponds [sic], problems, but they're
82 clearing up. I think you got the wrong data from citizens that just come up and assume that things are,
83 are dirty in the lake, because they saw a dirty diaper across the street, and you need to understand the
84 data that comes from actual sampling in our lake shows it's clean. I went sailing this afternoon all the way
85 around the lake; enjoyed it tremendously. I do [sic] my little boat. I know where the sandbars are. I get
86 through fine. If I ground out in the middle of the lake, I know it's less than knee deep. You can stand (**)
87 and the water would be down there (*indicating his knee area*); a long way from total body immersion and
88 perfectly safe for most everywhere in Dogwood Lake. You can stand up fine. You need to reconsider
89 both the emergency meeting resolution and this proposed implementation tonight, because it was based
90 on erroneous data. It was based on fear. People were worried about a lot of boats careening around.
91 Well, you've outlawed jet skis, as they said, or something (**) motor boats. But, it's not gonna happen.
92 Nobody's gonna put a big sailboat with a keel in there. My sailboat is 7 foot plus, now, and my board
93 goes down about 5 or 6 inches. So, you know, it works fine for me and my grandson. You may want to
94 put three people in a canoe. I haven't put my grandson in yet, because my canoe's tippy, and my little
95 sailboat is perfectly stable. It's 4 feet wide, 7 feet long, and it's very stable, and works fine. The water is
96 clean. What's the problem? The problem, I think, is that a lot of the people that's tried to convince you
97 not to do this don't want one of their neighbors to have a dock or a boat and they want to be sure that we
98 penalize them enough that they'd get rid of them and be afraid of 'em. This thing about the boat in the
99 water overnight being 30 days in jail, when I went around today I saw three of four boats that were in the
100 water in our neighbor's yard tied up to their docks or whatever. I've been gone three weeks. I came back
101 to town and I found this out on line that rounded bottom boats weren't gonna be conformed anymore,
102 sailboats weren't gonna be allowed (*time ended*) and it was 30 days in jail. So I would have 400 days in
103 jail as of today. In fact, if Tom O'Dare had borrowed my boat, left it tied up in front of the lake... Mayor
104 Samples interrupted saying thank you. Mr. Beck: "My time is up." Mayor Samples said yes, sir. Mr.
105 Beck: "Thank you."
106

107 "Lonnie Hopkins, 712 Cedar Drive North. Mr. Mayor and Council, got a couple of things. Number
108 one, bring back a little incident that happened a few years ago. There's no if, and, or buts about it;
109 happened cause I saw it, and my wife saw it; talking about canoes. There is a canoe that came from the
110 upper end of the lake, one windy cold day, in the winter time. And in that canoe was two small boys.
111 Looked like they were nine, ten years old, no life vest on, no nothing. We wondered how; what in the
112 world they were doing in that boat. No grownups around or anything. So we stayed and watched out my

113 kitchen window. Well all at once, the wind was so high they decided to try and get this canoe turned
114 around; only had one ore. They tried to turn it around. They couldn't do it. First thing, he lost the ore,
115 start floating down cause the winds blowing it toward the water weir. The little boy jumps out of the boat,
116 goes down swimming like heck. He gets the ore. He came back and he tried to get in the, the, the
117 canoe. He turned the canoe over and there they were. After trying to hold on and everything, very, very
118 cold. So I ran out, and Anita called the rescue squad here in Surfside to get them down so we could get
119 them out. I had a crawdad boat in my back yard. I ran out to get that, well, realized my ores were in the
120 garage. So I looked up the lake about 200 yards and there was a small fishing boat up there. And so I
121 called him and waved at him, boys in trouble and everything. So he came down about that time the
122 Surfside Rescue got there. And those two boys got out, but they could of drowned. That canoe when it
123 turned over, you know it can happen. So, we have no controls on how we control who's in those, in those
124 boats and everything. So that's one of my points. The other point I want to remind you again, that we
125 have the data from the county. We got it this week, about what was stated here today and it was 70:30
126 contract. The 70:30 contract that you have is for capital expenditures on these lakes. The other portion is
127 100-percent that you have, the town has to take care of anything that happens on those lakes. So it's not
128 a 70:30, it's 130. And I've got documentation at my house that states that from the county. And I'm sure
129 you've got it too, and everything; so, just a couple of small points there and everything. And the other
130 thing, that small island on Lake Elizabeth, there's youngsters that come in there. Look like they are
131 fifteen, sixteen years old and they go in there and they camp out. They got their small little boats and
132 they go in there and they're in there sometimes four or five hours. They shouldn't be in there. You can't
133 see them or nothing, you know. So, there should be a sign stating they aren't allowed to loaf and park on
134 this small island. Thank you very much."
135

136 "Judy Allen, and I live at 616 10th Avenue North on the lake. I don't understand quite what this
137 gentleman was talking about. We see 'em out there on that lake every day, and most of the kids, they
138 have on life preservers. If, if something is wrong with that then put up [signs] saying life preservers are
139 required on the lake. Don't stop the kids from playing. Don't stop the fishermen from fishing. You know,
140 a little electric motor's not gonna hurt that lake. I just don't quite understand where all this is coming from.
141 That's all I have to say."
142

143 **6. COMMUNICATIONS.**

144 **A. Department Reports.**

145 **i. Finance**

146
147
148
149 Ms. King presented the written report, a copy of which is on file. Ms. King explained that the final
150 June 2013 financial results could not be compiled, because revenue collected in July was actually for the
151 month of June. Year-to-date, the general fund brought in \$5,593,463, which was \$228,000 less than
152 budgeted. Franchise fees from Santee Cooper and Time Warner had not yet been received. Revenue
153 from business licenses renewed during July would also be credited to June. It was possible that the
154 revenue projection for the year would be met. Expenditures totaled \$5.5 million on a budget of \$5.9
155 million. At this time, the general fund was \$88,000 to the good, but there were still revenue and
156 expenditures to be booked. Also, capital item expenditures and money for the road had to be booked.
157 The accommodations fund had a net of \$10,000 for the year. Local accommodations taxes were all
158 transferred to the general fund. Hospitality had a loss of \$566,000. The pier brought in \$663,000 year-to-
159 date; expenses were \$82,000, plus the loan payment. So, the pier was not flush with cash, even though
160 it appeared that way on paper. The sanitation fund had done well bringing in \$1.175 million so far this
161 year; expenditures were \$1 million, so it has a net of \$160,000. Sanitation equipment and the pier fund
162 needed to have depreciation booked to get the year-end totals. The Lanier Parking status showed year-
163 to-date revenue receipts of \$93,600 with expenses of \$57,655. Ms. King had estimated that this month
164 that Lanier would have expenses of \$14,000; it was actually \$13,900. Year-to-date the town netted
165 \$35,962 from parking meters. Lanier's budget in the proposal indicated that the town would make about
166 \$36,000, so the receipts were about \$6,000 under Lanier's projection.
167

168 Ms. Dodge asked Ms. King how much had been paid to Lanier. Ms. King said approximately
169 \$57,655; the town also bought equipment, which was not included in that total.
170

171 Mayor Samples asked whether that amount included Lanier's fee. Ms. King said yes. Mayor
172 Samples asked if the fee was being paid monthly. Ms. King said yes. The only number not included was
173 the merchant fees that were not yet booked.
174

175 Ms. Kohlmann referred to the general fund operating expenditures and asked for explanations for
176 the following variances:
177

	June 2013	June 2012	Increase
178 Fire Department	\$13,110	\$ 6,170	\$ 6,940
181 Grounds	\$12,212	\$ 5,836	\$ 6,376
183 Public Works	\$34,727	\$18,919	\$15,808
185 Hospitality/Grounds	\$ 9,425	\$ 2,811	\$ 6,614

187 Ms. King believed the fire department increase was for uniforms, but was not certain. She would
188 check all the departments and advise Town Council.
189
190

191 **ii. Recreation**
192

193 Ms. Fellner presented the written report, a copy of which is on file, because Ms. Ellis was absent
194 due to illness. The July 4th celebration was held in the pier parking lot. Entertainment was provided by
195 Steve Fairchild and the show was fantastic. The fireworks display lasted 25 minutes and was the best so
196 far. Attendance was believed to be the largest ever. The police, fire, and public works departments
197 assisted with the event. The Kid's Fair was held Monday, July 15th at Fuller Park from 4:00 p.m. until 7:00
198 p.m. There were 16 kid-friendly vendors participating. Entertainment was provided Dee Jay Benton.
199 New York Life attended and provided free IDs for the children, which included a photo and fingerprint kits.
200 The event was a great success and attended by more people than ever before. The Youth Association
201 finished its youth athletic programs for the year and was preparing a final report that would include a
202 financial report, successes, and problems. Upcoming events included the Beach Luau; Guy Daniels
203 Memorial Surf-off, August 17th and 18th; Movies After Dark, August 25th at 9:00 p.m. in Martin Park. The
204 featured movie is Parental Guidance; Sunday Serenades continue, and has an ever expanding audience;
205 and Farmers Market every Tuesday, which continues to be a huge success.
206

207 Ms. Dodge said the Sunday Serenades were excellent. There were some very good artists
208 performing. She enjoyed it very much and it was a good, relaxing way to spend a Sunday afternoon.
209

210 Mr. Johnson asked when the Beach Luau was scheduled. Ms. Fellner said August 12th beginning
211 at 6:00 p.m. at the pier. A flyer was created today that would be published on the website.
212

213 Ms. Kohlmann asked if the insurance certificate was received for the Guy Daniels Surf-off. Ms.
214 Fellner said no, but a reminder was in the executive assistant's and her outlook files. If the certificate was
215 not presented, the event would be cancelled. Mr. Daniels knows a certificate is required as both she and
216 Ms. Messall had spoken with him about it.
217

218 Mr. Johnson publicly thanked everyone involved with the July 4th celebration. The traffic flow was
219 phenomenal this year, as opposed to years past. There were no major explosions on the pier; it was all
220 good.
221
222
223

