



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
OCTOBER 22, 2013 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

**1. CALL TO ORDER.**

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

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

Pastor Mike King of South Strand Community Church gave the invocation. Mayor Samples lead the Pledge.

**3. AGENDA APPROVAL.**

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

**4. MINUTES APPROVAL.**

Ms. Dodge moved to approve the minutes of the October 8, 2013 meeting as submitted. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

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

There were no public comments on agenda items.

**6. COMMUNICATIONS.**

**A. Department Reports.**

**i. Finance.**

Ms. King presented the written report, a copy of which is on file. This quarter is the one during which the town earns its money strictly on its own, except for the Grand Strand Water & Sewer Authority franchise fee, which was paid monthly. During this quarter the town relies on its permitting, parking, and fine monies. All other franchise fees were paid quarterly. The tourist season was June, July and August; however the June revenue was credited to the previous fiscal year. Expenses will always exceed revenue during this period. The next quarter will show franchise receipts that will offset the expenditures during this quarter. Then property tax revenue will be received. Ms. King said the explanation was given to help Town Council understand that while some figures seem out of balance, that in the end of the year they will wash out. The town brought in \$54,000 in property taxes this month. General fund deposits were a little higher this year, because the amount to capital projects fund was reduced. Business licensing was up \$7,000; building permits were up \$16,000 over last year. Grand Strand Water & Sewer Authority franchise fee was paid. Since Lanier was moved into the general fund, \$112,000 year-to-date was received from Lanier. The other monies used were transferred from other governmental funds to help general fund pay for services that it provides; those transfers amount to \$160,000 for the month. The Municipal Association sent the town \$117,000 last year in September, which was for a late payment from Allstate Insurance, who did not want to pay and finally settled. This year the payment was received in June as normally scheduled. Ms. King referred to page 2 saying that revenue was \$505,000 and salary expenditures were \$803,000, which were almost the same as last year. The difference was because there are a few open positions. Operating expenditures were \$328,000 which is \$26,000 more than last year, but the expenses from Lanier are now included in that total. Lanier expenses were in hospitality funds last year. Revenue was under expenses by \$642,000 year-to-date, but that will be corrected as other monies are received in the upcoming cycles. At this point, she was not concerned

61 about the shortage. The capital projects fund brings in 1 mil now instead of 5 mils, so it brought in  
62 \$3,000, but \$30,000 was spent. Tax bills were sent October 1<sup>st</sup>; revenue will start coming in as taxes  
63 were paid. Accommodations, local accommodations, and hospitality funds are the tourist related funds.  
64 Local accommodations and hospitality funds show a trend of more collections this year than last year.  
65 That would correlate to a larger amount from the State and she expects that it would be around \$260,000.  
66 Accommodations expenses were \$105,000; an additional police officer was added to accommodations,  
67 which accounts for the increase over last year. The local accommodations fund was a pass through to  
68 the general fund. Hospitality funds show revenue exceeding expenses by \$228,000; meter revenue and  
69 the grounds expenses, which are about \$55,000, are now in the general fund. Overall, "the fund would  
70 be just fine." The pier fund now receives money from Lanier Parking; \$40,000 year-to-date was received  
71 from Lanier Parking; there were offsetting expenses from Lanier, as well. This month depreciation of the  
72 pier was booked. Depreciation will be booked quarterly so the CAFR (Comprehensive Annual Financial  
73 Statement) does not show such a disparity. If depreciation had not been booked, the pier would have  
74 made \$144,000 this year versus \$106,000 last year, which was wholly attributable to Lanier Parking  
75 income. Interest expense payable to the general fund was usually due in October; she was unsure why it  
76 was paid in September last year. Sanitation revenue was \$28,000 more than last year. Depreciation was  
77 also booked in sanitation to keep the account more accurate. Sanitation made \$93,000 last year; this  
78 year it made \$116,000. The Lanier Parking report was very detailed. Key numbers were that Lanier has  
79 paid the town \$129,000 for parking meters and pay stations this year. For the entire season, the amount  
80 was \$212,000. The citation revenue was \$23,000 for this quarter; for the season it was \$33,000. The  
81 total from Lanier was \$246,000. The town paid Lanier \$41,000 for the quarter and \$99,000 for the year.  
82 The net received from Lanier Parking for the season was \$149,000. The amount received for this fiscal  
83 year was \$107,000. The pier fund net income was \$31,000 for this fiscal year; the general fund was  
84 \$76,000. Overall, \$52,000 for the season was received in the pier fund, and \$89,000 for the season in  
85 general fund, which totals \$141,000 net to the town collected from Lanier Parking for the season.  
86

