



SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING
Council Chambers, 115 US Highway 17 North, Surfside Beach, SC 29575
Tuesday, October 28, 2014 ♦ 6:30 p.m.
www.surfsidebeach.org - ☎ (843) 913-6111 📠 (843) 238-5432

PUBLIC NOTICE: *Notice of Public Hearing on Flood Damage Prevention Ordinance. The Town Council of the Town of Surfside Beach, SC will hold a Public Hearing at 6:00 PM on October 28, 2014 at the Town Council Chambers, 115 Hwy. 17 N. Surfside Beach, SC 29575 on the amendments recommended by the FEMA CRS Committee for adoption by Town Council. Copies of the documents to be considered are available for public inspection in the Planning, Building & Zoning Department located at 115 Hwy. 17 N. Surfside Beach, SC 29575 and on the Town Website at www.surfsidebeach.org.*

PUBLIC NOTICE: *Town Council will hold a Visioning Workshop at Brookgreen Gardens on Wednesday and Thursday, November 12th and 13th from 9:00 a.m. to 5:00 p.m. The public is invited to attend.*

TOWN COUNCIL MEETING **AMENDED AGENDA**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A. Invocation: Rev. Jeff Wood, Oasis of Hope Church
 - B. Pledge of Allegiance: Mayor Samples
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL**
 - A. Regular Meeting October 14, 2014 and **Corrections and Addendum to Minutes**
 - B. Workshop October 21, 2014
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **COMMUNICATIONS**
 - A. Employee Service Award, Willie Carter, 15-years
 - B. Department Reports
 - i. Finance
 - ii. Public Works
 - iii. Special Events and Recreation
 - C. Administrator's Report
7. **BUSINESS**
 - A. Second Reading of Ordinances
 - i. #14-0786 to Amend Sec. 8-36 (a), "Fireworks" to place a 500 foot "No Fireworks Zone" on either side of the pier, Administrator Fellner
 - ii. #14-0788 regarding floodplain management in response to CRS requirements from FEMA, Director Morris
 - iii. #14-0789 Beach Renourishment, Director Morris
 - iv. #14-0790 to amend Section 2-186, Deposits and Withdrawals, Administrator Feller



7. **Business, continued**
 - B. Consensus Items from October 21st Town Council Workshop and First Reading Ordinance #14-0787 to amend Section 9-9 Charges to increase pier parking to \$1.50 per hour; to allow nonresident property owners two (2) free parking decals; to add a trial season for selling 100 nonresident parking permits at \$100 each, and to codify that participants in the Guy Daniels Surfoff shall be issued permits for free parking, Administrator Fellner
 - C. Resolution #14-152 Workplace Safety Support
 - D. GSATS Recommendations, Director Adair
8. **TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed by Town Council.
9. **PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
10. **TOWN COUNCIL COMMENTS**
11. **EXECUTIVE SESSION** - Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or the appointment of a person to a public body
12. **ADJOURNMENT**

Regular Town Council Meeting
October 14, 2014
CORRECTIONS AND ADDENDUM TO MINUTES

1 **These corrections and addendum to the October 14, 2014 Town Council Meeting Minutes**
2 **are submitted for approval by Town Council. AAA Transcription Service prepared the minutes**
3 **verbatim as requested, but misidentified some speakers, names, and failed to include the meeting**
4 **portion after the executive session.**

5
6 **Current Line 138:** Mayor Samples: Mr. Childs. You can relax now, Chief, you did a good job on
7 your first report.

8 **Correction Line 138:** Mayor Samples: Mr. Childs. Mr. Childs: You can relax now, Chief, you
9 did a good job on your first report.

10
11 **Current Line 624:** Councilmember Mabry: They have not met since I've been here.

12 **Correction Line 624:** Director Morris: They have not met since I've been here.

13
14 **Current Line 629:** Councilmember Mabry: Yes, that is a guarantee.

15 **Correction Line 629:** Director Morris: Yes that is a guarantee.

16
17 **Current Line 633:** Councilmember Mabry: Yes

18 **Correction Line 633:** Director Morris: Yes

19
20 **Current Line 637:** Councilmember Mabry: The hearing can be appealed to circuit court.

21 **Correction Line 637:** Director Morris: The hearing can be appealed to Circuit Court.

22
23 **Current Line 641:** Councilmember Mabry: Yes. Except the construction board of appeals are
24 qualified for the construction end of it. They are architects, contractors.

25 **Correction Line 641:** Director Morris: Yes. Except the construction board of appeals are
26 qualified for the construction end of it. They are architects, contractors.

27
28 **Current Line 647:** Councilmember Mabry: No they do not, it's out of their scope.

29 **Correction Line 647:** Director Morris: No they do not, it's out of their scope.

30
31 **Current Line 653:** Councilmember Mabry: No, this is a flood zone, not a zoning ordinance.

32 **Correction Line 653:** Director Morris: No, this is a flood zone, not a zoning ordinance.

33
34 **Current Line 658:** Councilmember Mabry: Yes.

35 **Correction Line 658:** Director Morris: Yes.

36
37 **Current Line 809:** ... the vote. All in favor. First reading is adopted.

38 **Correction Line 809:** ... the vote. All voted in favor. First reading is adopted.

39
40 **Current Line 890:** And did I want to add that the ordinance that governs this section 11-7B...

41 **Correction Line 890:** Ms. Fellner: And did I want to add that the ordinance that governs this
42 section 11-7B...

43
44 **Current Lines 913, 914, 915, 916:** 14-151 to repeal 7th Edition and to adopt 8th Edition
45 Personnel Handbook. Councilmember Johnson moved to approve. Councilmember Mabry seconded.
46 All voted in favor. MOTION CARRIED.

47 **Correction Lines 913, 914, 915, 916:** *(Transcribed from audio by town clerk.)* Mr. Magliette:
48 I make a motion. Mayor Samples: To suspend the rules? Mr. Magliette: to suspend the rules. Ms.
49 Mabry: Second. Mayor Samples: All in favor say aye. All voted in favor. **MOTION CARRIED.**

50
51 **Current Line 973:** ... would like – is there a consensus.

52 **Correction Line 973:** ... would like – is there a consensus?
53

Regular Town Council Meeting
October 14, 2014
CORRECTIONS AND ADDENDUM TO MINUTES

54 **Current Line 994:** Mayor Samples: And so there would be knowledge or belief on the part of
55 whoever's doing the recording that some quote unlawful activity. Is that fair? **[sic]**

56 **Correction Line 994:** Mayor Samples: And so there would be knowledge or belief on the part of
57 whoever's doing the recording that some quote unlawful activity [end quote]. Is that fair?
58

59 **Current Line 1001:** Councilmember Stevens: I'm going to play devils advocate here. You
60 know,

61 **Correction Line 1001:** Councilmember Johnson: Mr. Mayor, I'm going to play devil's advocate
62 here. You know,
63

64 **Current Line 1238:** consensus to enter into the contract with DDC t for the next phase of
65 conversion of underground

66 **Correction Line 1001:** consensus to enter into the contract with DDC for the next phase of
67 conversion of underground
68

69 **Current Line 1464:** Councilmember: That's correct , [sic] t was based on – Ms. Feller was
70 working

71 **Correction Line 1464:** Councilmember Pellegrino: That's correct, it was based on – Ms. Fellner
72 was working
73

74 **Current Line 1584:** ... the property west of Isaiah Drive and Sandy Lane? Because we're
75 already getting their water.