224 **iii. Public Works.**

225
226 Mr. Adair presented the written report, a copy of which is on file. Sanitation residential service
227 delivered four carts to new residences; seven carts were delivered upon owner request, and 22 carts
228 were delivered to handle overflow. Commercial service had four accounts that increased service days;
229 15 accounts required extra pick-ups due to overflow. Schedules were explained to four new business
230 accounts: Marketing Provisions, Car Rental Associates, Insurance Co. Records, and Lazer's Pizza.
231 Surfside Pizza was notified that its dumpster needed to be replaced, because it was leaking. The
232 supervisor confirmed that a new dumpster was on site. Twelve recycling carts were delivered to residents
233 upon their requests. There were 3.18 tons of recycling materials collected off the beach during May and
234 June. During June, 506 tons of solid waste were collected; 44 tons of mixed debris; 123 tons of yard
235 debris, and almost 45 tons of recyclables, which was consistent with last year's totals. Crews continued
236 to rake the beach, and dig out the swashes almost daily to insure proper water flow. Beach cans were
237 serviced three times during the week and also on weekends. This week they were serviced four times,
238 because of overflow. Between March and June crews removed 48 bags of litter weighing about 720
239 pounds from Highway 17 under the Adopt-a-Highway program. Crews continued to trim trees and
240 remove overhanging branches from throughout the town, which accommodates equipment and trucks,
241 especially the fire trucks that travel through town. Trimming and maintenance continued on town rights-
242 of-way. Mosquito spraying was performed town-wide Tuesday and Friday mornings, weather permitting.
243 Five new reports were sent to Santee Cooper identifying street lights not functioning properly. Repairs
244 were made to the fountain at the 9th Avenue South pond. Replacement light bulbs were ordered for the
245 Dogwood Lake fountain. Maintenance and irrigation repairs were made at the Veterans Memorial.
246 Crews continue to spray town lakes as weather permitted. Lakeside residents were notified by flyers the
247 day before treatment. Mechanics completed 71 repairs on town vehicles and equipment, and 37
248 preventive maintenance checks and services were done. A new tile floor and toilette were installed at the
249 police department. Several vandalism repairs were made to the pier and 5th Avenue South bathrooms.
250 Stenciled FDC (Fire Department Connection) notifications were painted at five different locations on
251 Ocean Boulevard at the request of the fire department. A volleyball court was installed on the beach at
252 1st Avenue South. Carpet installation at town hall was completed. As reported at the last meeting, a flag
253 pole was installed at Martin Field prior to July 4th. Several repairs were made to the pier lighting and sinks
254 due to minor vandalism.
255

256 Ms. Kohlmann asked if Mr. Adair knew specifics about the vandalism in his report. The pier was
257 locked at night, and she asked if the events occurred during the day. Mr. Adair said the incidents were
258 occurring at night. People hop over the fence to gain access. It was minor damage; a light bulb broken,
259 a drain from the sink was kicked out. The sink repair involved replacing a PVC (polyvinyl chloride) pipe,
260 which was a \$3 repair, but it was necessary. Graffiti was always reported to the police department, but
261 minor things like those incidents were just repaired. Ms. Kohlmann asked in Mr. Adair's opinion whether
262 there were many incidents at the pier. Mr. Adair said no, there were very few. Throughout the summer
263 there would be several graffiti incidents at the beach or incidences of someone trying to start a fire.
264 Sometimes people break light bulbs on the beach walkovers, because they want it to be dark. The
265 incidents are frequent, but usually are just small things.
266

267 Ms. Kohlmann said the town recycling program was great, and asked if the business committee
268 could reach out to the business community to encourage them to participate. Most of the town's
269 businesses have a lot of refuse that could be recycled, especially bars and restaurants. She was
270 surprised to find many businesses did not recycle. She thought it would behoove the town to encourage
271 the business community to participate in recycling, because the town received an incentive for recycling.
272 The homeowners and even some beach goers participated in recycling. Only a few of the condominiums
273 had recycling bins. Mr. Adair said recycling was offered to every business and they were encouraged to
274 participate. He personally visited many bars, restaurants, and businesses that created a lot of paper
275 waste to ask if they would like to participate. Flyers were given also distributed, but he would appreciate
276 a partnership with the business committee. He thought that was a great idea, because it might help
277 increase participation. About 400 magnets were given to rental companies to be placed in the rental units
278 to encourage recycling. Mr. Adair said recycling was mandatory at his previous home. He knew that at
279 least 30- to 40-percent of waste could be recycled without much effort at all. He thought the business

280 committee might be a good resource, because the sanitation supervisor and he were really the only ones
281 that went door-to-door to explain the program. If the business was not interested, there was nothing they
282 could do but walk away. Ms. Kohlmann said she would hate to see another ordinance mandating
283 something that people should use common sense about. She asked what should be done.
284

285 Mayor Samples suggested that Mr. Adair make a presentation at the next business committee
286 meeting.

287
288 Mr. Stevens, who was the council advisor to the business committee, said he liked Ms.
289 Kohlmann's idea and he would personally visit each business committee member to speak with them.
290

291 Ms. Kohlmann thought it would be better to do a presentation to the committee as a whole,
292 instead of individually meeting with members.
293

294 Mr. Stevens said Mr. Adair could attend and make a presentation, but he would also speak with
295 them.
296

297 Ms. Dodge asked Mr. Adair whether the town picked up televisions and electronics. Mr. Adair
298 said those items were banned from the landfill. The house-to-house trash truck would not pick them up.
299 Drop-offs were scheduled twice a year so residents could bring televisions and electronics to be disposed
300 of properly. However, if a television was sitting in front of a house for a number of weeks, staff would pick
301 it up and store it at public works until the next drop-off event, because it would be vandalized on the side
302 of the road. Ms. Dodge said thank you, and that explained it. She thought that was the case, but was
303 unsure.
304

305 Mayor Samples said the General Assembly or the Feds had determined that e-waste, electronic
306 waste, was not to be placed in the regular landfills and had to be specially treated, which cost more
307 money to dispose. He was glad that Mr. Adair had taken the initiative to insure the town looked good.
308 Mayor Samples asked who reported and/or cleaned graffiti, for instance on the utility boxes. Mr. Adair
309 said any graffiti reported to the department or that staff saw on public property was removed or the
310 appropriate company contacted when the graffiti was on private property. Mayor Samples asked Mr.
311 Adair to check 5th Avenue.
312

313 Mr. Adair also said a grant of up to \$4,000 was just approved through DHEC (Department of
314 Health and Environmental Control) that offsets the cost of e-waste disposal. Because the town is small,
315 just about all of the expense to dispose of e-waste for the coming year should be covered.
316

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

318 **i. Update on Current Events.**

319
320
321 Ms. Fellner announced that there would be a hurricane preparedness meeting that was open to
322 the public on Thursday, August 1st, at 7:30 p.m. at the Surfside Beach Fire Department. She announced
323 that building official Kevin Otte passed the certified stormwater plan review exam. Since Director Morris
324 was a certified stormwater inspector that meant that the planning, building and zoning department could
325 now review and inspect stormwater plans and projects in-house. The budget included a line item of about
326 \$25,000 to outsource those functions, so that would be a nice savings for the town. A presentation was
327 made to the South Carolina Department of Transportation board of commissioners last week who agreed
328 unanimously to return the unused portion of the money paid to match the Highway 17 paving. An audit
329 was currently being done for the used portion. The best date estimate to receive the refund was 60-plus
330 days. However, she asked Commissioner Wooten to speak with the planning department, since it was
331 such a relatively low amount, about \$20,000, to see if that could be done more quickly.
332

333 Ms. Dodge asked if Mr. Otte was attending fire marshals school. Ms. Fellner said yes; he was a
334 volunteer fireman with the town, and the building official and the fire marshal work closely together
335 performing inspections, because they have different responsibilities in regards to those inspections.

336
337 **ii. Consensus Item-Procedures for committees/committee members to solicit donations to**
338 **fund specific Town Council approved projects not funded in the budget.**
339

340 Ms. Fellner presented proposed procedures for committees and/or committee members to solicit
341 donations to fund specific Town Council approved projects that were not funded in the budget, a copy of
342 which is in file. She explained that because council had formed a number of committees, the question of
343 solicitation kept coming up and there were certain things that should not be done. That was why a
344 procedure was important. The Town Code of Ordinances, specifically Sections 4-2; 4-25; 4-26; 4-27; 4-
345 28, and 4-29 cite what may or may not be done insofar as solicitation. She suggested that either a
346 resolution or ordinance be adopted by Town Council to establish the guidelines, and that each committee
347 member receive a copy of the guidelines when adopted and the code. Ms. Fellner outlined her
348 recommendation as follows:
349

350 i. Procedures for committees/committee members to solicit donations to fund specific Town Council
351 approved projects not funded in the budget.

352 a. I would suggest that our ordinance be followed and below is a copy of the all the statutes
353 that would apply.

354 b. I would suggest that all committees and groups be given a copy of these statutes.

355 c. The proper procedure would be to present the solicitation plans to the Administrator.

356 i. The Administrator will have authority to agree or disagree when non-profit
357 501(C)(3) organizations or other charitable groups making the request when it
358 will not interfere with the smooth operation of the town (e.g., Girl Scout cookie
359 booth, high school car wash, etc.).

360 ii. The Administrator will bring before council all requests for solicitations that will be
361 made in the town's name or for the benefit of the town. In such cases all monies
362 shall follow the towns prescribed order for donations, gifts, and the general
363 handling of town funds. Donations are tax deductible only when the entity
364 soliciting those funds is a 501(C)(3). It shall be communicated to all donors, prior
365 to the acceptance of a donation whether or not the donation is tax deductible.
366 Handling of all funds shall be as follows:

367 1. A numbered receipt book will be provided by the town and all donations
368 shall be receipted with a copy to both the donor and the town.

369 2. A check shall be the preferable method of payment.

370 3. All funds shall be turned into the Finance Department by the next
371 business day.

372 4. Finance shall keep an accounting of these funds.

373 5. Expenditures, preapproved by council, must be accompanied by
374 receipt(s) and/or invoice(s) and shall be presented to the administrator
375 who will request that a check be processed within the appropriate
376 timeframe.