87 Mr. Smith asked if the next to the last column on the right was Lanier Parking's revenue budget.  
88 Ms. King said that was the net total of revenue minus expenses that Lanier anticipated charging the town.  
89 Mr. Smith asked if that number corresponded to the net revenue parking column. Ms. King said it did.  
90 Mr. Smith asked if the money from Allstate accrued to last year. Ms. King said that was a settlement  
91 payment from Allstate that was actually due in June 2012, and it was not paid until September 2012,  
92 which is why the amount was included in last year's September statements. To explain the anomaly, the  
93 difference in the two year's numbers equal the amount paid by Allstate.  
94

95 Mayor Samples pointed out that the net realized from Lanier was less than expected. Ms. King  
96 said there is still money due for the month of October.  
97

### 98 **iii. Public Works.** 99

100 Ms. Fellner said Mr. Adair was attending and speaking at the 7<sup>th</sup> Annual South Carolina Recycling  
101 and Solid Waste Officials Conference in Columbia. Ms. Fellner presented the written report, a copy of  
102 which is on file. Of note, the household hazardous and e-waste drop off took place at public works from  
103 September 27<sup>th</sup> through September 29<sup>th</sup>; 4,580 pounds of paint and other types of hazardous wastes,  
104 along with 200-plus light bulbs were disposed of free of charge at the Horry County Solid Waste Authority.  
105 Creative Recycling removed all miscellaneous electronic waste on October 9<sup>th</sup>, and staff was waiting for  
106 its report on results. There were ongoing street projects. Mr. Adair secured \$200,000 from the Horry  
107 County Transportation Committee (CTC) at its October meeting to advance street resurfacing initiatives  
108 throughout the town. There were 102 new street signs ordered that will be installed throughout the town  
109 during the fall months. Deck, seating, and landscaping upgrades continue on 16<sup>th</sup> Avenue North at  
110 Magnolia Lake outfall. A new welcome sign has been delivered and will be installed at Melody Lane,  
111 hopefully, by the end of the week. Crews in the grounds division seeded the fields at Huckabee Complex  
112 and Martin Park. Other seeding was also done at the other public parks and lake front viewing areas.  
113 Drainage ditch improvements were completed at the Huckabee Complex. That improvement was being  
114 monitored in accordance with rainfall to make sure it was properly graded and would drain correctly. The  
115 fleet maintenance mechanic completed 66 repairs on town vehicles and equipment; 35 vehicles had  
116 preventive and scheduled maintenance performed. Facilities crew assisted the police department with  
117 installation of the security camera at the various beach accesses. New speakers were placed in council  
118 chambers; more details would be given in the administrator's update.

Regular Town Council Meeting  
October 22, 2013

119 Hanging flower baskets were installed on the light poles at the pier parking lot; pansies were planted in  
120 the flower beds. The rebid for the pier parking lot will be held on Friday, November 8<sup>th</sup>. The bid for the  
121 replacement of the restaurant roof will be held on Friday, November 15<sup>th</sup>. It was mentioned that the  
122 request for bids should be published more than once on SCBO (South Carolina Business Opportunities),  
123 but SCBO only allows one publication. Subscribers receive the notice once, but may go back to past  
124 issues, if they want to reconsider submitting a bid. Ms. Fellner said Mr. Adair included the north side  
125 drainage project scope in the written report as requested at the last meeting.

126  
127 Mr. Smith asked where the CTC received its money and asked if it was property tax money; state  
128 money, or other monies.

129  
130 Mayor Samples recollected that the county has \$2.3 million in CTC funds this year, but he was  
131 unsure of the exact source.

132  
133 Ms. Fellner did not know; she would find out and advise council at the next meeting.

134  
135 Mr. Smith said they appreciated Mr. Adair securing those funds to pave the town's roads. Ms.  
136 Fellner said Mr. Adair has been able to obtain about \$200,000 every year.

137  
138 Mayor Samples said paving was occurring behind Dick's Pawn Shop off 544. He did not  
139 understand the county's priority system, nor did he know if CTC money was being used. Those who take  
140 that shortcut would enjoy a nice, smooth ride. (*Laughter.*) Mayor Samples asked if there was a schedule  
141 for the north side stormwater drainage projects. Ms. Fellner said date was not set; she would ask Mr.  
142 Adair for an update for the next meeting.