76 **Correction Line 1584:** ... the property west of Azalea Drive and Sandy Lane? Because we're
77 already getting their water.
78

79 **Current Line 1630:** ... meeting and actually establish her recommendations for that through
80 liaison, which is still Mr. Stevens, correct?

81 **Correction Line 1630:** ... meeting and actually establish their recommendations for that through
82 liaison, which is still Mr. Stevens, correct?
83

84 **Current Line 1643:** Councilmember Pellegrino: Yes.

85 **Correction Line 1643:** Councilmember Stevens: Yes.
86

87 After Line 1933 and before adjournment, add:
88

89 **Executive Session**
90

91 Mayor Samples: I need a motion to enter into executive session. Mr. Johnson: Mr. Mayor.
92 Mayor Samples: You want to read it? Go ahead. Mr. Johnson: I make a motion that we move into
93 executive session pursuant FOIA Section 30-4-70(a)(1) and Section 30-4-70(a)(2). Ms. Mabry: Second.
94 Mayor Samples: There's a motion that's be properly seconded by Ms. Mabry. All in favor say aye. All
95 members voted in favor. **MOTION CARRIED. (Executive session began at 9:09 p.m.)**
96

97 Mayor Samples: Are you ready? I need a motion to come back in. Mr. Johnson: Mr. Mayor, I
98 make a motion that we come back into regular session. Mayor Samples: There's a motion on the floor.
99 Mr. Stevens: Second. Mayor Samples: There's a second, Mr. Stevens. All in favor say aye. All
100 members voted in favor. **MOTION CARRIED.** Mayor Samples: There was no action taken in executive
101 session. I need a motion. **(Regular session reconvened at 10:58 p.m.)**
102

103 Mr. Johnson: Yes, I make a motion that we authorize the town administrator to hire a full time
104 combination flood plain manager/GIS coordinator instead of the part time flood plain manager position
105 that was budgeted. Mayor Samples: There's a motion on the floor. Is there a second? Mr. Magliette:
106 Second. Mayor Samples: Second Mr. Magliette. Any discussion? All in favor say aye. All voted in
107 favor. Mayor Samples: That motion is carried.

Regular Town Council Meeting
October 14, 2014
CORRECTIONS AND ADDENDUM TO MINUTES

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Current Line 1934: Mayor moved to adjourn the meeting. Seconded. All voted in favor.
MOTION CARRIED.

Correction Line 1934: Mr. Johnson: Mr. Mayor, I make a motion that we adjourn. Mr. Stevens second. Mayor Samples: There's a motion Mr. Johnson, second Mr. Stevens. All in favor say aye. All members voted in favor. **MOTION CARRIED.** Mayor Samples: The meeting is adjourned. **The meeting adjourned at 10:59 p.m.**

Prepared by and respectfully submitted,

Debra E. Herrmann, CMC, Town Clerk

Approved: October 28, 2014

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary M. Mabry, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Clerk's Note: This document constitutes corrections and additions to the minutes prepared by AAA Transcribing and becomes part of the approved minutes as a supplement thereto. The meeting was digitally recorded. Audio recordings are published on the town website after the meeting (approximately two weeks) until the minutes are approved and published. You may download the recording to your personal computer from the website, or bring a flash drive to the town clerk to obtain a copy. Appointments to hear or to obtain copies of recordings should be scheduled with the town clerk, telephone 843.913.6333. 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.



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**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
October 14, 2014 6:30 p.m.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER

Mayor Douglas F. Samples called the meeting to order at 6:29 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino and Councilmembers Childs, Johnson, Mabry, Magliette and Stevens were in attendance. A quorum was present. Others present Town Administrator Fellner; Town Clerk Herrmann; Fire Chief Fox; Police Chief Keziah.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Invocation. Pastor Tim Harmon from Journey Church gave the invocation.

B. Pledge of Allegiance. Mayor Samples led the Pledge.

3. AGENDA APPROVAL

Councilmember Magliette moved to approve the agenda. Councilmember Mabry seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL

Councilmember Childs moved to approve the minutes of the September 9, 2014 meeting. Councilmember Mabry seconded. All voted in favor. **MOTION CARRIED.**

Councilmember Childs moved to approve the minutes of the September 23, 2014 meeting. Councilmember Mabry seconded. All voted in favor. **MOTION CARRIED.**

5. PUBLIC COMMENTS - Agenda Items Only (3-minutes per speaker)

Mr. Tom Dodge, 15th Avenue North, this would have to do with the fire department. In the latest month we lost an outstanding employee in Chief Cimini. He brought order to the fire department, he brought our ISO up to a one, which is unbelievable. And I would hope that this Town Council in some way will recognize his services. Thank you.

Buck Ricks, 4th Avenue South, I'm here to address the mention about the flood damage prevention ordinance. I have attended all of these meetings. I am a little bit disappointed at some of my fellow people here in Surfside that did not attend something that impacts everyone in Surfside. My issue is the elevators. I have an 86 year old mother that's been paying taxes in this town since 1955, 59 years. And to think that through any means or methods that she would not be able to enter a structure on that property she's been paying taxes on for 59 years, is just beyond me.

I thought this was all resolved at the last meeting that we had, but I want to thank Ms. Sabrina Morris. She's been very forthwith in different knowledge bringing up to me, but this LiMWA line, this Limit of Moderate Wave Action line, it does affect our property in the AE. Actually looking at the map, which that map was not available at the community rating system meeting, and really there will be no elevators allowed anywhere in Surfside Beach, on the boulevard, completely from the north end to the south end. And I think that's a little bit strong. FEMA does not require it, the

DRAFT

Regular Town Council Meeting
October 14, 2014

52 National Flood Insurance Program does not require it. Theoretically we can get some points because
53 of that, but this paper I have here is one that came out May 9th of 2014, from FEMA. It's from an
54 engineer. And just different things in it. I know I don't have but just a minute or two. But in this as of
55 May 9th of 2014, the A Zone, you could have enclosures and access to storage underneath with two
56 wall openings. Also in the V Zone, you can have access storage, enclosed only by non-supportive
57 materials. And there's other things in here. The LiMWA, the Limit of Moderate Wave Action, there are
58 no regulatory requirements for FEMA or the National Flood Insurance Program. It says here that
59 Rhode Island requires V Zone regulations. So apparently thus far that's the only one in the union that
60 has such a requirement.

61 I guess sometimes in life we have to stand up for ourselves, sometimes we
62 have to stand up for those who are not capable of standing up on their own. I've always heard in real
63 estate that the things are access or location, location, location. But without access, location means
64 nothing. So please take into consideration my 86 year old mother and those others that will be
65 gathered over here in the senior citizens center, because this is a money generating area for Surfside.
66 Thank you so much for your time.

67
68 **6. COMMUNICATIONS**

69
70 **A. Department Reports.**

71
72 **I. Fire Department.**

73
74 Mayor Samples: Chief Fox will do the fire department report, and the Chief's
75 timing is very, very good I would say. Chief Anthony Fox. Thank you.

76
77 Chief Fox: I think saying that my timing is very good is a very big
78 understatement. I think my timing is spectacular. I know this is my first time addressing the Council as
79 the Chief of the Surfside Fire Department, and I want to take a moment just to thank you for giving me
80 this opportunity. I've been here for a very short period of time and have been having nothing but a
81 good time since. So Members of the Council, Madam Administrator and residents of this town, thank
82 you very much for this opportunity. When I came to Surfside, I already knew that I was going to be in
83 a good place and I have been nothing but impressed with the firefighters here both on the career side
84 and the volunteer side of the house. They work extraordinarily hard.