377 Ms. Fellner asked for council comments and direction as to whether to bring it back in the form of
378 an ordinance or resolution.
379

380 Mr. Smith asked if any of the current codes authorized the administrator to develop a procedure
381 like this, because he thought the ordinance should state that the administrator could develop a procedure
382 to legally authorize the administrator to establish it, and then the resolution would be authorized pursuant
383 to the ordinance. Ms. Fellner said okay.
384

385 Mayor Samples said for background that as the town entered its 50th Anniversary year, they
386 wanted to be able to legitimately raise funds from private donors. Various committees had also discussed
387 soliciting funds for special events. He said the goal was to make sure that the proper accounting was in
388 place for any solicited funds.
389

390 Mayor Samples asked if all members agreed with Mr. Smith's proposal. **COUNCIL**
391 **CONCURRED.**

392
393 **7. BUSINESS.**

394
395 **A. First Readings of Ordinances**

396
397 **i. 13-0754 to amend §2-20(b) Travel Per Diem, Mayor Pro Tempore Mabry and**
398 **Councilmember Stevens.**
399

400 Mr. Johnson moved to adopt first reading and to amend Ordinance #13-0754 to use the language
401 presented in the first reading and changing the paragraph in Section 2-20(b) that begins "Travel days per
402 diem" to add "Councilmembers shall not be required to return unspent travel days per diem, but may do
403 so at their discretion," and the next sentence that currently reads "The Town shall follow Federal IRS
404 regulations..." should be amended to state "The Town shall follow Federal and State regulations on when
405 unspent travel days per diem is taxable income." Ms. Mabry seconded.
406

407 Ms. Kohlmann asked if a motion to suspend rules for discussion was in order.

408
409 Mr. Smith moved to suspend the rules to allow discussion. [No second was offered.]
410

411 Mayor Samples said a motion was on the floor; the motion would need to be withdrawn to
412 entertain a motion to suspend rules. Town Council was in discussion for the primary motion; it was not
413 necessary to suspend the rules.
414

415 Ms. Kohlmann was not opposed to either method of handling the per diem, but she did like the
416 wording in the original ordinance and would rather see Ms. Mabry's proposed one line "Receipts for per
417 diem expenditures and all unused per diem money shall be turned in to the town clerk within 30-days of
418 the last travel date." She explained that if \$80 was received and only \$50 was spent, the remaining \$30
419 would be returned along with the receipts. Ms. Kohlmann explained that she said that because she
420 noticed in the original ordinance that there was language that pertained to accidents while traveling, and
421 some other verbiage that she believed was important to keep.
422

423 Mr. Smith said the ordinance presented deletes paragraph (b) and its subsequent paragraphs
424 and had a new set of verbiage for paragraph (b). The changes that Mr. Johnson proposed referred to the
425 original ordinance. Mr. Smith said there was a lot of confusion; was the discussion about the proposed
426 language or the existing ordinance, which according to the draft had been scratched out.
427

428 Mr. Johnson apologized and said his intention was to amend the existing ordinance.
429

430 Mayor Samples said the existing ordinance was presented to council with the exception of the red
431 printed statements.
432

433 Mr. Smith said that was before them.
434

435 Mayor Samples understood what Mr. Smith was saying, but also understood Mr. Johnson's
436 intent.
437

438 Ms. Kohlmann commented that the existing ordinance had a paragraph that she favored striking
439 and replacing with the one sentence she mentioned.
440

441 Mayor Samples believed that based on the comments, it was unlikely that Mr. Johnson's motion
442 would pass.

443
444 Mr. Smith said it had a good chance of passing, if it was stated properly.

445
446 Mr. Johnson said for clarification...

447
448 Mr. Smith continued saying that Mr. Johnson should say that everything that was struck out and
449 was presented needed to be reinstated, and then the new verbiage stricken.

450
451 Mayor Samples called for recess at 7:23 p.m. and reconvened the meet at 7:26 p.m.

452
453 Mr. Johnson withdrew his motion. Ms. Mabry withdrew the second.

454
455 Mayor Samples said if there were no objections, the item would be deferred to the next meeting.
456 **THERE WERE NO OBJECTIONS.**

457
458 **ii. 13-0755 to amend §2-23 Registration of dogs to exempt service dogs from registration**
459 **fees, Administrator Fellner.**

460
461 Ms. Fellner presented the ordinance explaining that at the July 9, 2013 regular Town Council
462 meeting, Town Council unanimously approved an amendment to the Town Code of Ordinances to
463 exempt service dogs from registration from fees. Therefore, the proposed ordinance was drafted and is
464 presented for Town Council's consideration to implement the exemption.

465
466 Mr. Stevens moved to adopt first reading of Ordinance #13-0755. Mr. Johnson seconded.

467
468 Mr. Smith believed that the ordinance was clear, but wanted to make sure that service dogs had
469 to be registered, but were just exempt from paying the fee. Ms. Fellner said yes.

470
471 All voted in favor. **MOTION CARRIED.**

472
473 **iii. 13-0756 to add Chapter 12, Article 5, Stormwater Retention Ponds, allowable boats on**
474 **town stormwater retention ponds, Administrator Fellner.**

475
476 Ms. Fellner presented the consideration paper saying Town Council adopted Resolution #13-138
477 at the July 12th special Town Council meeting, to allow small paddle boats on the town stormwater
478 retention ponds, commonly referred to as "town lakes." The Resolution directed staff to present an
479 ordinance to codify the terms set out therein. Therefore, staff submitted Ordinance #13-0756 for Town
480 Council's consideration and approval. The town stormwater committee met on Tuesday, July 16th, and
481 formally concurred to support Resolution 13-138. The stormwater committee also supported the
482 proposed ordinance, but with one change. The stormwater committee believed that sailboats should
483 specifically be named as allowed on the stormwater retention ponds, because a sailboat would be
484 considered in the phrase "any other type boat." The committee members knew residents who had been
485 sailing in the ponds for some time. The recommendation was to include sailboats as an allowable boat in
486 Section 12.102. The following recommendations for amendments to also allow flat bottomed fishing
487 boats commonly referred to as "Jon" boats that were propelled by paddles (no motors) that were
488 frequently used in shallow waters such as the town's stormwater retention ponds; limit watercraft length to
489 a maximum of 20-feet; limit all watercraft to two person capacity, which would change 4-person canoe to
490 2-person canoe in Section 12.102. Since the boat length was being limited, Ms. Fellner said the number
491 of people in a craft might not be necessary. Town Council might wish to consider that option, because
492 some small canoes would accommodate three passengers. The last recommendation was to have a
493 legal review by the town attorney before second reading. Ms. Fellner suggested a change to 12.104
494 Storage, to strike "and be stored on the owner's land" and to state "in no case shall remain in the
495 retention ponds during non-daylight hours." She explained that the town did not have authority to
496 stipulate where anyone stored private property.

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Mayor Samples said there were also several other amendments members had discussed. He encouraged Mr. Smith and Mr. Stevens and the administrator to work together to bring the ordinance back to Town Council for consideration. Mayor Samples said there was a Resolution in place, so there was no sense of urgency.

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

Mr. Smith said he would like to let the public know the direction that they were going. Changes included changing the 20 foot length to 16 feet; allowing sailboats; change the storage requirement as Ms. Fellner mention, and that boats would be allowed from sunrise to sunset. Mr. Smith did not want to specify how many people could be in the boats, but wanted to specify how big the boat could be, and that would be limited to 16 feet.

Mr. Stevens said since this was town owned property, he also wanted to make sure that non-motorized boats were allowed. He wanted to see a requirement that all persons using the lakes for boating be required to wear United States Coast Guard approved life jackets while on the stormwater retention ponds as required by state law and the United States Coast Guard. Mr. Stevens believed there should be a fine, if a passenger in the boat failed to wear one similar to a seat belt violation, because this was for safety of the people. He thought signage should be posted with regulations at any stormwater pond where boats were allowed. Mr. Stevens said safety was the most important thing, because the town had liability. He gave an example of a grandfather and young child where the child fell in the water and the grandfather tried to save him that resulted in both of them drowning. If the child had a life preserver, he would "pop up like a cork" and the grandfather could safely get him out of the water. He reminded everyone of the accident at Sandy Island when three people drowned, because they were not wearing life jackets. Mr. Stevens said his brother-in-law drowned on Mother's Day 1981, because he was not wearing a life jacket. He would not take any passenger without them wearing life jackets. It was imperative; important that the town require life jackets for their safety, if council allows boats in the water.

Ms. Kohlmann reiterated that she did not like adopting ordinances that would not be enforced, because she thought it was a waste of time and energy. She had a hard time swallowing the fines, because these penalties would be much like the fireworks penalties. She agreed with Mr. Beck, because she had kids that would probably leave a boat out, if she was out of town, and would come home to a \$15,000 penalty if she would gone 14 days, and the kids had not put the boat away. She asked if the penalty for jail time and fines could be reconsidered to possibly include a written warning the first time, and then fees would applied with the second offense or some other enforceable penalty. Ms. Fellner said the attorney would have to be consulted about that. Ms. Kohlmann said okay. Ms. Fellner said there might be some unintended consequences. Ms. Kohlmann said she just wanted to bring it up and she expected Ms. Fellner to defer to the attorney.

Mayor Samples said penalties were a function of the judicial system, and judges apply penalties.

Mr. Johnson pointed out that having a legal review by the town attorney was one of council's options, so any language crafted should definitely be reviewed by the attorney. At the same time, he also wanted to thank Mr. Beck. Mr. Johnson said he glanced at Mr. Beck's email message this afternoon, but did not have a chance to digest it. Mr. Beck had some good points, and he would like for council and staff to consider some of his opinions. Mr. Johnson said he would be glad to forward the email message to any member that had not yet received it. Personally, Mr. Johnson did not have a problem with minimal electric motors. Someone spoke about electric jet skis. They did not want electric jet skis, but a small electric motor was not a problem. Most people can walk or crawl faster than a small electric motor would propel the boat. He hoped that Town Council would use a little common sense in crafting the ordinance, because he did not want to revisit it multiple times to make amendments like seemed to happen so often.

Mayor Samples appreciated Mr. Johnson's comments and reiterated that a resolution was in place and part of the resolution stated that staff should prepare an ordinance for council's consideration.