143  
144 **ii. Recreation.**

145  
146 Ms. Ellis presented the written report, a copy of which is on file. The Skyhoundz Disc Contest  
147 was held Saturday, September 28<sup>th</sup> at Martin Field. It was the first time the event was held there, and it  
148 was the largest event they ever had. There were 20 canine competitors and about 100 spectators. The  
149 Family Festival was held October 5<sup>th</sup>. The weather was great; 142 vendors participated, which was about  
150 the same number as last year. There was a total of \$944 in town merchandise sold; \$367 worth of 50<sup>th</sup>  
151 Anniversary merchandise sold. All merchandise was available at town hall for sale. Ms. Ellis thanked the  
152 fire and police departments for their help at the event. Georgetown Hospital Community Health Division  
153 conducted the annual health fair on Friday, October 11<sup>th</sup>. Walgreen's Pharmacy administered flu shots.  
154 There were 27 employees and 12 individuals from the public for a total of 39 participants, which was  
155 much lower than last year. Tuesday, October 29<sup>th</sup> is the last day for the Farmers Market this year. It was  
156 a huge success and will begin again next May. Dennis Seman of the Surfside Youth Sports Association  
157 official resigned. Vice president Dan Flood has taken over until the board appoints someone to fill the  
158 open position, which should be done the first week in November. Fall baseball ended last week. They  
159 are already preparing for the 2014 season. Registration will begin January 2, 2014 online. The season  
160 will begin the last week in February and last through the last week in May. Upcoming events include the  
161 Nathan Black 5K Race, Saturday, October 26 beginning at 8:00 in the pier parking lot; Veterans Day  
162 Service, Monday, November 11<sup>th</sup> at 2:00 p.m. at the Veterans Memorial, and the Turkey Trot,  
163 Thanksgiving Day, beginning at 8:00 a.m. at the pier parking lot.

164  
165 Mayor Samples said the Family Festival was wonderful; outstanding. It was a beautiful day, and  
166 it was a really nice event.

167  
168 Mr. Smith asked what time the Turkey Trot started. Ms. Ellis said 8:00 a.m. Mr. Smith said he  
169 attended the health fair, and he was disappointed that only 27 employees took part in that. It was such a  
170 good opportunity to get a free blood test, and he encouraged employees to really think about that. He  
171 said it was not a difficult situation. You walk in, hand them your paper work, and then they draw a little  
172 blood. He also encouraged the public to participate next year to also attend. Mr. Smith said the turnout  
173 this year was much lower, and he encouraged people to think about their health and participating.

174  
175 Ms. Dodge commended Ms. Ellis and her staff for the Family Festival. It was always great. She  
176 thought this year was super. They stayed at the festival most of the day. Ms. Ellis said all the vendors

177 were really pleased with the turnout and their sales totals, especially the food vendors. Ms. Dodge said  
178 the bands were great, too.

179  
180 **C. Administrator's Report – Update on Current Events.**

181  
182 Ms. Fellner reported that the 50<sup>th</sup> Anniversary commemorative magazine was proceeding on  
183 schedule. Ad space sales to date were approximately \$17,000. Town Council was shown three  
184 proposed covers for the magazine and asked to choose the one it preferred. The 50<sup>th</sup> Anniversary  
185 Committee recommended the plain cover showing the pier at sunrise. The three covers showed:

- 186  
187
- 188 • The pier at sunrise
  - 189 • The pier in sunshine with a seagull walking the shore
  - 190 • The pier with three antique postcards across the bottom

191 Mr. Johnson and Mr. Smith liked the postcards. Mayor Samples did not feel strongly about either  
192 one, but liked the sunrise. Ms. Mabry preferred the committee's recommendation. After a lively,  
193 humorous discussion Town Council **CONCURRED** to use the cover with the post cards.

194  
195 Mayor Samples asked if \$17,000 in advertising sales was where the magazine should be. He  
196 wanted to ensure that council was properly advised. Ms. Fellner personally believed that sales should be  
197 much higher by now. Unfortunately, Mr. Scott Head, the advertising sale manager at the Myrtle Beach  
198 Area Chamber of Commerce (Chamber), was not working on this project. In the beginning of this project,  
199 the town was informed that Mr. Head and his staff would be selling the advertisements. However, Ms.  
200 Kimberly Dolan was engaged to sell the advertisements, but she was not as experienced. She met with  
201 Ms. Diana Green and Ms. Dolan to discuss the ad sales. Ms. Fellner was assured that the Ms. Dolan  
202 would be mentored and trained to successfully sell ads. One big issue was that the City of Myrtle Beach  
203 just published its 75<sup>th</sup> Anniversary book; many people bought large ads for that publication. A number of  
204 strategies were discussed with Ms. Green and Ms. Dolan that should improve ad sales. Ms. Dolan  
205 understands this was a different market that included businesses that might want smaller ads. Ms.  
206 Fellner expressed concern, because that meeting was just held this past Monday. A couple of email  
207 messages were received today from Ms. Green was meeting with Ms. Dolan to actively work on the ad  
208 sales.