85 Moving into the official report, I will do my best to emulate what Chief Cimini
86 did. From September the 1st to September 30th, 2014, we had 132 calls for service. The breakdown
87 of that was we had one mutual aid call where mutual aid was given. One where mutually -- I'm sorry -
88 - zero mutual aid was received; automatic aid was given was seven calls; and automatic aid received
89 was 11 calls. We had one building fire, one call regarding an arcing wire, one rubbish or outside fire,
90 and one cooking fire.

91 In the medical calls, we had 73 medical assist calls. One motor vehicle accident
92 where a pedestrian was struck. Three motor vehicle collisions with no injuries. 11 collisions with
93 injuries, and one swimmer in distress call. And that swimmer in distress call was my third day here
94 and it was a 10 year old and an 11 year old down by the pier. This, had it not been for response from
95 the fire department and a very motivated and very well versed swimmer, this was a good call with a
96 positive outcome.

97 One power line down call and two hazardous conditions calls. For service calls
98 we had one smoke odor removal, three persons in distress, one assist an invalid, four service calls.
99 One unauthorized burning and one public service call. We had seven calls where we were canceled
100 en route and assist police call and one call that has only classified as other. And four where there was
101 no incidents. Six false alarms, one system malfunctioning, and five unintentional transmissions on the

DRAFT

Regular Town Council Meeting
October 14, 2014

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102 lines.

103 We completed a total of 83 fire prevention activities. We had 10 completed
104 inspections, four re-inspections, eight new business inspections, nine new fire plans were developed.
105 39 preplans were revised or updated. We had 10 fire station visits for a total of 36 people, two public
106 education events, and one child car seat inspection or install. For training, we have over 200 hours of
107 training and 130 hours of responding to calls during the month of September. We had other
108 miscellaneous training events during the course of the month. Is there anything else that you guys
109 would like from the report?

110

111 Mayor Samples: Thank you, Chief, I did want to mention that the open house
112 that was this past Saturday was terrific. You know, there had to be hundreds of different people that
113 attended at one time or another during the day. If you wanted to share a little bit about that.

114

115 Chief Fox: There was two things that I would like to share. I was really anxious
116 to get that part out of the way. With the ISO one. The ISO one on a national basis is just incredible.
117 For a town like Surfside to have an ISO rating of one is amazing. And I would like for the residents
118 and for the Council to rest assure that we are already developing plans in order to maintain that one
119 and to improve on it. With the ISO report that we were given, it gave us a road map of what we need
120 to do in order to strengthen that score. And it is something we can do. It is a completely feasible
121 opportunity and we can definitely do it. And to be proud of this agency is, again, is an
122 understatement. This is a fantastic agency.

123 With the open house, I can tell you that we served 500 hot dogs and there were
124 still people wanting hot dogs. We had 300 scoops of Italian Water Ice were given out and there were
125 still people looking for more. We opened the doors at 10 a.m. and we closed them at 3, and there
126 was people there at 10 and people there after at 3:00. For all the times that I've been participating in
127 open houses at a fire house, this was the most well attended event that I've ever participated in. I
128 have to give credit to Captain Scara, Ted Scara who was the point man and the officer in charge of
129 the event. He made all of the arrangements for every event that was there. Mr. Carl who provided the
130 fire truck rides, he was fantastic. There was -- I don't know how many trips he made, but every time
131 that fire truck pulled out of the station, it was full. So the bouncy castles was a favorite of the children,
132 mine included. It was again a very good event. We are going to do that again next year.

133

134 Mayor Samples: Thank you, Chief. Any questions or comments for the Chief?

135

136 Councilmember Childs: Mr. Mayor.

137

138 Mayor Samples: Mr. Childs. You can relax now, Chief, you did a good job on
139 your first report.

140

141 Chief Fox: It's over.

142

143 Mayor Samples: Thank you.

144

145 Chief Fox: Yes, Sir. Thank you. Thank you.

146

147 Councilmember Johnson: Just welcome.

148

149 Mayor Samples: Mr. Johnson.

150

151 Councilmember Johnson: Welcome to --

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152
153 Chief Fox: Thank you, Sir. I appreciate it.

154
155 Mayor Samples: We're glad to have you on board, Chief.

156
157 Chief Fox: I'm very happy to be here.

158
159 Mayor Samples: Thank you, Sir.

160
161 Moving along, Director Morris will do the planning, building and zoning report.

162
163 **ii. Planning, Building and Zoning**

164
165 Director Morris: Good evening Mayor and Council, Citizens. Staff issued 144
166 permits last month including seven new residential homes. And just to be clear, when we say 144
167 permits, we did have someone ask the other day what exactly is the process like, but myself and the
168 building official has to touch every one of these permits, whether it is a mechanical permit, electrical,
169 new house, addition -- we have to look at all of them. And the reason is, if it's a mechanical, it has to
170 meet setbacks, if it's HVAC unit going outside. If it's a flood zone, we have to do a substantial
171 improvement form to make sure they haven't exceeded their percentage. If it's in pre-firm condition,
172 so we actually touch every one of these and we actually sign off on them before Shelly issues the
173 permits. So we have been busy.

174 78 Inspections were performed including three businesses and three
175 businesses within the town that just relocated elsewhere in the town. We did also have our ISO
176 insurance rating review. The review and evaluation's based on three elements. Administration of the
177 codes is 54% of the program; two is plan reviews, and three is field inspections. Both represent 23%
178 of the rating. And the administration of codes, we improved in the additional code adoptions. That
179 had a lot to do with the Council adopting the new property maintenance code. We advanced in
180 training. We had multiple certifications which were not in place at the last review. We have never
181 received points for our zoning provisions, so we certainly have to give credit to our planning
182 commission as well as Council for recommending and approving the zoning provisions of the code.
183 We have never gotten credit, but we've gotten the highest credit available now. We also improved in
184 public awareness programs.

185 Plan review section, we improved in the existing staffing that reviews the plans
186 and the detail of the plan reviews. The field inspections, we advanced in experience of personnel and
187 the managing inspections and reinspection activities. The residential section of the department
188 remained at a three, but improved in the commercial rating of a three down to a two. You'll find a
189 complete report attached in your program. With the commercial rating and of course the commercial
190 rating of the fire department being a one, insurance rates for commercial certainly could see a drop, a
191 decrease.

192 Recently we've received numerous phone calls and emails regarding yard sales
193 that have turned into a sideline business, and we have seen it happen. I've worked with the police
194 department on this and we actually created or have developed an ordinance that regulates yard sales
195 within the town. We presented our conceptual plan ordinance to the planning commission at their last
196 meeting. They gave some suggestions, recommendations, changes and we're going to hold a public
197 hearing November 4th at 6:00 in front of the planning commission on the matter. Afterwards the
198 planning commission will make formal recommendations to Council.

199 Work continues on the CRS program. We've sent several items for a courtesy
200 review to FEMA and received feedback. The Flood Damage Prevention Ordinance, which you have
201 tonight for a first reading, the State gave their approval to the changes. The emergency operation

Regular Town Council Meeting
October 14, 2014

202 plan was submitted and changes are required before their official submittal. But Chief, Fire Chief Fox
203 has already started the process of revising that document and we'll certainly have that ready.