553 He recognized that many councilmembers were out of town last week for the Municipal Association
554 Summer Meeting, and may not have had an opportunity to discuss the ordinance legally to develop a
555 consensus on the improvements that needed to be made. Mayor Samples said the stormwater retention
556 ponds looked much better than they did ten years ago, because public works and past councils invested
557 time and money in those retention ponds. The depths vary in both Lakes Elizabeth and Dogwood. He
558 knew that Mr. Beck made many positive comments, and as he noted, he knew where the sand shoals
559 were located. However, the problem was that there were children and people who drive up to the banks
560 to boat in the ponds that were not familiar with the ponds. The ponds were a thing of beauty, and he
561 thought it would be a mistake for the town to assume the great liability that went along with operating a
562 recreational, wide open pond. Everyone knew that people had fished in the ponds for years, and that was
563 great. The world has changed and the council needed to make certain that parameters were in place
564 Mayor Samples thought that was worth doing, and also noted that Mr. Beck's sailboat was about 8 feet by
565 4 feet.
566

567 Mr. Smith thought under penalties that the imprisonment portion should be removed in
568 consideration of Mr. Beck's comments, and maybe a \$100 fine should be considered. That was
569 reasonable and it would be easy to write a ticket and the policemen might be more likely to issue a ticket.
570 Those were the type things he would suggest as changes.
571

572 Mr. Smith moved to reconvene regular session. Ms. Kohlmann seconded. All voted in favor.
573 **MOTION CARRIED.**
574

575 Mayor Samples asked if any other clarification was needed. Ms. Fellner heard all the comments
576 and asked if Town Council wanted to pass first reading and then have changes presented. Mayor
577 Samples said no, he believed Town Council wanted to see a clean draft. Ms. Fellner said thank you.
578

579 **iv. 13-0757 to amend §13-52(d)(8) Marine Construction, to eliminate docks, Administrator**
580 **Fellner.**
581

582 Ms. Fellner said the subject was eliminating docks from the building permit fee schedule. An
583 Ordinance to amend Chapter 13, Article III Division 2 Section 13-52(d)(8) to eliminate docks from the
584 Building Permit Fee schedule. The reason was to remove the word "docks" from the building permit fee
585 schedule to eliminate any confusion in the future. Since docks were prohibited by the ordinance adopted
586 July 12, 2013, there was no reason to have them included in a fee schedule. Staff asks that Town
587 Council approve Ordinance 13-0757 as written.
588

589 Mayor Samples said the ordinance proposed to strike one word. Ms. Fellner said yes, and that
590 was the word "dock."
591

592 Mr. Johnson moved to suspend the rules to allow discussion. Ms. Kohlmann seconded. All voted
593 in favor. **MOTION CARRIED.**
594

595 Ms. Kohlmann believed there was a typographical error on the ordinance, because in the fourth
596 paragraph down it states Section 13-53 and it should be Section 13-52. Ms. Fellner said that would be
597 corrected.
598

599 Mr. Smith said existing docks were grandfathered, and asked if they could be repaired. Ms.
600 Fellner said they could not be repaired, because they were nonconforming. Mr. Smith said he would
601 probably vote against the ordinance, because he thought the existing docks should be allowed to be
602 repaired.
603

604 Mayor Samples asked if there was a 50-percent rule that applied to nonconforming uses with
605 respect to repairs. Ms. Fellner said she would have to check. Mayor Samples said there were
606 nonconforming properties all around town, and repairs were allowed on those. There was a point that
607 triggered the stop work. Ms. Fellner said she would check with the planning director.
608

609 Ms. Kohlmann moved to reconvene regular session. Mr. Smith seconded. All voted in favor.
610 **MOTION CARRIED.**

611
612 Mr. Johnson moved to approve first reading. Ms. Mabry seconded.

613
614 Ms. Kohlmann said the typographical error mentioned should be corrected to state 13-52.

615
616 Mr. Johnson asked Ms. Fellner to advise Town Council on the allowable repair percentage
617 amount for nonconforming uses. Ms. Fellner said that would be done by tomorrow.

618
619 Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson, and
620 Kohlmann voted in favor. Councilmembers Smith and Stevens voted against. **MOTION CARRIED.**

621
622 **B. 6th Avenue South Pond, Director Adair.**

623
624 Mr. Adair said the 6th Avenue South pond issue had been discussed several times over the last
625 year. A decision paper was prepared in October 2012; he was certain a consensus was given at some
626 point, but documentation could not be found. The decision paper was presented so that Town Council
627 could formalize the work completed so far and to ascertain whether Town Council wished to move
628 forward with filling in the pond. Earthworks was retained to prepare engineered site plan, grading and
629 drainage plan to submit to DHEC for a land disturbance permit, which was sent to DHEC a couple of
630 weeks ago. The US Army Corp of Engineers inspected the pond and issued a "non-jurisdictional"
631 determination, meaning that the pond was not waters of the United States, and the Corp had no problem
632 with the town filling it. Mr. Adair asked for consensus from Town Council to move forward with the fill
633 project. The plan was to have the plan engineered, but construction would be performed by staff.

634
635 Mayor Samples asked what the pros and cons were for proceeding with the project. He thought
636 that was the basic issue and asked why the town should fill the pond.

637
638 Mr. Adair said the 6th Avenue South pond was created roughly ten years ago. It was not of
639 sufficient depth or size to be maintainable in an aesthetically good condition. He thought the quality of life
640 for the residents had been negative impacted by the pond, because it was a breeding ground for
641 mosquitoes; aquatic weeds, and the pond created foul odors. The pond could not be managed properly
642 due to its size, it did not take in enough fresh water; it was too shallow. The motor was replaced several
643 times in the aerator, due to bottoming out and sucking up muck. During most of the year, water was up to
644 thigh level. There was full sunlight, which created good conditions for algae blooms. Mr. Adair said to his
645 knowledge there was no reason to prevent creating a more aesthetically pleasing area with benches or
646 possibly a couple of bench-type swings and shade trees.

647
648 Ms. Kohlmann asked what the total cost of the project would be, and if it was budgeted. She also
649 asked if residents in the area could be consulted to determine their opinions, because some of them had
650 spoken to her and they were opposed to sitting areas. She did not want the town to spend \$10,000 that
651 would cause headaches for people. Mr. Adair said at one time there was a gazebo at that location that
652 was a hang-out for teenagers. He would not propose the same thing, but some type green space should
653 be created for the town. Ms. Kohlmann said if the project was done, she felt very strongly that before
654 moving forward that she personally wanted to see the plans, and that they be shared with the area
655 residents. She asked if there a possibility that DHEC would deny approval of the town's request, and if
656 so, she believed that a decision should not be made now. Mr. Adair said it was extremely unlikely that
657 DHEC would refuse approval, but it was possible. The area was less than a half acre of land, and it was
658 within a block of another larger retention pond. He was not aware of any adverse impact that would be
659 made by filling the pond. Ms. Kohlmann said it was unfortunate that the paperwork was not done sooner.
660 She understood it was a nuisance, but she since the process was delayed somewhat that nothing else
661 should be done until everyone was fully aware of what was occurring and they should have all the
662 answers so she was sure the town was "right on the money" with the project. Mr. Adair said at this point
663 there was nothing else to be spent until the determination was received from DHEC. Ms. Kohlmann said
664 she believed Mr. Adair was asking for consensus to move ahead. Mr. Adair said just to formalize the

665 process that already was started was basically what he was asking. Ms. Kohlmann had no problem
666 formalizing the process, but she did have a problem with doing any kind of physical changes to the area
667 without seeing the whole plan.
668

669 Mayor Samples asked if Mr. Adair had any cost estimates. Mr. Adair said no. Mayor Samples
670 agreed with Ms. Kohlmann and thought council needed more information.
671

672 Mr. Stevens noticed in the public works report that repairs were made to the fountain at 9th
673 Avenue South pond. He mentioned that because he knew from past experience and people that talked to
674 him about that that was a problem at one time. It was a mosquito infested pond, and the people that lived
675 next to it complained, complained, and complained, and nothing was ever done. Finally, the people sold
676 their house and then it was all miraculously fixed. It got a pump in it and never has anyone had any
677 problem with it. Mr. Stevens had questions about the 6th Avenue South pond. He knew a pump was in
678 the pond, but there were two types of aeration. One was with a diffuser system that circulated water like
679 people used in aquariums that shoot air to the bottom of the pond to create water circulation. Mr. Stevens
680 said he looked at the pond and he noticed that the weir was pulled out and the water was like a foot and a
681 half lower than it should be. He talked to Steven Strickland and Mr. Strickland told him that there was
682 around \$10,000 just in materials that would have to be spent on this. Mr. Stevens asked if that had been
683 budgeted to perform the job for this fiscal year. Mr. Adair said no, it was not, and explained that he was
684 asked last fall to look into this. Mr. Stevens said this would be an extra expense over and above what
685 was budgeted of between \$10- or \$20-thousand to fix the pond, and reiterated that it would be an
686 unbudgeted expense.
687

688 Mayor Samples said that was correct. As a point of information to the council, Mayor Samples
689 said the 6th Avenue South pond was discussed a couple of times and one of the reasons it was on the
690 agenda at this meeting is there was confusion. He believed Mr. Adair alluded to it as to whether or not
691 there was a consensus or not. The very reason this discussion was being held was to insure that Town
692 Council was informed. Mayor Samples said that members may ask Mr. Adair questions, but it was
693 unnecessary to be accusatory in questioning him.
694

695 Mr. Stevens said nobody was being accusatory; they were asking questions and he thought that
696 was what they had to do as councilmembers. He asked Mr. Adair how many times the pond was cleaned
697 since it had been in existence. Mr. Adair asked if by cleaned he meant dredged; it had never been
698 dredged. The 9th Avenue South pond was dredged that was why it was in better shape. The 6th Avenue
699 South pond could not be dredged, because there was a high-pressure sewer line running underneath it.
700 Mr. Stevens asked if the pond received silt from other runoff. Mr. Adair said every pond received silt. Mr.
701 Stevens said about three weeks ago he noticed the county had a vacuum truck cleaning out the pond that
702 emptied into Lake Elizabeth. He asked if that had ever been done in town. Mr. Adair said the county was
703 cleaning a screen filter system located there that prevented debris from travelling into Lake Elizabeth. Mr.
704 Stevens asked if any engineering had been done on this since it came up. Mr. Adair said just the site
705 plan; grading and drainage plan, and the NOI (Notice of Intent) submittal. Mr. Stevens asked if anyone
706 like Dr. Libes at CCU (Coastal Carolina University) was contacted to determine how it would affect water
707 quality. Mr. Adair said no, and an aerator was the wrong equipment to have in the pond. A decorative
708 fountain would be more effective, because the pond already had an oxygen level saturation that created
709 all the algae. Mr. Stevens asked if the lower the water level, the more likely algae was to grow. Mr. Adair
710 said absolutely. Mr. Stevens asked why then was the weir taken out. Mr. Adair said that was not done
711 during his tenure; he did not know. He thought probably it was done because the water level over-topped
712 the two pipes at the south side of the pond. Mr. Stevens did not think he could vote to do anything on the
713 pond until he had a little bit more information, because he thought something was missing, but he was not
714 sure what it was. He said it seemed to him like they were spending unbudgeted money when they were
715 already \$159,000 in the hole according to the budget.
716