209  
210 Mayor Samples asked when the magazine was scheduled for production. Ms. Fellner said the  
211 delivery schedule was January. The ad sales were to continue through the end of October, but that date  
212 has already been moved. Production starts with the cover, and as ads were submitted the publisher was  
213 working on the magazine. Mayor Samples said if anyone felt differently, to please speak up, but he  
214 believed the situation should be monitored very closely so the town did not have to pay for the magazine  
215 that was should be self-supporting. He recalled that the publication cost was \$80,000-plus. Ms. Fellner  
216 said that the cost was \$60,000; she had downgraded the paper quality and made some other economies  
217 that would not make a difference in the overall feel and look of the magazine. It would still be a classy  
218 magazine. Mayor Samples said some monies were budgeted. Ms. Fellner said there was more than  
219 enough money budgeted. Mayor Samples reiterated that he wanted to ensure there were no financial  
220 surprises relating to the magazine. It was a great project, but apparently accommodations taxes could  
221 not be used. Ms. Fellner said that was correct.

222  
223 Mr. Smith asked if many in-town local businesses were participating. Ms. Fellner said no, even  
224 though a discount was offered, and ad sizes were reduced to one-eighth and one-sixteenth page that  
225 reduced costs by \$200 to \$300. Mr. Smith asked if any local businesses bought ads. Ms. Fellner said  
226 yes. She was not confident that certain strategies were applied in sales and marketing, meaning not just  
227 making a phone call or an email message blast. She was talking about going door-to-door, and handing  
228 the customer something that could be discussed; they were making sure that strategy would be applied.

229  
230 Mayor Samples believed that was good, because during the Family Festival the owner of Fat  
231 Boys Golf Carts was totally unaware that ads were being sold for the magazine. The commercial district  
232 could be easily covered by a sales representative and handouts given to the business community. He  
233 was sure that once the business community knew about the commemorative magazine, they would want  
234 to be included. Ms. Fellner said staff generated a list of pertinent information for all the businesses for the

Regular Town Council Meeting  
October 22, 2013

235 Chamber. In her opinion, the number of sales did not make sense, but they were trying to make  
236 corrections. Hopefully, a better response will be reported next month. Mayor Samples said Ms. Fellner  
237 should do what she needed to take care of the town.  
238

239 Ms. Mabry was in a local shop when the sales representative came in to sell the advertisement.  
240 She was there probably 30 seconds. Ms. Mabry said maybe she was just told to leave, but her concern  
241 was that not only was the town losing money, but it might be stopping someone from having an  
242 opportunity to advertise. That was as important as receiving the money. Ms. Mabry said really and truly,  
243 email message blasts do not work. Two or three of those type messages were received a day, and  
244 normally, they were just deleted, because people were just not interested. Face-to-face meetings were  
245 needed, and then additional visits to show them exactly what they would get. She was surprised at the  
246 lack of advertising dollars that had come in. Ms. Fellner agreed, and said she asked Grand Strand Media  
247 to produce two covers for the sales agent so they could show the quality of the magazine to potential  
248 customers. There definitely will be a change in the sales strategy.  
249

250 Ms. Fellner said the welcome sign that she mentioned in the public works report was completed  
251 and delivered. It should be installed by the end of this week. Mr. Stevens had offered to bring a plan to  
252 replace the side speakers in chambers, however, she asked Mr. Todd, the facilities supervisor, to check  
253 the existing speakers. He found dry rot in the speakers and they were barely functioning. New speakers  
254 were installed last week that were designed to handle the square footage of council chambers. Ms.  
255 Fellner said she sat towards the back of chambers during the workshop and did not have a problem  
256 hearing the speakers. Sound levels might need to be adjusted during the next few meetings, but the new  
257 speakers should effectively resolve the inaudibility issues. The speakers were on sale; the package deal  
258 was \$69 plus tax; it worked out really well. If anyone has trouble hearing, please contact Ms. Ann Messall  
259 at [amessall@surfsidebeach.org](mailto:amessall@surfsidebeach.org) or call town hall at 913.6111 to speak with her.  
260

261 Ms. Fellner said that Fire Chief Cimini will be out of town until November 4<sup>th</sup>. Battalion Captain  
262 Prentice Williams would handle day-to-day operations during his absence. Captain Williams will work 8  
263 a.m. to 5 p.m., Monday through Friday, and will be on call for all emergencies. He may be reached by  
264 telephone at 913.6369 or email at [pwilliams@surfsidebeach.org](mailto:pwilliams@surfsidebeach.org).  
265

266 Ms. Fellner met with Lanier Parking last week and also attended the first thirty minutes of the last  
267 parking committee meeting. She has since emailed all the parking data through September 30<sup>th</sup>,  
268 including all related information about pay stations, locations, etc., to the committee chairman who would  
269 disseminate it to the members. Town Council also was sent a copy by email just before today's  
270 workshop.  
271