204 The program for public information document was also submitted for a
205 preliminary review as required. We received comments just back today and I'd like to share, if I could,
206 just a brief -- we got the memo back. We have a great committee. I can't say that enough. We have
207 an outstanding committee. The document was put together based on the committee
208 recommendations and sent to FEMA. We received this back today on the draft Surfside Beach
209 ordinance -- excuse me, PPI. I've received the Surfside Beach undated program for public
210 information. It's really very good. Attached is my checklist. Only a few required items are missing.
211 And at the bottom it says, one of the reasons these editorial comments, for the editorial comments, is
212 that this is the best small town PPI I have ever reviewed. We might like to use it as a national
213 example. If this is the case, I'll be in touch with the CRS coordinator first. So if we hear that, we'll
214 certainly let you know. But there are very few changes we have to make before we resubmit it, so I
215 personally think that committee needs a lot of kudos because they have really worked hard to get us
216 where we are. So you have a copy of my full report, but if you have any questions, I'd be glad to
217 answer those at this time.

218
219 Mayor Samples: Thank you. Any questions or comments. Ms. Mabry.

220
221 Councilmember Mabry: Ms. Morris, would you please explain about the
222 elevators? I don't think that it's clear to a lot of people, and of course they don't have the
223 documentation as to why we have to go over and above what FEMA allows.

224
225 Director Morris: Yes. Currently in a V Zone, this is not new. And the V Zone in
226 our flood ordinance today does not allow elevators in that section of the code. That is a velocity zone.
227 That's where waves are at least three feet high or greater. And he's right, FEMA does allow it in some
228 areas. We actually have them in V Zones now. Those that are there can remain. But if something
229 should happen to them, they cannot put them back based on the requirements. The LiMWA which is
230 what Mr. Ricks was discussing, you actually have in your packet, it's the map showing the red line.
231 FEMA has established this line with the new mapping. We haven't received those maps yet. Actually
232 when we submitted this form to FEMA, they say we're being very generous with the proposal. That
233 that line will move up. But we have to start somewhere. The line -- from that red line back to the
234 ocean is the LiMWA line, which is the limit in moderate wave action, he's correct. That line back to
235 the ocean would represent anything -- that will have the requirements of the V Zone. So you can have
236 no enclosed structure below in the parking area. And the reason is, FEMA is concerned with the -- in
237 the LiMWA you have a foot and a half or greater waves. Their concern is if it knocks down something
238 underneath, it's not only going to jeopardize the structure that it's attached to, it's going to jeopardize
239 the structures around it. So this was recommended by FEMA and the new requirements are going to
240 be substantial and we will probably have to re-review that line once we get our new maps.

241 But we did ask about -- actually I'd like to -- if it's okay, I'd like to go ahead and
242 talk about the elevators in AE Zones. At first FEMA told us that they would not be allowed at all
243 unless they met the requirements of the BFE, which is the base flood elevation. Plus any freeboard
244 that we had. We kept back and forth asking for it in writing. We finally got it and it said that you can
245 definitely have an elevator, but it is going to cost you in the insurance end of it. That's still the base --
246 I mean you can have it and below flood as far as we're concerned, but we have to let them know that
247 once you apply for an elevator permit, your insurance rates are going to probably escalate.

248
249 Mayor Samples: Let me clarify. When you say it's going to cost in the
250 insurance end, you mean the individual policy holder?

251

Regular Town Council Meeting
October 14, 2014

252 Director Morris: Yes, that is correct.

253

254 Mayor Samples: So the individual policy holder is more than able, in the AE
255 Zone, to have an elevator. They're just going to pay for it.

256

257 Director Morris: That's correct. The new ordinance which you have in front of
258 you with that red line. From the red line back to the ocean, that will now be considered the V Zone
259 requirements. From that line back, you cannot have anything closures downstairs.

260

261 Mayor Samples: Is it -- and just for clarification purposes and then we'll get into
262 this in greater detail I'm sure when we get to the ordinance. It's the enclosed structure, am I right? Or
263 is it specifically elevator?

264

265 Director Morris: No, it's the enclosed structure. You can actually have a lift.

266

267 Mayor Samples: Yeah, that's what I wanted to get at. There are alternatives to
268 an enclosed elevator which provide the means for somebody to access the second floor or whatever.
269 They just can't have the enclosed structure.

270

271 Director Morris: That is correct.

272

273 Mayor Samples: Okay, just want to make that clear because I think that's an
274 important distinction. Okay?

275

276 Councilmember Stevens: On like for example the Surfside Beach Resort has an
277 elevator that comes down to the bottom floor. If that was destroyed by a storm, what would they do?

278

279 Director Morris: They could certainly have the option of a lift, but they cannot
280 put the enclosure back underneath, unless they ask for a variance, and they'd have to show a
281 hardship.

282

283 Councilmember Stevens: They can ask for a variance?

284

285 Director Morris: Yes.

286

287 Councilmember Stevens: Alright, the Surfside Holiday Inn as well?

288

289 Director Morris: It would apply to any property located in the V Zone or the
290 LiMWA Zone.

291

292 Mayor Samples: Okay. Thank you. Any other questions for Ms. Morris? What I
293 want to say is, and I'm sure we've talked about it sometime in the past, I just don't remember, in the
294 13 years that I've been here where we ever talked about the ISO rating for planning, development and
295 zoning. So I'm very -- that's new information to me and I suspect it's new information to most of us
296 and I'm glad that we attain some improvement and of course we'll strive to obtain more improvement.
297 But it's nice to know. That's what I'm really saying. We always talked about ISO in the context of the
298 fire department, so it's something again I didn't know and I think it helps us all to know as much as we
299 can about our business, so, thank you, Ms. Morris.

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Regular Town Council Meeting
October 14, 2014

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Director Morris: Thank you.

Mayor Samples: Chief Keziah, police report. I was going to say Rodney, but that's too informal so.

iii. Fire Department

Chief Keziah: Thank you. Good evening citizens, Mr. Mayor, Council. I don't know how I got last again, so I have to follow ISO one in a nationally recognized document so I don't know what else to say. But, so I will throw some of my statistics out.

At the open house for the fire department, we had a booth set up, we had made some really nice contacts and some of the stats from there. I ate seven of the hot dogs. I had six scoops of Italian Ice. It was very good, thank you. I took nine rides on the fire truck, and I got thrown out of the bouncy house. So that was my involvement with that.

Our statistics for September are in your packet. We did have a decrease in calls for service and a decrease in the arrest and citation from last year which is normal for this time of the year. This is the time of the year that we cram all of our mandatory training required by statute and required by the justice academy to keep our certifications. In fact we're having in-service today and Thursday. We've got a day of driving scheduled in November and full day of firearms in December to keep us up to date on that.

As far as personnel actions, we accepted one resignation during the month of September for a police officer. It was Ian Anderson. We hated to see him go, but we understood the circumstances. He transferred to Georgetown P.D., a full time slot there. Which he was driving -- he lives on the other side of Georgetown, so he was driving 40 miles each way to work every day and back to court for training, so that is understandable.