717 Ms. Mabry asked Mr. Adair for a rough estimate of how many times he had talked about this
718 pond, and when he would receive all the information from DHEC. She remembered him standing at the
719 podium many times discussing the pond. She asked if she was correct, or was this something new that

720 everybody was getting concerned about. Mr. Adair said this was the fourth or fifth time he had presented
721 this matter to Town Council. Ms. Mabry said okay; thank you.
722

723 Mr. Johnson said Mr. Adair was correct; the 9th Avenue pond was dredged and there was
724 extensive cleaning done in that area. At the time, the pond was expanded, because there was a drainage
725 ditch on one side of it between 9th Avenue South and the pond. That was why it looked so good. Mr.
726 Johnson suggested that a lot of money could be saved by using the dredged fill dirt that was sitting at
727 public works to fill in the pond. Mr. Adair said that was the plan. Mr. Johnson said thank you.
728

729 Ms. Kohlmann said in all fairness to Mr. Adair, he had stated many times that he was not here
730 when the pond was created; when the weirs were taken out, and she believed councilmembers should
731 ask questions, but maybe in this case, an email message with specific questions should be sent to Mr.
732 Adair. She reiterated her concern about seeing the plans and determining the money involved before a
733 vote was taken.
734

735 Mayor Samples agreed with Ms. Kohlmann and asked for a motion to reconvene regular session.
736

737 Mr. Johnson said rules had not been suspended.
738

739 Mayor Samples asked if Town Council wanted to send the matter back to Mr. Adair to bring back
740 when approval was received from DHEC. Then at that time, a plan and projected costs could be
741 presented for consideration, or would members prefer that no more time be spent on this matter.
742

743 Mr. Adair believed that not filling the pond would be a mistake as it could not be managed in its
744 current condition.
745

746 Mayor Samples said he and Mr. Adair had discussed the pond before, and he had also received
747 calls from area residents, because it was a mosquito generator. When Mayor Samples asked how the
748 pond could be improved to just make it look better Mr. Adair told him that the water gets so much oxygen
749 that the algae blooms when the conditions were right. Mr. Adair explained there was no way around it.
750 The pond was in full sun and shallow. He was there today taking photos, and two residents approached
751 him asking when it would be filled.
752

753 Mayor Samples asked if Town Council would agree that when Mr. Adair received the DHEC
754 approval that he would present a cost estimate for filling the 6th Avenue South pond. Mayor Samples said
755 he would not mind just planting grass over the area.
756

757 Mr. Johnson agreed, but the last time this was discussed, Mr. Adair said that he would present
758 any plans for improvement on the property like benches or other amenities and that he would ask Town
759 Council for approval.
760

761 Mayor Samples said at this point, Town Council needed to decide whether to fill the pond. It
762 appeared that members were not prepared to do so now. Mayor Samples asked Mr. Adair to bring the
763 matter back once the DHEC approval was received. Mr. Adair said he would do so.
764

765 **C. 50th Anniversary Plans & Events and Town Magazine, Administrator Fellner.**

766

767 Ms. Fellner presented a number of events from the 50th focus group that it would like for council
768 to approve, a copy of which is in file. No specific funding was being requested at this time, but members
769 would like permission for to solicit contributions to fund the events. This would be done in accordance
770 with the procedure Town Council authorized earlier during this meeting. The focus group would like to be
771 responsible for the content of January 2014 town newsletter, which would be solely about the 50th
772 Anniversary Year. The newsletter would outline and showcase all the upcoming events and
773 opportunities. The group would also guide the content of the town magazine. The Myrtle Beach Area
774 Chamber of Commerce (hereinafter referred to as "the Chamber") was working with the group on the
775 magazine. Ms. Fellner said the projected number of copies is 40,000. The magazine would be 72 pages,

776 plus cover, and include 28 pages of advertising, which the Chamber would help sell. If all ads were
777 purchased, it should fully fund the magazine. The focus group also made arrangements for an official
778 photographer for all 50th events at a very minimal fee and the town has rights to all of the photographs. At
779 present, the group had a volunteer graphic design intern from Horry Georgetown Technical College
780 working with them. They selected a 50th Anniversary logo, and merchandise with the 50th logo would be
781 sold at all events. The focus group proposed that banners celebrating the 50th Anniversary be placed on
782 the 25 light poles on Highway 17 Business; the 15 light poles on Surfside Drive, and the 18 lamp posts on
783 Surfside Drive. The group was currently seeking patrons and sponsors for a hardback commemorative
784 book depicting the town beginning before its incorporation took place to the present date. Business
785 sponsors were also being sought for planned events; to date they have secured a number of
786 commitments. The proposed specific events include Town of Surfside Beach Night at the Pelicans
787 Baseball Stadium, and a 50th Anniversary Ceremony on March 14th located at the Surfside library. The
788 event would include speakers, oral history, a PowerPoint presentation, recognition of past and present
789 officials, and recognition of families who helped establish the Town of Surfside Beach. A Founders Day
790 Weekend from May 2nd to 4th including Friday night music and cook out at the pier; Saturday, Old
791 Fashioned Carnival with jugglers, magicians, stilt walkers, carousel rides, cotton candy, hot dogs, et
792 cetera; Fireworks funded by the Chamber on Saturday night; Blessing of the Beach with area pastors and
793 gospel music on Sunday morning followed by a picnic at the passive park with food trucks. Founders Day
794 t-shirts would be available for purchase. Thanks for the Memories would be October 18th, 2014 at the
795 Yaupon parking lot and includes an oyster roast; barbeque, and car show. A blue grass band would play
796 during the day and a jazz band would perform at night. Ms. Fellner asked for consensus of Town Council
797 to move forward with the proposed plans, including the group's intention of soliciting funds on behalf of
798 the town.
799

800 Mr. Smith asked if Ms. Fellner would send the 50th logo to councilmembers again, because he
801 could not remember what it looked like. Ms. Fellner said she would. Mr. Smith asked if the magazine and
802 commemorative hardback books were separate things. Ms. Fellner said yes, there were separate. Mr.
803 Smith asked if the hardback book would have sponsors instead of advertisers. Ms. Fellner believed that
804 was correct. Mr. Smith asked if the town would have to pay a lot for that or whether it would be self
805 supporting. Ms. Fellner believed it would self supporting, and asked Mr. Childs to explain further.
806

807 Mr. Bob Childs, chairman of the 50th Anniversary focus group, said they were seeking sponsors
808 for the hardback book now and it should not cost the town anything. There was a lot of money promised
809 to the group right now. He knew that Town Council was budget conscious, but if each person on council
810 would solicit sponsors and maybe set a goal of \$5,000 each, with the money they already have they could
811 do really good. The group was working hard to get sponsors. The plans were in the beginning stages.
812 The group met weekly; it was operating well within its budget means. He hoped that they could do better
813 than the budget.
814

815 Mr. Smith asked Mr. Childs how much it cost for an advertisement in the magazine. Mr. Childs
816 said there was no advertising in the commemorative book. The magazine advertisements could be
817 addressed by Ms. Fellner.
818

819 Mayor Samples reminded councilmembers that this was background information, which was
820 previously presented.
821

822 Mr. Smith said just to be informed, they needed to hear things. Ms. Fellner had the breakdown of
823 advertising cost for a full page, half page, and quarter page. There were also prices for premium spots,
824 which were the inside front and back covers, and the outside back cover. She would email the
825 information to Town Council. Mr. Smith said he liked the planned events listed.
826

827 Mr. Childs said they tried to pick the months and weekends that would have the best weather.
828 Much of the activity will be outdoors. The event at the library would have indoor and outdoor activities. If
829 the weather was bad, there would be plenty of room to move inside.
830

831 Ms. Dodge asked if the commemorative book would be sold. Mr. Childs said a few would be
832 given as gifts to some individuals that helped establish the town, but the intention was to sell them.
833

834 Mr. Childs noted that the group was finding it difficult to gather photographs, because very few
835 people owned cameras prior to the 1970s. A number of people have donated, but it was surprising how
836 few pictures existed. However, he believed the group was ahead of schedule having secured most of the
837 events.
838

839 Mr. Stevens thanked Mr. Childs for volunteering to work on the events as it was a very noble
840 cause and it showed he was a concerned citizen and willing to do things to benefit the town. Mr. Childs
841 said thank you very much.
842

843 Mayor Samples asked how 40,000 magazine copies were determined to be the right number.
844 Ms. Fellner explained that the goal was to finish the year without any remaining magazines. The
845 projection was that 20,000 magazines would cover all of the rental units, the turnover, and the hotel
846 rooms for the majority of the next summer season. Some were planned to be placed in the library, and to
847 offer to the advertisers.
848

849 Mr. Stevens said Mr. O'Dare from *The Myrtle Beach Herald* wrote a very good article about
850 Surfside Beach in the earlier part of the year and suggested if the press was utilized as a resource for
851 information. Mr. Childs said the group had that article and had contacted the press. There were a
852 number of written history articles about the town.
853

854 Mayor Samples asked if there were any cost estimates for the magazine. Ms. Fellner said 40,000
855 copies would cost about \$72,000, which would be perfect bound, good quality paper, 72 pages plus
856 cover. The 28 pages of advertising would fund the magazine. Mayor Samples asked if advertising would
857 be sold outside the town. Ms. Fellner said yes, but there was nothing wrong with doing so. Mayor
858 Samples agreed there was not, however, he was concerned that \$72,000 was a lot for the town to
859 commit. Ms. Fellner said the Chamber was not concerned about selling all the advertising, and expected
860 that within six weeks it would all be sold. Mayor Samples asked if the Chamber was selling all of the
861 advertising. Ms. Fellner said yes.
862