272 Mayor Samples presumed that someone would be storing the parking meters and pay stations.  
273 He asked who that would be. Ms. Fellner said this year Lanier has agreed to store them in Myrtle Beach.  
274 Hopefully, next year the town would have space to store them. The town might have to pay a nominal fee  
275 for storage. Even though the equipment was new, they still require refurbishment, because they were  
276 exposed to the weather and salt air throughout the season. Refurbishment should not be too expensive,  
277 because the equipment is new. Mayor Samples asked if there were climate controlled warehouses in  
278 town. Ms. Fellner did not know, but Lanier would charge extra if it had to come into town to work on the  
279 equipment. Mayor Samples was concerned about keeping the town's equipment secure. Ms. Fellner  
280 said Lanier would be asked how the equipment could be segregated. The answer may be as simple as  
281 tracking serial numbers. Mayor Samples asked if the meters would be taken down in about a week. Ms.  
282 Fellner said she had already approved Lanier to pull meters that were totally inactive, i.e. 13<sup>th</sup> South, a bit  
283 early so that the town can be finished and shut down after the 30<sup>th</sup> of the month.  
284

285 Mr. Stevens asked if the problems experienced in the past years like machines breaking down  
286 and not being able to obtain parts occurred this year since Lanier was hired. Ms. Fellner said no, but  
287 these were brand new machines... Mr. Stevens interrupted and said that was all he wanted to know.  
288

289 Mayor Samples said everyone appreciated all that Ms. Fellner does. Ms. Fellner said thank you,  
290 she appreciated that.  
291  
292

293 **7. BUSINESS.**

294 **A. Second Reading – Ordinance #13-0763 to amend §5-18 Appointment of Poll Workers,**  
295 **Administrator Fellner.**

296 Mayor Samples said this ordinance was to comply with state code. Ms. Fellner said that was  
297 correct. This ordinance changes the town code to stipulate that three poll workers were required for the  
298 first 500 electors and one poll worker for each additional 500 electors registered to vote in the precinct.  
299

300 Mr. Stevens moved to adopt second reading of Ordinance #13-0763. Ms. Mabry seconded. All  
301 voted in favor. **MOTION CARRIED.**

302 **B. Municipal Election Commission – Reappointment Ms. Peggy Inman (May be deferred**  
303 **until after executive session.)**

304 Mayor Samples said this could be discussed in executive session, if council desired.

305 Ms. Mabry moved to reappoint Ms. Peggy Inman to the Municipal Election Commission. Mr.  
306 Stevens seconded. All voted in favor. **MOTION CARRIED.**

307 Mayor Samples thanked Ms. Inman for her service.

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

310 **Event Prize Drawings at Town Events, Mayor Pro Tempore Mabry.**

311 Ms. Mabry presented the decision paper, a copy of which is on file, and said this came to her  
312 attention when she received several phone calls after the festival. The town's events seem to be getting  
313 bigger, but there were also other issues. There are people trying to raffle off golf carts, and even though  
314 it was not mentioned in the decision paper, she wanted to make sure drawings were handled pursuant to  
315 South Carolina law. Adopting an ordinance would give the police an enforcement tool. All the vendors  
316 want people to come to their booths. That is why they attend. If a prize was offered to get people to the  
317 booth, then how does the public know that the prize was given? There is no method or procedure for  
318 documenting the prize winner. Ms. Mabry said if Town Council agreed, she would like for the decision  
319 paper to be sent to the attorney to determine whether it is viable so there would be checks and balances  
320 to protect the public when large prizes were being offered. The paper has \$25 as a starting place for the  
321 prize value; she did not care what amount was used. Ms. Mabry said because the events are in town,  
322 she wanted to make sure that they were handled properly.

323 Mr. Smith asked if there was a problem in the past when a prize was not awarded.

324 Ms. Mabry said there was no way to know; that was the concern. After the Family Festival,  
325 several people approached her and asked how they could find out who won the various prizes. She did  
326 not have an answer for them. There was not a problem with giving small gift certificates, but when large  
327 prizes were being used as a draw to come to a booth, there should be at least some announcement of  
328 the winner.

329 Mr. Johnson asked if other towns or cities had similar regulations.

330 Ms. Mabry searched the Internet, but did not find anything similar, because events do not always  
331 have prize giveaways. Some towns do not allow give-away drawings.

332 Mayor Samples hoped that fraudulent practices were not going on. He recalled that a vendor that  
333 did timeshares gave away prizes. Ms. Ellis said that occurs, and the Shriners had a drawing at the  
334 barbeque festival; motorcycles and cars have been given away. (\*\*) There weren't a lot of big prize  
335 drawings, but there were some. Mayor Samples asked if she knew whether they were awarded. Ms. Ellis  
336 said no.