As far as the high risk activities, we had three uses of force during the month. There were no injuries to the officers or to the suspects. And I can attest to the training that we go through that when you do unfortunately have to use force, you use the very minimal amount that's needed to make the arrest. One in particular we had was a mental patient that Nicole, one of our officers was dealing with at the Kangaroo right here, and it was an EMS call. For some reason, the lady attacked Nicole, grabbed her by the hair, tried to do a choke hold, and wound up spitting in her face before it was over with. So we had to go through all of the proper protocol for that. But I give her kudos for maintaining her composure. I'm sure you can imagine what it's like to have somebody spit in your face, so I give her a commendation for the way she treated that call. She was finally transferred to Waccamaw and was admitted there.

As far as training, we kept up with our required training for the month. Sergeant Bailey attended a 36 hour ground defense instructor course in Columbia which re-certifies him for our offensive tactics that we have coming up. Sergeant Bailey's participation with the U.S. Marshal's task force. We cleared out 12 outstanding warrants and collected \$4,688 in bond money.

The notable events. We had a press release that was issued on the 24th about an armed robbery that occurred in town. Through some public dissemination and information, we were able to receive some information from the public and we were able to make an arrest in that case, which is always good.

As far as the K9 use, I can't tell you how proud I am of our K9 program that we have. We had him on display at the fire department doing some demonstrations and there was one demonstration that they did where you have four different boxes and they set them up on the floor in the bay, and there's only narcotics in one of them. So they set him up and they left, and somebody from the audience said, why don't you shake those up, move them around a little bit. And so I'm like

Regular Town Council Meeting
October 14, 2014

349 okay, but there was a big breeze coming through the bay there, so you never know what was going to
350 happen, but the dog came in, went straight to the one that had the narcotics in it and sat down waiting
351 on his toy -- nothing. But he was deployed 17 times during the month and those deployments
352 resulted in seven arrests and along with seizures of illegal narcotics which included marijuana,
353 methamphetamine, and also heroin which we see an increase amount of heroin coming through town.
354 And those were on traffic stops.

355 At the family festival, we had a great showing there and we raised \$550 for the
356 American Red Cross, so it's amazing how much money you make when you put the Captain in the
357 dunking booth. I think most of it was my officers that paid to dunk me, so I don't know. And I'll take
358 any questions anybody has.

359
360 Mayor Samples: Thank you, Chief. Questions, comments? Mr. Johnson.

361
362 Councilmember Johnson: Mr. Mayor. Chief, did you pay for those hot dogs?

363
364 Chief Keziah: I made a donation and I thought it was a buffet originally, but then
365 they told me it wasn't.

366
367 Councilmember Johnson: Okay, thank you.

368
369 Mayor Samples: I do want to comment that the Chief is a member of the task
370 force that is operating in Horry County for the next bike week, Memorial Day Bike Week, and he's
371 keeping us up to speed on the matter. Ms. Fellner. We will now enter the administrator's report.

372
373 **C. Administrator's Report.**

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374
375 **I. Update of current events.**

376
377 Ms. Fellner: Good evening, Mr. Mayor, Council and residents. For my update I
378 have only three items tonight. But first I'd like to say a huge thank you to all of the firefighters in the
379 fire department who participated in getting this ISO one. I mean this is such an amazing thing that I
380 can't -- I'm still astonished. I know that Dan worked incredibly hard on it, but the firefighters, all of
381 them, were right there working with him, and a lot of stuff had to be done by everyone in order to
382 achieve this. And it's just amazing. So I can't say enough about our fire department.

383 I also can't say enough about our PB&Z Department, because very frankly
384 Sabrina's very modest in giving all kudos to the committee and everyone else. She works tremendous
385 hours -- tremendous hours trying to -- both on CRS and this reduction in ISO. It takes -- it just takes a
386 lot of time and I understand that the committee is wonderful and they're great, but you have to have
387 that person who's dedicated, who's driving that and who is actually doing the work and submitting
388 reports and all that. So kudos go to her as well.

389 Let's see, fire department, police department. Your turn some other time,
390 Rodney. On with my report. I have been in contact with Bob Martory again regarding the artificial
391 wreath and after considerable expiration, extending out approximately a quarter of a mile, it's been
392 determined that there is a significant shelving in the ocean floor and consequently a multitude of
393 habitat for existing sea life. At a later date he plans to resume the mapping using the CCU. He's
394 going to a partnership, a joint venture with the Marine Center at CCU and use their boat and their
395 mapping equipment and so forth. They'll resume where they left off and proceed westward. He'll get
396 back to me with the results once this has been achieved. But frankly, this is a surprise to everyone
397 including him who's been doing this for a long time, because it clearly means that whatever is causing

DRAFT

Regular Town Council Meeting
October 14, 2014

398 the apparent decrease in the fish population, it's not coming from loss of habitat. So that's a real
399 surprise.

400 The next item, Dr. Padua of Clemson University, College of Architecture has
401 contacted me and she is attempting to schedule a meeting in the near future to discuss the Ocean
402 Boulevard and the possible project. And I'll keep Council apprised because everyone will be invited
403 of course to meet with her when she does come.

404 And also I wanted to inform Council that parking was originally scheduled to be
405 on this agenda, but the agenda was rather lengthy tonight, so it was decided because parking is a
406 major complex issue, that we'd postpone it until the next agenda. There was nothing that couldn't
407 wait. It's subsequently been placed on the agenda for the next regularly scheduled meeting on
408 October 28th.

409 I also have a consensus item. This was an item that originally was going to
410 come back as a resolution, but it does not seem to be in order to respond to proviso 106.12 with a
411 resolution. I would therefore like a consensus to send a letter to DOR signed by the Mayor and citing
412 the consensus of Council that we would like to request that the current maximum amount allowable,
413 which is one third, be designated for the purpose of increased enforcement and direct policing
414 activities during the May bike events. Since the numbers are preliminary at this point and are subject
415 to anticipated legislative action, I would certainly bring back final numbers for Council for approval
416 prior to any expenditure of the funds. This just gives us the permission that if we want to use them for
417 that purpose, we can. It does not say we have to. But if we don't ask for this, we may not have that
418 opportunity if we don't ask for it by October 31.

419
420 Mayor Samples: This, what you have on the dias is exactly how the legislation
421 is written and as you see, there was some discussion of this yesterday briefly while the Governor was
422 in town. It's due October 31st. All the municipalities in the county are responding to this proviso which
423 was initiated by our county delegation to move forward, to ensure that we had resources as needed
424 for law enforcement.

425
426 Ms. Fellner: So Mr. Mayor, may I have a consensus to send the letter to the
427 DOR?

428
429 Mayor Samples: Are there any objections to the Administrator preparing a letter
430 for the Mayor's signature to respond to the DOR?

431
432 Consensus: No.

433
434 Mayor Samples: Any objections? Alright, you have your consensus.

435
436 Ms. Fellner: Thank you.

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440 **ii. Questions from public comments at the prior meeting**

441
442 Ms. Fellner: Moving along to public comment questions from last week. There
443 were seven comments at the last meeting which expressed opinions on items such as parking,
444 Santee Cooper taxes, etcetera, but no questions were posed and only two items that possibly require
445 a slight clarification. The first is a resident stated that the new EPA regulations would be difficult for
446 those without means or living on a fixed income and asked for Council to consider this. Just to clarify,

Regular Town Council Meeting
October 14, 2014

447 by adopting resolution #14-149, Town Council supported changes to the EPA proposed regulations
448 regarding CO2 emissions. The changes Council supported were in accordance with Santee Cooper's
449 proposal to keep energy costs manageable for all consumers. They did not, meaning Council,
450 support the regulation changes proposed by the EPA as this would serve to raise consumer rates
451 dramatically. Once again, Council only supported in the resolution that the EPA should make specific
452 changes in their proposed regulation which would serve to keep energy costs manageable for all
453 consumers in our area.