863 Mr. Stevens asked if there would be a charge for the magazine. Ms. Feller said it was free.
864

865 Mr. Childs said his small group was stretched kind of thin, so he repeated his request to
866 councilmembers to help get some sponsors. That would help the focus group immensely.
867

868 Mayor Samples asked if there was consensus to proceed. **COUNCIL CONCURRED.**
869

870 **D. Recommendation from Keep Surfside Beach Beautiful Committee (KSBB,)**
871 **Administrator Fellner.**
872

873 Ms. Fellner said the Keep Surfside Beach Beautiful Committee approved a motion during its last
874 meeting to ask Town Council for support in the next phase of the KSBB pilot project to determine the best
875 self-watering hanging flower baskets that could be installed on Surfside lampposts to enhance the town's
876 appearance. To date, this project had involved testing of various self-watering devices, flower pots, soils,
877 soil amendments, plants, and environmental conditions. KSBB proposed the installation of four hanging
878 baskets on the lampposts in the pier parking lot, for which the cost would not exceed \$250. KSBB
879 members would be responsible for designing the original baskets and providing all maintenance for the
880 remainder of the 2013 year. The project would be evaluated at that time for any additional
881 recommendations. Ms. Fellner distributed some photographs, copies of which were in file. She believed
882 the \$250 cost might be for residential brackets. Ms. Fellner believed the actual cost might be more,
883 because the least expensive commercial bracket she found that had a double basket configuration was
884 \$195.85. The town must use commercial grade brackets, because of liability and damage that might be
885 caused if someone grabbed the planter and it fell,
886

887 Mr. Smith asked if there was money in the budget that could be used for this project. Ms. Fellner
888 said this particular item was not budgeted, but there were funds budgeted for landscaping that could be
889 used for this purpose. Mr. Smith asked if there was a place to get the money without increasing the
890 budget. Ms. Fellner said yes. Mr. Smith asked what Ms. Fellner's recommendation was for the total
891 amount of money that might be needed to spend. Ms. Fellner expected the cost to be closer to \$500. Mr.
892 Smith asked if a single bracket would be placed on four poles. Ms. Fellner said there would be a double
893 bracket on two poles. Mr. Smith said okay.

894
895 Mayor Samples said this was a pilot program, and the KSBB members want to try it to see how it
896 works.

897
898 Mr. Smith said the KSBB would maintain the baskets, and asked if that meant they would water
899 the baskets. Public works would install the baskets, but would not have to be watering them. Ms. Fellner
900 said for the remainder of 2013. Mr. Smith said next year, they would have to reconsider the project; it
901 was only being approved for this year. Ms. Fellner said yes.

902
903 Ms. Kohlmann asked if hospitality funds could be used for the project, since it was located at the
904 pier. Ms. Fellner said yes, there were a number of places from which money could be used. Hospitality
905 and pier funds were pretty slim right now. There was money available in landscaping. Ms. Fellner was
906 confident that \$500 in funds was available from one of the funds.

907
908 Mr. Stevens assumed this would only be two lights at the pier for right now. Ms. Fellner said on
909 the ones that were already there. Mr. Stevens knew the KSBB had been doing work at the pier, because
910 he drove by and saw its members working on the flowers. He supported the recommendation.

911
912 Mr. Johnson asked if Ms. Fellner considered other design options for the hangers, for instance
913 the type that form a complete circle planter at the top of the lamppost like are used in Greenville. Ms.
914 Fellner said she was just considering prices and commercial grade products. She would look into the
915 circular type planters and ask KSBB to consider them, but Ms. Fellner expected them to be more
916 expensive.

917
918 Mayor Samples asked if there was consensus to proceed.

919
920 Mr. Smith offered consensus, but had caveats that no more than \$500 would be spent and that
921 the KSBB members would maintain and water the plants as it recommended.

922
923 Ms. Kohlmann said she agreed.

924
925 Mayor Samples said that **COUNCIL CONCURRED.**

926
927 **E. Committee Appointments (may be deferred until after executive session.) i. Recreation/
928 Special Events (1 vacancy): Linda Woodlief; Cindy Grace, and Erin Adams. ii. Construction Board
929 of Adjustments & Appeals (1 vacancy): David Morrison.**

930
931 Mayor Samples said if there were no objections, this item would be addressed after executive
932 session. **THERE WERE NO OBJECTIONS.**

933
934 **8. DISCUSSION – Any matters of concern or information to be discussed by Town
935 Council.**

936
937 **Stormwater Millage and the Disposition and past, present, and future expenditures of
938 stormwater funds, Councilmember Stevens.**

939
940 Mr. Stevens said this was brought up, because a lot of people called him about the statement
941 made during the June 25, 2013 Town Council meeting, and he read from the approved minutes where it
942 stated

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Mayor Samples said the truth was that in 2008 Town Council readopted 5 mils for stormwater, which means that 2008, 5 years, about \$1.5 million was raised for stormwater. You could do the math. There was about \$.5 million saved for stormwater projects. He asked where the other \$1 million was spent. This council spent some of it on stormwater, but much of it was not spent on stormwater. Mayor Samples was trying to lay out the truth. It was a fact. He asked if anyone saw any big stormwater projects going on during the last five years.

Mr. Stevens said after that discussion several people called him. He had only been on council one year and three months, so he did not know what happened. It appeared that there may be a misappropriation of funds over the last five years. Because of delays, people like Ray Kawa on 3rd Avenue North, was maybe having to spend thousands of dollars to repair his house. Mr. Stevens said he did not know where the money went. Taxpayers paid 5 mils in good faith that the money would be spent on stormwater. He felt like the people had been dealt an injustice if the town had lost \$1 million. That was a lot of money. It would pay his taxes a thousand times; a thousand years. That was the reason Mr. Stevens brought this up. He thought they needed to look into it and find out why there is \$1 million in stormwater millage that has just disappeared. Mr. Stevens said maybe they should have some independent body investigate it. Maybe the solicitor should look at it; maybe SLED (South Carolina Law Enforcement Division). He did not know. When \$1 million disappeared it gave him a big concern. He wanted to know where that money went. He said maybe members that had been on council longer than he could shed some light on it.

Mayor Samples asked Mr. Stevens to read the quote one more time for the record.

Mr. Stevens said it was the June 25th, 2013 line 688,

Mayor Samples said the truth was that in 2008 Town Council readopted 5 mils for stormwater, which means that since 2008, 5 years, about \$1.5 million was raised for stormwater. You could do the math. There was about \$.5 million saved for stormwater projects. He asked where the other \$1 million was spent. The council spent some of it on stormwater, but much of it was not spent on stormwater. Mayor Samples was trying to lay out the truth. It was a fact. He asked if anyone saw any big stormwater projects going on during the last five years.

Mayor Samples appreciated Mr. Stevens reading the statement again, and his taking time to pull some sentences out in which he, Mayor Samples, misspoke in terms of the actual projects. Mayor Samples said his question was which projects were done; \$1 million projects. He said frankly, a lot of that money was spent on water quality issues like dredging the lakes. What he was referring to was Mr. Kawa and others have problems that were construction related, like the \$6 million that the town spent between 2001 and 2008 on the south end putting pipes in the ground to move water. Mayor Samples acknowledged that there was a sense of hyperbole in his statement; however, there was no malfeasance. So, he appreciated Mr. Stevens bringing the question up, and he hoped that he satisfied Mr. Stevens' concerns, because he certainly would hate to send staff on a wild goose chase to provide additional information, but whatever council wanted to do would be done.

Ms. Fellner said she actually had that information. Since 2004, the total collected was \$5,781,040; total expenditures for stormwater were \$5,431,126, netting \$349,914. She did not know where the \$1 million amount was coming from. She had a spreadsheet with all the capital project expenditures and would be happy to share it with Town Council.

Mayor Samples said it was, in fact, a capital project fund. That was what the ordinance called it.

Mr. Stevens said this was brought up because in fairness to all the people who paid taxes, they wanted an answer. If the answer Mayor Samples gave satisfied them, they would let him know.

997 Mayor Samples said he understood and said you could please some of the people some of the
998 time. Some of them, you may never please. But, that was okay. They were all different. It was a great
999 town.

1000
1001 Mr. Smith asked Ms. Fellner if she had the list of projects and the amounts spent on each in the
1002 data. If she did, Mr. Smith asked her to read off a few of them, or send the information to Town Council in
1003 an email message. Ms. Fellner did not have a specific project list, but believed it could be compiled.
1004

1005 Mayor Samples said he could help, since he served on the stormwater committee in 2000.
1006 Melody Basin, Floral Basin, Myrtle Basin, and lake dredging was completed. A major stormwater project
1007 had not been done since the lakes were dredged. Ms. Fellner said that was correct, and it was evidenced
1008 in 2008-2009. Mayor Samples said that was the point of what he was saying. That was done in 2009.
1009 He checked the audits himself prior to this meeting. Since 2009, the town had not done any projects, and
1010 the town has \$349,914 balance in stormwater.
1011

1012 Ms. Kohlmann asked if the money was accounted for according to Ms. Fellner and the projects
1013 she listed.
1014

1015 Mayor Samples said it sounded good to him. Ms. Fellner said that was correct.
1016

1017 Ms. Kohlmann said there is no \$1 million missing, just so it was clear to everybody. She just
1018 wanted to make sure that it was clear to everybody.
1019

1020 Ms. Fellner said that Ms. King conducted an audit to insure that everything was accounted for.
1021

1022 Ms. Mabry wanted to make sure everyone understood there was a complete audit performed
1023 every year. In that audit, they would find the projects where the money was spent. There had been no
1024 secrets; there was nothing hidden anywhere. The audit was for everybody to see; it was on line. You
1025 could see where every dime goes. There was a checkbook register on line. Ms. Mabry said they did not
1026 need to bring SLED in here to look at the books. The town had an audit that they paid a ton of money for
1027 once a year so that it could be sent to Columbia and be checked again. She said the town was in good
1028 shape as far as doing what it was supposed to, and accounted for the public's money. If the town wasn't,
1029 she'd be the first one to tell everyone.
1030