351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408

Ms. Dodge said she wished she had thought of this. She thought Ms. Mabry did a really good job and it was something that you wonder about, because you never hear who won the prizes like a car. She thought she was onto something here and that it was probably something that should be considered seriously.

Mr. Smith said he really did not see a problem and did not think it was needed.

Mr. Johnson said he found that most large prizes awarded were done from registrations made at multiple events, and the process was usually done on a donation basis. He did not see a problem with that nor did he object to sending the decision paper to the attorney. He did feel the prize amount should be a higher amount, perhaps a couple of hundred dollars.

Ms. Mabry said a higher amount was fine.

Mr. Stevens wondered if this might make people think twice about coming to the festival. He was not sure whether it was the right thing to do, because people might think it was "big brother watching over you." He would like a legal opinion on it as this has to do with sweepstakes law, and of course, if you ever got a time share letter you had a 1:1.3 million chance of winning the top prize. Most people win a \$2 telephone.

Ms. Mabry asked Ms. Fellner whether this process would help staff or hurt the town. If it would be useful, it was worth pursuing. Ms. Fellner said without naming names, she said at this past Family Festival there were a couple of people that called to inquire as to who won prizes or when the drawings would be held. So, she was of two minds. The law was very clear and if you ever go into the mall where a car was being raffled, they were required to publish the date, and the drawing time of the winner. There was public accountability. She like public accountability, however, it was council's decision to determine whether it was needed for town events.

Mr. Johnson said the questions that people call the town to inquire about should be directed to the vendors offering the prize. It's not the town offering the prize.

Mayor Samples said Mr. Johnson's comment was well taken, but it was unknown what the vendors were saying. In regards to the prize value, he believed it should be at a higher value. He recalled this was an issue with the special events committee when they were going to award a golf cart as a prize. He believed a legal review and input was worthwhile before anything else was done. He asked Town Council if that was acceptable. **COUNCIL CONCURRED.**

Mayor Samples asked Ms. Marty Hardwick to please let South Carolina House Representative Nelson Hardwick know that we all were very happy he was feeling better and he has our best.

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

"Good evening. Ralph Magliette, 104 Harbor Lights. I'm here as a representative of South Strand Helping Hand, and I've been asked to go around to the local churches and to Surfside Beach to talk about the two holiday drives that we're doing. What we're trying to do is we're trying to help feed the hungry at Thanksgiving, and provide Christmas gifts of clothing and toys for children in needy families. The goal this holiday season is to provide 250 Thanksgiving food baskets that's a complete meal with a frozen turkey and 450 Angel Tree gifts, which would include clothes and a toy for children under the age of ten. I would just say that if people know South Strand Helping Hand, we're a nonprofit organization. We help people that are (\*\*) for that have personal tragedy or need emergency assistance. Over the course of this year, we've seen a significant increase in number of people who have come to Helping Hands for help, and it's a little bit shocking these days with that with the tourist season over and seasonal work shutting down, the number of people that we see here coming for emergency help for food to feed their families. So, having to provide those needs for those people, our resources to provide this annual gift giving that we try to do for 250 Thanksgiving food baskets and the Angel Tree gifts is limited, because we have limited amounts of funds. Much of our money this year has gone to help people with utilities or pharmaceuticals that they need. So, I would just ask people if you think about it, if you'd like to do

Regular Town Council Meeting  
October 22, 2013

409 something for the holiday season to help South Strand Helping Hands, we're 100-percent nonprofit. All  
410 the money that's given, a 100-percent of it goes to help our families. I've lived here now two years. This  
411 is a wonderful, loving and caring community. The council and people have helped me before in August  
412 with the food drives and all the other things that you do. My wife and I are truly blessed. We have our  
413 health. We are economically secure. We live in a beautiful community. If people could just search their  
414 hearts and we really need to be passionate about helping the poor; people who through no fault of their  
415 own are struggling. So, if you could open your heart this holiday season, and help us, I have a flyer and I  
416 would just say that if you'd like to give a donation or help, it's South Strand Helping Hand, 812 Poplar  
417 Drive South, Surfside Beach, 29575, and the phone number is 843.238.4594. Thank you very much, and  
418 God bless you."