454 The other question that wasn't really a question but a statement. But a resident
455 recommended that we mark and confiscate tents on the beach that are setup early and left vacant for
456 hours at a time. Although I understand the concern, staff can only enforce what is in the code and at
457 present, there is nothing in the ordinance regarding the time monitoring of tent occupants on the
458 beach. So we can't enforce what is not in the code.

459 And that's all I have in my report tonight, Mr. Mayor.

460

461 Mayor Samples: Thank you. Any questions or comments for the Administrator?
462 Thank you, Ms. Fellner.

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7. BUSINESS

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Mayor Samples: We are now at business. The first item is the second reading
of ordinance #14-785 which is to amend fiscal year 2013-2014 Municipal Budget. Administrator
Fellner.

Ms. Fellner: Yes, and the facts of this are the 2013-2014 budget requires
amendments to reflect Town Council approval for expenditures/appropriations made during the fiscal
year. An amendment to the hospitality fund is needed to reflect approval of Council at the budget
meeting to reserve beach nourishment funds in the capital projects fund rather than the hospitality
fund. This amendment authorizes the transfer of \$119,000 from the hospitality fund to the capital
projects fund.

An amendment is also needed to the accommodations tax fund to reflect the
additional funds due to Myrtle Beach Chamber and the Town based on the fourth quarter payment
from the State of South Carolina, Department of Revenue, as required by State statute. This
amendment authorizes the increased expenditure of \$44,500 from the A-tax Fund to the Myrtle Beach
Area Chamber of Commerce. And that's because we received more money.

And lastly, an amendment to the pier fund is needed to approve the
management fee paid to Lanier which exceeded the original budget and it exceeded the budget
because we brought in more parking revenue and to cover additional costs incurred to repair and
maintain the pier. This amendment authorizes the increased expenditure of \$15,900 from the pier
fund. And the recommendation to approve as presented.

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Mayor Samples: Thank you. Is there a motion?

#14-0785 to Amend the Fiscal Year 2013-2014 Municipal Budget. Councilmember Childs
moved to approve. Councilmember Mabry seconded. All voted in favor. MOTION CARRIED.

Mayor Samples: We now enter a number of first readings of ordinances. The
first being #14-786 to Amend Section 8-36, subparagraph A. Fireworks, to place a 500 foot no
fireworks zone on either side of the pier. Ms. Fellner.

Ms. Fellner: The facts are a professional fireworks display occurs on the pier

Regular Town Council Meeting
October 14, 2014

496 each 4th of July. Various incendiary devices set off by the public have landed on the pier during the
497 time the professional fireworks are on the pier. The fire chief has indicated that this practice exposes
498 the pier and the professionals setting off the fireworks to increase danger. This practice also exposes
499 the town to increase liability. 500 feet on either side of the pier extends on the north side to the first
500 lot past the 1st Avenue North access; and on the south side, to the fourth lot, past the 1st Avenue
501 South access. And the police chief has indicated that this is enforceable. So the recommendation is
502 to approve as presented.

503
504 Councilmember Childs: Mr. Mayor, I'm going to vote for this first reading of this.
505 Because of the 500 foot, I'm hoping maybe each year we can go 500 more feet. I'm against fireworks.
506 They're dangerous and it's the reason why most towns and cities don't have them. We've been very
507 lucky up to now with the liability part, not to mention the mess that's left after it, and so hopefully some
508 day we'll do away with fireworks on the beach on the 4th of July with the exception of the town
509 sponsored fireworks.

510
511 Mayor Samples: Thank you. Any other comments?

512
513 Councilmember Magliette: I was curious here on number four facts, item F, that
514 the police chief has indicated that this is enforceable. I was just curious how this was going to be
515 enforced with so many people being here for the 4th of July. How one could possibly prohibit people
516 from discharging fireworks within that 500 foot zone on each side of the pier?

517
518 Chief Keziah: First off would be to delineate the zone to start with, with some
519 barricades and some signage to start with. I've been there for the last -- almost seven years I've been
520 here at every July the 4th event. That 500 foot zone I think is manageable with the people that I will
521 have down there. In that immediate area, that past July, there was only I would say six to eight
522 groups that were shooting fireworks in that proximity. I think everybody was really waiting on the big
523 show, but I think with the personnel that we have, we can address all of the groups and enforce it that
524 way. Plus I plan on either purchasing or renting another message board to be able to put in, coming
525 in on Surfside Drive, to put that message out.

526
527 Councilmember Magliette: Chief, in your opinion, are you going to confiscate
528 the fireworks within that 500 feet that haven't been discharged? Or are you just going to tell people
529 not to light them off?

530
531 Chief Keziah: I think this year with the change in the ordinance, when it's been
532 practiced to be allowed, it will most likely be a common sense approach to it for lack of a better term.
533 You know, until we can get the word out and get the advertising out. And we can change it on the
534 brochures that go out next season. But I think the first year from changing it from it being allowable to
535 not, when it's been practice since I've been here, it would be -- and most of the time when you
536 address them, they're going to stop and comply.

537
538 Councilmember Magliette: So that would mean that for the first year you're
539 going to give warning notices, you're not going to issue any tickets?

540
541 Chief Keziah: They get one warning, yes.

542
543 Councilmember Magliette: Thank you, Chief.

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Regular Town Council Meeting
October 14, 2014

545 Mayor Samples: Thank you. Any other questions?

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#14-0786 to Amend Section 8-36, Fireworks be amended to add "it shall be unlawful to discharge fireworks within 500 feet of the pier". Councilmember Mabry moved to approve. Councilmember Johnson seconded. All voted in favor. MOTION CARRIED.

Mayor Samples: The next item is #14-788 regarding floodplain management in response to community rating systems requirements from FEMA. Director Morris.

Director Morris: We've actually held several workshops on this issue and presented the changes that the -- not only the FEMA CRS committee has recommended, but staff also recommends. The town is an active member of the CRS and of course it's our hopes that we can reduce our CRS rating to help promote lower insurance rates for the town property owners. Of course communities that are a member of the CRS may see results in flood insurance rate discounts to reflect the reduced flood risk based on their CRS rating. The changes proposed in the flood ordinance will help improve the town's CRS rating. The town is scheduled to receive updated FEMA Firm Maps by the end of this year. I can tell you they're on hold right now. We may or may not see them this year, but it's still being told that we should see them by the end of this year. I'm thinking more next year.

The FEMA CRS committee as I said has assisted in the amendments based on the recommendations from the CRS class in Maryland and the actual class recommended additional requirements and the committee did not feel that they -- they felt they were too stringent for the town. A public hearing has been scheduled for the proposed amendments on October 28th here at Town Council at 6:00 before the next meeting.

Staff did receive approval for the proposed changes from FEMA State Floodplain Coordinator Maria Lamb on August 21st, 2014. And if the proposed changes are approved by Council, the ordinance will help to improve the CRS rating, which is currently a nine at best, the changes will also encourage better flood damage prevention in all areas of the town, not just the special flood hazard area. By prohibiting development activity such as fill and slab on grade construction, the town promotes a safer and more resilient community from natural flood disasters and storm water drainage problems on surrounding properties within the town.