1031 Mr. Stevens said with all due respect to Ms. Mabry, he was elected to represent the people, and
1032 when they asked him a question, he asked questions to try to get an answer. He asked Ms. Fellner if she
1033 would email the information to all councilmembers. Ms. Fellner said she would be happy to.
1034

1035 Ms. Dodge appreciated Mr. Stevens bringing the matter out, because that figure had been
1036 bandied about, and it was a lot of money. When you think about \$1 million, she could use that about
1037 now. So, she thought he was certainly spot-on to ask about it.
1038

1039 Mr. Stevens wanted to say to the public that their taxpayer money sent them to Greenville for the
1040 Municipal Association. He attended nine different seminars with Mr. Smith. There were a lot of different
1041 topics and great ideas, including finding your city's niche and promoting it; building citizens engagement
1042 through emotional engagement; police pursuits and balances; growing your local businesses through
1043 business incubators, and marketing your city. It was very informative and attendance was worthwhile.
1044 He and Mr. Smith attended the first 3-hour session, and were proud of their work. Mr. Stevens displayed
1045 a t-shirt upon which they painted ways the town could be promoted using catch phrases like 'I found my
1046 family in Surfside Beach,' and depictions of children building sandcastles among other family related
1047 scenes. The seminar speaker, Peter Kageyama, suggested sharing their work with citizens. Some of the
1048 ideas would only cost \$500. Mr. Stevens said a picture was painted on a street in one city that slowed
1049 traffic where there were numerous complaints of speeding. Mr. Stevens credited Mr. Smith with creating
1050 a tag line for something special done annually for citizens which was "light up on the Fourth of July," that
1051 could be used to promote the Family Beach. He wanted to share with the public that their money went to
1052 good use. They did many other things, too, including learning how to stretch limited dollars through

1053 cooperation, and business friendly programs and services. Mr. Stevens said thank you to the public for
1054 sending him. He was glad he attended, and he stayed busy the whole time.

1055
1056 **9. PUBLIC COMMENTS – General Comments (5 minutes.)**

1057
1058 "Alan Beck, 626 10th Avenue North. I thank you for accepting my comments and thinking about
1059 them and considering them. As you know, where we live, our kitchen and dining area look out on the
1060 lake. We see everybody coming there. I think the lake kind of self-regulates itself. You talk about
1061 sailboats. Yeah, I take my little boat out and sail. The sail that I have on it is for my 18-foot kayak, which,
1062 of course, would be illegal, and I don't put that in the water much anyway, because my little boat's more
1063 stable and that sail works fine. I know I know the Surfside resident that puts in a kayak with a sail on it,
1064 and I don't know how long that is. It's a Hobie thing with a little bitty sail, and he's, he's no longer doing
1065 that. I knew two people, other people had boats that weren't Surfside residents that put them in the lake
1066 to sail, and they did it about one or two times, and quit, because as you pointed out earlier, if you don't
1067 where the shallow parts are, it's kind of frustrating, cause even if you don't have any center board, which
1068 a little, you know, pontoon sailboats or whatever don't, you've gotta have a rudder in to steer. I know
1069 where those spots are, because six or seven years ago when the water was really polluted with weeds
1070 and things, I'm wasn't aware of the water content then, because I was not testing, but the weeds grew
1071 down kind of in the middle of the pond in certain areas, which were shallow. Those that were around
1072 when it got dredged, I don't know when that was, we've only been there six or seven years, but that was
1073 where you could see the sandbars come up. So, I think it self-regulates. I think if somebody comes in
1074 there with a big boat they'll realize it doesn't work. The fishermen that start to come in there and run their
1075 little trolling motors around and fish, and they don't catch much. Pretty quick out they figure out the
1076 people that catch fish are the ones who just stand on the culvert where the more aerated water comes in
1077 from Lake Elizabeth, and they pull out a lot of fish there. So, it kind of self-regulates. There may be some
1078 pollution concern with trailers putting boats in the water, if those trailers have been in polluted water other
1079 places. There's [sic] been cases of that, you know, introducing issues. I don't know if that's a big deal or
1080 not. The thing we get frustrated about is the people that come up from Murrells Inlet and put their boat in
1081 and leave their trailer there in the water while they go do their little fishing, and then come back and get
1082 out. So, there's two people that I know of that habitually do that. The others are water testers. But, most
1083 people are very good. They come up, most of 'em take the boat out of the back of the pickup truck and
1084 set it in. We could limit trailers in the water, but you know, some load 'em in the water and pull 'em back
1085 out of the water. Most people are pretty good about parking their truck up there. The back side of your t-
1086 shirt, Randle, could show the, the man fishing from the bass boat in the lake. We have one person that
1087 we see every May for a week. He comes and puts his boat in outside of our window there about seven
1088 o'clock in the morning and stays in the lake almost all morning. I finally figured it out this year, I said,
1089 Sarah, I'll bet his wife and kids are down on the beach. He can't stand the beach, and this is his time to
1090 get away and just sit there and fly fish. So, he does that, and we don't see him again till the next May;
1091 third week of May, I think they rent a condo or something. Water quality has gotten so much better in the
1092 last six years from having all the weeds there and part of it; Randle asked about that vacuum thing, John
1093 took us, all the water testers, over to show that. When that pipe got put under 17, we got all sorts of stuff
1094 out of Deerfield. Mr. Hopkins has told the council in the past years about all of that stuff. Now they put
1095 the screens in and they bring that thing up to scrape the stuff off. Our lakes have been relatively clean
1096 and that was a good thing that the council pushed with the county with a lot of help to try to get that
1097 filtering in there, and that's helped Lake Elizabeth and Dogwood Lake come up tremendously in water
1098 quality. Sure there's a little bit of liability maybe for a boat on the lake. Is there a liability for encouraging
1099 a surfboard competition? Could somebody drown in the ocean? Could be that you get sucked out by a
1100 rip tide. There's liability in swimming. There's a liability in speed bumps that we built; somebody might,
1101 you know, hit something and bounce off, or whatever. You can get sued for anything. So, if you ask a
1102 municipal council if you could have liability, yeah, you could have liability. When I was doing federal
1103 contracting years ago, some told me if you want to shut a contractor down, best thing to do is just send a
1104 letter to OSHA and ask them go inspect the plant, and then the plant would get shut down, if you ask 'em
1105 right, and so I worry about asking a municipal council about liability. I'm sure there's some, but I don't
1106 think that should be the decision point on whether people, you know, fish in the lake with small boats.
1107 Thank you."

1109 Ms. Dodge said did not know if it was appropriate right now, but she wanted to thank Mr. Beck
1110 and the other people, if there were others, who test the waters in those lakes. It takes time and their
1111 efforts were appreciated.
1112

1113 "Ralph Magliette, Harbor Lights Drive. When I was here at the last council meeting, we were
1114 talking about South Strand Helping Hand. I want to thank the council for supporting our August food
1115 drive, but one thing I didn't have with me, and I want to apologize is I forgot to bring the little handouts for
1116 South Strand Helping Hand, and more importantly, not only is it important that we as a community
1117 support South Strand by providing monetary resources and food, but it's also equally important that we
1118 reach out to people who might need the services that South Strand Helping Hands provides. So, I would
1119 encourage people, I brought brochures, if you know anyone who might need the services of South
1120 Strand, emergency help or they could find agencies that might be able to help them. They're located at
1121 812 Poplar Drive South in Surfside Beach and their phone number is 843.238.4594. Thank you very
1122 much, and I have copies of the brochure and I'll leave some in the back.
1123

1124 "Tom Dodge, 15th Avenue North. I want to thank Ralph and Patti Magliette for moving to this
1125 town, because they have been a dynamic duo and I want to thank Mr. Beck for his good comments.
1126 Now, I'm gonna have to read a little story to you. This is a story about a very small, small town mayor.
1127 Let's call him *Idi. He gets very angry in council meetings. He yells in volunteer committee meetings.
1128 Idi's threatened at least three councilmembers saying I will ruin in this town. He publicly criticizes in a
1129 local newspaper a council person for not attending one hastily called meeting, while not publicly saying
1130 anything about another council person who missed over 30-percent of meetings in roughly a six month
1131 period. Idi vocally goads public attendees at council meetings by calling them out during the meeting.
1132 This sounds very unethical to me. He telephones a town contractor, not a town employee, and curses at
1133 them. He is out of control. Idi is a childish bully. Thank you. That's just a little story I wrote up." [**Clerk's*
1134 *Note: Per Mr. Dodge's clarification after the meeting, the name is 'Idi' as in Idi Amin.*]
1135

1136 "Ron Ott, 7th Avenue North. I don't have any stories."
1137

1138 Mayor Samples asked Mr. Ott to wait a moment and called to Mr. Dodge explaining that Mr. Ott
1139 was at the podium and had the floor. Mr. Dodge said he was answering a question for the ladies.
1140 Unknown speakers said that was not true; they did not ask a question. Mayor Samples said everyone
1141 should act like adults. Mr. Ott's time was reset.
1142

1143 Mr. Ott: "I don't have any stories. I'm fresh out. But, I thought it was; the part about the
1144 stormwater, I thought wow; this is being brought to our attention. So we need to look at it, and rightly so.
1145 We need to look at these things, and I thought we did something good tonight. Yeah, we (**) I don't know
1146 what to do with 6th Avenue pond and it doesn't seem like anybody else does either, so let's not, we didn't
1147 shoot from the hip, and then say, okay, let's aim. Let's come back and see how much is this gonna cost.
1148 Is it worth it? What's wrong with it? All the information, you know. John, he takes care, he takes good
1149 care of this town. He does. We gotta do something with the mosquitoes. I know it rains, but we have to,
1150 you know, loosen up a little bit. The, it wasn't Al's 7-foot boat, sailboat, it's the way it's written in there, it's
1151 a 20-foot, and I'm thinking, I'm looking at this, and I pay attention. I'm saying 20-foot sailboat; how we
1152 gonna get that in there and out, too, I'm thinking. You know, and then somebody, Al's the only person
1153 that knows how to go around this lake, so he needs to put some poles in there with flags on 'em for us
1154 like them you have on the waterway so we can go around and we don't get caught. But I could see
1155 somebody in there with a 20-boat, because every time we put in some kind of a [sic] ordinance, every
1156 time we change something, somebody takes it to the max. They will abuse and abuse it. You put 20-foot
1157 in there, (**) we'll have a 25 in there. You never know. That's what I look at. I look at what we're saying,
1158 and I look at let's watch how we spend their money, not let's not (**) let's do it, let's make sure we're
1159 gonna do it and it's gonna cost the proper amount of money, not just throw some money at it and see how
1160 it comes out. We can end up making a little park out of there. Who knows, but let's see what's the best
1161 way to spend our money. Thank you very much, and thank you for your comment that night. It just
1162 opened my eyes. I'm still wondering. Maybe you misspoke, and maybe you didn't put everything in the
1163 correct category, categorize it right, but I don't know where it went, but we'll find out, you know, it was
1164 said there and we say it. Thank you."