419  
420 "Ron Ott, 7<sup>th</sup> Avenue North. If you do the raffle, what I learned from the town I came from is no  
421 ticket stubs. Don't do ticket stubs, because nobody can find their ticket stub. Alright, let 'em fill out their  
422 names and phone number, and now you can do email addresses, and stuff, and their home address. In  
423 the place I came from, we used to (\*\*) raffle off like a hundred different things, and it was almost like  
424 everybody was gonna win and it, it turned out to be a lot of, lot of fun and the town made some money. It  
425 was good for, everybody was looking forward to it, and they'd be, oh, this was in July and people, they  
426 would start putting those tickets out for sale in June and a lot of tickets were sold, and the, I've seen the  
427 Myrtle Beach anniversary book, which was very nice. It was hard to put down. I mean you just want to  
428 keep looking at those old pictures and everything, and I can't see why businesses ain't knocking our  
429 doors down to get in there and get their ad on there. (\*\*) Because people are gonna have this. They're  
430 gonna look at it. A lot of people are gonna see it. We, (\*\*) selling 'em, but we gotta get a salesman out  
431 there, because everybody should be in it. They should. It's, it's a great thing. Most of us, I don't think  
432 are gonna be here for the next (\*\*). This is it for us. This is our last anniversary. Thank you."

433  
434 "Wanda Burgess, 311 15<sup>th</sup> South. This is Jackson (*holding a photograph up of her dog*). He is  
435 three and a half years old, 26 pounds. About three weeks ago, I learned that our leash laws in this town  
436 are woefully inadequate. I was on; I had him on his leash. Went outside to take a pee. There's a pit bull-  
437 boxer mix on a leash; good job. Owner was on a skateboard. The owner splattered in the middle of the  
438 street and the dog attacked Jackson. Luckily, he's got real thick hair around his neck or that dog  
439 would've took [sic] it off. It took me and that girl; she ended up having to tackle that dog to get it off of  
440 Jackson. But, now the dog was on a leash, but she was on a skateboard. Back in April, May, sometime,  
441 I don't know, but it was, coming down Hollywood Drive. Jackson and me on a golf cart. We'd been up at  
442 the lake barking at turtles, and I see two chocolate Labs down the street. Girl's got 'em on leashes.  
443 She's on roller blades. They pulled her wide open for three entire blocks before she was able to get  
444 those dogs stopped and off the road. She could've been killed. I see people walking the dogs and riding  
445 bicycles. Yeah, the dog's on a leash; you don't have control of that dog, if you're on something other than  
446 your feet, and it wasn't but a few days after Jackson was attacked, and like I said, he was lucky. He only  
447 got three scratches, but he did scratch the, the other dog's eye. That's my boy. But, I'm going down  
448 Ocean Boulevard and there's two boxers. Yeah, they might be the nicest dogs in the world. I don't know.  
449 You've got a lady and the boxer and you got a little kid about this tall (*indicating about waist high height*  
450 *with her hand*) walking the other boxer. You're not gonna tell me that they have control of that dog. A  
451 small child is not gonna be able to control a dog like that. If you're on a skateboard, you do not have  
452 control of your dog. If you're on roller blades, you do not have control of your dog. You might not have  
453 control of your life; same way with the bicycles. If that dog's gonna attack, it's gonna attack regardless of  
454 what you're riding. We need to take a look at our leash laws, because they are inadequate. I now have a  
455 stun gun, (\*\*) but it's not strong enough to kill 'em. It'll knock 'em on their butt."

456  
457 "Good evening, Council, citizens. Timothy Courtney, 1416 South Poplar Drive. I'd like to say  
458 thank you very much for a great job done on the fall festival. It was fantastic. My kids loved it, and they  
459 are seven and a fourteen year old and it means a lot. This is the family beach, remember that, there are  
460 people that grew up here and live here all year round. Too, I'd like to thank the fire prevention week.  
461 They did a great job on that. You got my 13 [sic] year old to stick around and go around on a fire truck.  
462 That's very hard to do when they are 13 years old. She had a really good time. So remember the police  
463 and fire did a great job and they, we definitely need 'em in this community. So don't forget them, please.  
464 As far as the raffle thing, yeah, there should be some accountability as far as who wins the golf cart. That  
465 is a big prize, and that is one reason why I didn't buy a ticket, because to me it looked like a scam. I  
466 thank you very much."

467  
468  
469  
470  
471  
472  
473  
474  
475  
476  
477  
478  
479

"Harry Kohlmann, 1610 South Ocean Boulevard. I know the town needs money, and because of a mistake done by the public works, there is an obvious amount of houses that are not paying their proper taxes. They are claiming that they are full time residents and they're second home owners. There are three of them just within a two block area where I live. I think everybody should get out and report these people. They're not paying their fair taxes. It's wrong, and we shouldn't tolerate it. Everybody deserves to pay what they are supposed to pay. There's even the house right down the block from me who says he's a second home owner, having a permanent resident. He's not, and he's renting his house out, and I bet you he doesn't even have a business license, because he doesn't even have roll out service for summer or winter, and I didn't just even know that until I started looking. So I think it's, we, all residents, all citizens in this town should report these people, and then we'd make a lot more money than \$12 a month for roll out service. So there's big, big money that's not being paid in this town. Thank you."