We are recommending approval as presented. And of course in the future the committee did want me to say that in the future that if the FEMA maps are not as stringent as we think they're going to be, that committee may also recommend changes to reduce some of these requirements.

Mayor Samples: We need a motion.

Councilmember Johnson: I would like to make a motion that we approve ordinance #14-0788.

Councilmember Mabry seconded.

Mayor Samples: There is a motion, it was seconded by Ms. Mabry, we are in discussion.

Councilmember Johnson: This is a very complex situation. As Director Morris pointed out, we don't know what FEMA's going to do, we don't know where the lines are going to be, but I think it would be prudent for us to be proactive as opposed to reactive. And I think that that would bode well for us. And as Ms. Morris pointed out, we could always come back and alter or

Regular Town Council Meeting
October 14, 2014

593 amend the ordinance based on the final results. But I feel very strongly that we need to start acting
594 on this now.

595
596 Councilmember Mabry: The CRS rating is -- and I'm on the committee and this
597 is something I've pushed for, I believe it in strongly. Yes, we get points and we do get a reduction in
598 your flood insurance rates, but more importantly these ordinances help protect your property. And it's
599 nice that we're going to get -- and I truly believe we are -- going to see that great reduction. But we're
600 getting ready to see 488 more homes built right across the street. They have already promised to put
601 condos at the Wicked Stick, on that golf course. So we could see over 1000 homes in the very near
602 future that could have an impact. Flooding doesn't just come from the ocean. What happens is it
603 comes across the street, and how much can you really take. You know, they have their plans, their
604 floodplain plans when they build, but during a storm, that may not be sufficient, so that water is
605 coming over here. And the reason they want you to lift the house up, the reason you want vents, the
606 reason you want to do all these things is to protect your life and protect your property. I really believe
607 that lowering the rates is a benefit that we'll all get to see, but I think more importantly protecting
608 property is the job of the town. So I want you to know that I 100% agree and we try to make it fair and
609 actually did not adopt everything that was recommended because we thought it was too stringent. I
610 would have probably gone a little stringent but.

611
612 Mayor Samples: Thank you. Any other comments?

613
614 Councilmember Stevens: One of the things that I've seen in here and I've
615 talked to a lot of builders and asked them about this was the prohibition of field dirt. And I know if this
616 law was in effect, I couldn't build my house because I brought in 27 tandem loads of dirt on my lot.
617 And I see a lot of problem there that we may be hurting the builders that are building homes, whatever
618 it might be, in this area. And we've got problems with lots that are shaped like bowls, like saucers,
619 and I know you said that this was, I think you mentioned this, that if you applied for this or this went in
620 and you needed fill, you could apply for a variance. And I see that you have on Article 3, variance
621 procedures. You have the construction board of adjustments and appeals. Could you tell me how
622 many times they've met so far?

623
624 Councilmember Mabry: They have not met since I've been here.

625
626 Councilmember Stevens: Okay. Is there a guarantee -- if they ask for an
627 appeal, do they get a --

628
629 Councilmember Mabry: Yes, that is a guarantee.

630
631 Councilmember Stevens: Is that 100 % guarantee, they get a hearing?

632
633 Councilmember Mabry: Yes.

634
635 Councilmember Stevens: Is the hearing final?

636
637 Councilmember Mabry: The hearing can be appealed to circuit court.

638
639 Councilmember Stevens: Alright, it operates just like the board of zoning
640 appeals?

Regular Town Council Meeting
October 14, 2014

641 Councilmember Mabry: Yes. Except the construction board of appeals are
642 qualified for the construction end of it. They are architects, contractors.

643
644 Councilmember Stevens: Now my other question about this is, does the board
645 of zoning appeals have any say-so in this?

646
647 Councilmember Mabry: No they do not. It's out of their scope.

648
649 Councilmember Stevens: Out of their scope. But that's where I don't
650 understand, the board of zoning and appeals hears zoning and then this flood - having to do with
651 flood zones?

652
653 Councilmember Mabry: No, this is a flood zone, not a zoning ordinance.

654
655 Councilmember Steven: Okay. Alright. So they are guaranteed, if they ask for
656 an appeal, those people can -- that is guaranteed to them 100 percent?

657
658 Councilmember Mabry: Yes.

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659
660 Mayor Samples: Any other comments? Mr. Pellegrino.

661
662 Mayor Pro Tempore Pellegrino: Ms. Morris, I'm glad you guys are holding
663 this as a party and putting so much work into it because obviously in our tourist economy and every
664 year wind and hail and flood insurance go up, so this is a huge tool to help control that. I just was
665 wondering, do you have any feel. Currently we're at a nine, where we expect to decrease to in 2015-
666 2015 and so on?

667
668 Director Morris: We are up for a new rating next year. Our goal is a seven.
669 We have gotten great input from FEMA, so I feel confident in saying we'll probably get a seven. If we
670 are even better than we think, I'd love to see a six. But as work towards -- this year and next year we'll
671 be doing the most tedious work, which is the ordinances and the PPI which I mentioned and actually
672 storm waters I think being reviewed by the storm water committee at the next meeting. So all of the
673 ordinances are being put in place now. At the next year and the next year will advance by doing extra
674 smaller things, but continuing. And we're hoping within the next three to five years, we'll be at least a
675 five, which is a huge discount for the town property owners.

676
677 Mayor Samples. Any other comments? Ms. Mabry.

678
679 Councilmember Mabry: One comment. I had the privilege of going to a CRS
680 meeting in Myrtle Beach. They had people from Columbia and all over. And the reason they said the
681 towns don't -- that participate usually don't below an eight is because at that point in time, you have to
682 start hiring people and the cost is prohibitive, so they kind of stay at that eight or nine and they don't
683 get below that. But I would like to say that Ms. Morris has taken her own time to work on CRS and so
684 we did not have that expense, because most towns just don't go any further and we're real proud of
685 everything that's been accomplished so far.

686
687 Mayor Samples. Thank you. Any other comments? Well I'll just second Ms.
688 Mabry's comment. There's no question in my mind that without your diligence, we would not be in a

Regular Town Council Meeting
October 14, 2014

689 position to be talking about the matter. In fact as I said earlier, in the past we didn't really talk a lot
690 about the zoning and the regulations surrounding it. We dealt primarily with the construction code, the
691 international building code, the adoption of that sort of thing. But we are in a regulated society and we
692 need to be able to defend what we have. And without your work and effort, I don't believe we would
693 be there.

694 Any other comments?

695
696

697 #14-0788 regarding floodplain management in response to CRS requirements from
698 FEMA. Councilmember Johnson moved to approve. Councilmember Mabry seconded. All voted in
699 favor. MOTION CARRIED.