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"Patti Magliette, 104 Harbor Lights Drive. Thank you. I'm gonna get quick and to the point. I am in my last week or so of finishing up a project. I had been working with the historical committee and reviewing the meeting minutes from Surfside Beach from 1964 up until now. I just think that I want to residents to know a little about this town. I tell you, every time I come up here that I like living here. Through reading those minutes, from 1964 up until present, and trying to pull out the mayors, and everything accomplished, and who's on council, and who's committed to working on committees, it is just so expansive. It just wears me; it just wears me out reading it. I don't know that residents realize how much work goes towards being on town council, and how much review and study of various things, whether building codes or whether safety issues or whether annexing certain parts of the town to become Surfside Beach as we know it today. There was a lot that has been done and accomplished in this town since 1964 up until now, and we're still working on it. We're still killing ourselves making this a better town. It's been a good town since 1964. If you could look through those minutes like I've been and seen the councilmen and the citizens of this town, what they had to say, and the people on various committees and how hard they've been working, you would really think twice about how lucky you are to live here, and the conscientious decisions that these people have made over the years about how to spend your money and spend it wisely, I don't know that there's any other town, and in closing, I want to say that this is the town with old fashioned value. I don't know of many other towns who open every council meeting with an invocation, and a prayer to God. So, the hard work, the hard decisions, the concern that everybody, whether it's towns people and council have in this town, it's all a reflected and it's all there, and if you were to look at these minutes the way that I've been doing, you would just be amazed and thankful for all that everyone accomplishes here. I say that, and in closing, God bless everyone and no matter how much we wrangle at our meetings, we're doing it, and we're doing it right, and it's a beautiful thing. Thank you." (*Applause.*)

10. COUNCIL COMMENTS.

Ms. Mabry: "I want to thank everyone for coming out, and I especially want to thank Patti Magliette. Can you imagine going through all the minutes from 1964 till the present time; learning that, retypping into a very condensed form so that we can have that. She has really become the true historian now of Surfside Beach and I think her efforts; I cannot imagine doing that. So, thank you so much, and we look forward to seeing you again."

Mr. Stevens: "Thank everybody for coming out. Just want to make a comment about people who come up here and speak. The people come up here and speak [sic] are the citizens, and they have every right to speak. They have every right to criticize, and they have every right to praise. That's what makes this country the best country in the world in that we have freedom of speech. Some people react to their comments and council comments in different ways. Some people look at us and take us serious. Some people giggle like little girls. Some people do all kinds of different ways, but the main thing is that the freedoms we have we need to cherish them. People like Ralph Magliette and his wife, Patti Magliette, I have to praise you. You people have been here only just a few years, and look at all the stuff they [sic] already done. All we have to do is find the land and we can get a new south strand senior center. We need to ask questions. I ask questions and some people don't like the questions I ask, but that's okay. That's what I was hired to do, and if somebody asks me to ask a question, I'm gonna ask it. No disrespect to anybody, and I think we got a [sic] answer. Something was said in the earlier council meeting and I think we're getting the answer. Isn't that good when you get answers to the questions. Then that (**), that way you know that nothing's wrong, and I believe the Mayor, he was speaking truthfully when he made that quote and he maybe he did want it to be come out (**), but he's now given us, the council, an opportunity to know where all the money went, and to report to you where all the money went, so you feel good about what this council does. This is a great town. I can remember when I was on the beach. My daughter was little. She said one day, daddy, we're gonna live here, and we moved here. I'm glad I live here. I like this town. I like the people. Whether, some of 'em don't see eye-to-eye to me, that's okay. But that's life, and that's the freedom we have. Thank y'all for coming out and may you have a great week."

1220 Ms. Kohlmann: "I want to thank everybody for coming out, and I'm not gonna make a big speech,
1221 but I do agree with you that people have the right to say what they want, and I'm a little disappointed in
1222 some of the reaction that I see in back, and I just wish everybody would remember that everybody's in
1223 this for the same reason. I don't think anybody's trying to be mean or anything. So, just get up and
1224 speak. Have a good night."
1225

1226 Mr. Smith: "Yes, the air conditioning up here is dripping. I want it to be in the minutes, so that
1227 you wouldn't forget (*laughter*). It's hit me on the head and also on the shoulder. This is not the first time,
1228 so let's don't forget. The other thing I'd like to say is thank you for sending me to the Municipal
1229 Association meeting. I really appreciate it. I think it was worthwhile. I got some good information, and I
1230 hope to be able to put it to use, and I'd like to thank Al Beck for his positive, positive, positive comments
1231 on using the lakes. Thank you, Al."
1232

1233 Ms. Dodge: "For the second time this month, the 7/19 article is the latest one, the Mayor has
1234 seen fit to try my performance as a member of this council in *The Myrtle Beach Herald*, and I can truthfully
1235 say I resent it. I resent it a great deal. It not only embarrasses me, but it also embarrasses the town, and
1236 in my opinion, makes the Mayor look like the bully he is. I'd also like to point out that he has not chosen
1237 to chastise any other councilmember from missing a meeting, which would make one question why is he
1238 choosing only me. Just to give you some background information, first of all, I make every effort to attend
1239 all council meetings. Sometimes it's not possible, but let me say, I've attended 13 out of 14 regular
1240 council meetings so far this year. I've attended 14 special meetings, 3-days of budget hearings, as well
1241 as 3 workshops. I've also attended some, but not all, citizen committee meetings, as well as meetings
1242 sponsored by other municipalities, and the Municipal Association. In my opinion, that's a pretty good
1243 record for this being a part time job, and you know what, if the Mayor disagrees with me, that's just too
1244 darn bad. I'm happy with what I have done so far. I would also recommend he look at the attendance
1245 record of all councilmembers, rather than just mine, and if he's going to make attendance an issue, rather
1246 than singling out one specific person, he should include everyone on council who has missed a meeting
1247 when he's handing out criticism. I'm tired of it."
1248

1249 Mr. Johnson: "Alright, well, I wasn't gonna say anything, but here's the deal. People get up here
1250 and (*expletive*) [complain] and moan about people missing meetings. I missed four meetings, and I
1251 believe they were in a row, because I work for a living. The four meetings that I missed were during
1252 business hours, and they all concerned the parking situation. My priority is my family first, and the Town
1253 of Surfside Beach second. I make no apologies for that. My bread winning career is in insurance. I love
1254 this town, and I love my family. I have my priorities in order, and I don't care if you get up here and
1255 criticize me. I don't care if any of you criticize me, but if you start criticizing my family, my wife, and my
1256 kids, then we're gonna have a problem, and I hope you take that to heart, because I'm very, very serious
1257 about that. Ever since I moved; I was blessed enough to move to the north end of Surfside Beach. I
1258 didn't think anything of it, and ever since I did, I have seen nothing but jealousy from people standing at
1259 that podium and people standing outside and people talking behind my back, time and time and time
1260 again, and I'm tired of it! (*Speaker's emphasis.*) Okay. I just want to go on the record of saying that. It's
1261 a disgrace to this town, and it's a disgrace to the people that are doing it, and I make no apologies for my
1262 prosperity, and my love for my family, and the love of the Town of Surfside Beach. Thank you for coming
1263 out. God bless you."
1264

1265 Mayor Samples: "I think enough has been said. Thank you all for coming out."
1266

1267 **11. EXECUTIVE SESSION**

1269 **A. Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person to a public 1270 body (See Business Item 7.E.)**

1271
1272 Mr. Smith moved to enter executive session at 9:08 p.m. Mr. Johnson seconded. All voted in
1273 favor. **MOTION CARRIED.**
1274

1275 Mr. Johnson moved to reconvene regular session at 9:27 p.m. Ms. Mabry seconded. All voted in
1276 favor. **MOTION CARRIED.**

1277
1278 Mayor Samples said that no action was taken during executive session.

1279
1280 Ms. Kohlmann moved to appoint Erin Adams to the recreation/special events committee. Mr.
1281 Johnson seconded.

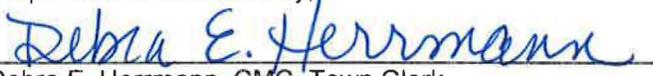
1282
1283 Ms. Kohlmann, who is council liaison to the committee, said the recreation/special events
1284 committee meetings were suspended until this position was filled. Ms. Kohlmann said for the record, "that
1285 this is the final position to be filled, and the recreation/special events committee can commence with any
1286 business."

1287
1288 All voted in favor. **MOTION CARRIED.**

1289
1290 **12. ADJOURNMENT.**

1291
1292 Mr. Johnson moved to adjourn the meeting at 9:28 p.m. Ms. Mabry seconded. All voted in favor.
1293 **MOTION CARRIED.**

1294 Prepared and submitted by,

1295 
1296 Debra E. Herrmann, CMC, Town Clerk

1297
1298
1299 Approved: August 13, 2013

1300
1301 
1302 Douglas F. Samples, Mayor

1303
1304 
1305 Mary Beth Mabry, Mayor Pro Tempore

1306
1307 
1308 Ann Dodge, Town Council

1309
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1311 Mark L. Johnson, Town Council

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1313 
1314 Elizabeth A. Kohlmann, Town Council

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1316 
1317 Roderick E. Smith, Town Council

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1319 
1320 Randle M. Stevens, Town Council

1321
1322 *Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are
detailed minutes documenting each member's comments. Appointments to hear audio tapes may be
scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed
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.*