480 Mrs. Fellner encouraged residents to report that type activity and assured them that the reporting  
481 could be done anonymously.

482  
483  
484

**10. COUNCIL COMMENTS.**

485 Mr. Steven: "I wanna thank everyone for coming out. It is getting the holiday time, and Ralph  
486 Magliette made some good points, and we need to help our fellow citizens out (\*\*\*) in need. So if you can  
487 do something for those folks that don't have the money, South Strand Helping Hand is a great  
488 organization to contribute your money to, and I applaud Ralph Magliette for doing what he's done working  
489 for them as a volunteer, and also working for the South Strand Senior Citizens place there on 10<sup>th</sup>  
490 Avenue. We need more people like that in this town. Other than that, that's all I have to say. Y'all have a  
491 good night."

492 Mrs. Mabry: "The only thing I want to remind everybody is [about] our recycling program. Per  
493 capita we recycle more than anybody in Horry County, and we get Mr. Adair, our director, gets invited to  
494 sit on a panel, and give talks because of the recycling program we have. Another thing to note is that we  
495 don't mandate it. We do it voluntary, and we still get it done. We actually have more recycling than we  
496 do garbage, I believe. I think that was the last time I talked to him. So I, and they don't charge us a  
497 tipping fee for recycling. So every time you recycle you actually save the town money, a lot of money. So,  
498 I'm very proud of our program, proud of our director, we talk about cost saving, that's tremendous and for  
499 him to be sitting in Columbia on a panel we should be very proud of the staff that we have. Thank you."

500  
501 Mr. Smith: "No, no comments."

502  
503 Mrs. Dodge: "Excuse me. I too would like to commend Mr. Magliette for his work in our town to  
504 help others, and I know there are other people who also do good things; my thanks to them as well.  
505 Excuse me."  
506

507 Mr. Johnson: "Thank you Mr. Mayor. I have very few comments tonight other than thank you for  
508 coming out, and God bless you. I do have a public service announcement of sorts. The mayor was  
509 mentioning the short cut road that was recently paved behind or beside Dick's Pawn Shop. I would just  
510 like to remind the public that the speed limit on that road is 15 miles an hour. (Laughter.) Unfortunately, I  
511 know it too well. Thank you, again. Have a good evening."  
512

513 Mayor Samples: "Thank you everybody for coming out. We appreciate you showing the  
514 appropriate interest in your town, that's what keeps it a great place to live. We'll see you next time."  
515

516  
517 **11. EXECUTIVE SESSION**

518  
519 **A. Pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person to a public**  
520 **body (See Business Item 7.B.)**

521  
522 **B. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed multiple contractual**  
523 **arrangements.**  
524

Regular Town Council Meeting  
October 22, 2013

525 Mr. Smith moved to enter executive session at 7:55 p.m. Mr. Stevens seconded. All voted in  
526 favor. **MOTION CARRIED.** Mr. Smith moved to reconvene regular session at 8:40 p.m. Mr. Stevens  
527 seconded. All voted in favor. **MOTION CARRIED.**

528  
529 Mayor Samples said that no action was taken during executive session.

530  
531 Mr. Smith moved to disband the recreation/special events committee due to lack of participation  
532 by its members. Ms. Dodge seconded. Mr. Smith said only one member had been faithful in attending  
533 the scheduled meetings. All voted in favor. **MOTION CARRIED.**

534  
535 Mr. Smith moved to direct the town administrator to negotiate the pier deck encroachment  
536 contract and bring it back to Town Council. Mr. Johnson seconded. All voted in favor. **MOTION**  
537 **APPROVED.**

538  
539 **12. ADJOURNMENT.**

540  
541 Mr. Smith moved to adjourn the meeting at 8:41p.m. Ms. Mabry seconded. All voted in favor.  
542 **MOTION CARRIED.**

543  
544 Prepared and submitted by,

545   
546 \_\_\_\_\_  
547 Debra E. Herrmann, CMC, Town Clerk

548 Approved: November 12, 2013

549  
550   
551 \_\_\_\_\_  
552 Douglas E. Samples, Mayor

553   
554 \_\_\_\_\_  
555 Mary Beth Mabry, Mayor Pro Tempore

556    
557 \_\_\_\_\_  
558 Ann Dodge, Town Council

559   
560 \_\_\_\_\_  
561 Mark L. Johnson, Town Council

562    
563 \_\_\_\_\_  
564 Elizabeth A. Kohlmann, Town Council

565    
566 \_\_\_\_\_  
567 Roderick E. Smith, Town Council

568   
569 \_\_\_\_\_  
570 Randle M. Stevens, Town Council

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