700

701 Mayor Samples: The next item is #14-0789 Beach Renourishment. Director
702 Morris.

703

704 Director Morris: I was asked to write an ordinance on the establishment of a
705 beach Renourishment reserve. Beaches save lives or reduce infrastructure environment and
706 property damage during severe storms and hurricanes. Of course it stops the energy before it
707 actually gets to the buildings and residents. They reduce the amount of damage and insurance
708 costs to our town. This is the number one reason to maintain the beach adequacy. The primary
709 function of our beach is to be a physical barrier, to protect lives and the upland infrastructure
710 environment and the property during major storms or hurricanes. The beach deflects the wave
711 energy and reduces destruction of land. They turn destruction into damage instead of disasters
712 and reduce the cost to rebuild or repair. The beach is part of our infrastructure. It provides
713 economic benefit and revenue while serving residents. Just like roads, bridges, they wear out in
714 time and need to be maintained. By protecting the upland land and environment, the beach
715 prevents more severe storm and hurricane damage. In addition beaches provide nesting areas
716 for sea turtles, shore birds and are home to crabs and seashell life. The town's beach is a very
717 important economic asset as we all know. Not established in an ordinance that allows for the cost
718 of renourishment to come out of the budget at a lower scale value impacts citizens of the town by
719 requiring a large amount of funding to be placed on the property owners all at once, when it's time
720 for beach renourishment.

721 We recommend approving the ordinance as submitted. Storm protection,
722 tourism and environmental advantages are among the high reasons for recommending the
723 ordinance be passed, and by establishing a fund that collects a set amount will also help prevent
724 a large burden on the citizens.

725

726 Mayor Samples: Thank you. We need a motion.

727

728 #14-0789 Beach Renourishment. Councilmember Johnson moved to approve.
729 Councilmember Childs seconded.

730

731 Mayor Samples: Any further discussion?

732

733 Councilmember Mabry: I'd like to amend #14-0789, number 4 and add the
734 word a minimum of \$50,000 from hospitality fund. The word "a minimum" would be added.

Regular Town Council Meeting
October 14, 2014

DRAFT

735 Mayor Samples: Is there a second?

736

737 Councilmember Johnson: I'll second.

738

739 Mayor Samples: There is a second. Any further discussion?

740

741 Councilmember Johnson: I certainly do think that \$50,000 is a minuscule
742 amount based on our past experience on renourishing the beach. Unfortunately, we got some --
743 in the past we have received inappropriate or incorrect information about the federal government
744 coming in and replenishing the beach and we didn't have to worry about any funds for the beach.
745 And as it turns out, that was wrong. But this is a step in the right direction.

746

747 Mayor Samples: Thank you, any further comments on the amendment? Mr.
748 Pellegrino.

749

750 Mayor Pro Tempore Pellegrino: So this fund will just include \$50,000 from
751 the hospitality tax? Or would there be funds from other accounts also? I'm confused about that.

751

752 Ms. Fellner: There's also funds that come from the A-Tax. The A-Tax
753 Committee recommends to Council that whatever is left over after their appropriations have been
754 made would be part of that fund, and that it all goes into the capital projects fund. We anticipate
755 having approximately \$400,000 -- I think it's 392 something -- at the end of the fiscal year 2015.

756

757 Mayor Samples: The intent is to ensure that there is a ordinance which
758 Council will follow, so that we don't wind up in a situation as Mr. Johnson indicated where, and as
759 you know, where we had zero money budgeted for renourishment.

760

761 Mayor Pro Tempore Pellegrino: And I agree with that concept definitely, I
762 just want to make sure we have enough. So how much each year is going to end up in this fund?

763

764 Ms. Fellner: It depends what's left over. It's not a set amount each year. I
765 think this ordinance is simply to satisfy the CRS requirement. They want you to have an
766 ordinance in place regarding beach nourishment. It specifically addresses a particular amount.
767 And \$50,000 annually is acceptable to them to give us what we need for those points, and that's
768 why this really doesn't have to do with what we put in that account.

769

770 Mayor Pro Tempore Pellegrino: No, I understand, but this is actually a good
771 tool for us to actually budget it properly and at the end of ten years, we want our million and a half
772 dollars, whatever we need. So Ms. Mabry made a good comment that it has to include \$50,000
773 from hospitality tax. I mean I think we should add also that needs to include another 50 or 75,000
774 from A-Tax. That's all I'm saying. So at the end of the ten years, we actually have enough money
775 to renourish the beach. I mean if we're going to create an ordinance, I know I understand this was
776 created for CRS purposes, but we should make it liable so it works for actually what we need to
777 do the job.

778

779 Councilmember Johnson: Is that not already in our ordinances?

780

DRAFT

Regular Town Council Meeting
October 14, 2014

781 Ms. Fellner: Yes, and that will also be in the flow ordinance that's coming
782 back.

783 Councilmember Johnson: Exactly. So we are talking specifically now about
784 this fund. Not any other funds.

785
786 Ms. Fellner: Yes.

787
788 Mayor Samples: I think again the intent is to initiate the process which I
789 agree with you needs additional work. There's no question about that. But it's a step in the right
790 direction. Again we're talking about the amendment to add the word minimum. Any other
791 comments?

792 #14-0789 Beach Renourishment. Councilmember Johnson moved to
793 approve. Councilmember Childs seconded. All voted in favor. MOTION CARRIED.

794
795 Mayor Samples: The amendment is adopted, we're back to the primary
796 motion. Any further comments. Mr. Magliette.

797
798 Councilmember Magliette: I think this is a wonderful first step. When I was
799 running for Council along with Mr. Pellegrino, one of our big focus points was that there was no
800 money for beach replenishment. I think that Council has done a wonderful job on addressing
801 these issues, and I just want to thank my fellow councilmembers and staff for being able to do
802 this. And as I always said, small steps are small steps. And even if, you know, times become
803 tough, still at the end of ten years, we have a half a million dollars towards beach replenishment.
804 When I came on Council, there was zero dollars available, so I want to thank the Council for
805 having the foresight to do this. And as I said before, the important thing to do is work together and
806 do small steps. Thank you very much.

807
808 Mayor Samples: Thank you, Sir. If there are no other comments, I'll call for
809 the vote. All in favor. First reading is adopted.

810 The next item is #14-790 to amend Section 2-186, Deposits and
811 Withdrawals. Administrator.

812
813 Ms. Fellner: Yes, the purpose of this to amend section 2-186 to agree with
814 current check cashing protocol and to eliminate old terminology with respect to pay vouchers. The
815 facts are that section 2-186, deposits and withdrawals states that all monies of the town should be
816 deposited in a bank or a depository selected by the Town Council and money shall be drawn
817 therefrom upon a signature of the finance officer or his designee, the Mayor, the Mayor Pro
818 Tempore or the Town Administrator. All pay vouchers shall be signed by the finance officer or his
819 designee and either the Mayor, the Mayor Pro Tempore or the Town Administrator.

820 Pay vouchers are no longer required to be signed as payroll funds are now
821 directly deposited into employees' bank accounts and all manual checks require two signatures
822 from any of the following person: The Finance Director, the Mayor, the Mayor Pro Tempore or the
823 Town Administrator.

824 The recommendation which you have a revised one in front of you. Because
825 Councilwoman Mabry had pointed out a couple of things and so I revised it for you to night before
826 the meeting. So the recommendation is to amend Section 2-186 of the accounts of town code by

Regular Town Council Meeting
October 14, 2014

827 placing a period after the words "Town Council" in the first sentence and deleting the rest of that
828 sentence. By adding the sentence, "All manual checks shall require a signature from any two of
829 the following persons: the Town Administrator, the Finance Director, the Mayor or the Mayor Pro
830 Tempore. And by deleting the next sentence in its entirety.

831 And the rationale is things change over time. The code must be periodically
832 updated. These are housekeeping items to insure our ordinance is in agreement with our current
833 check cashing protocol and also to eliminate old terminology with respect to pay vouchers.

834
835 Mayor Samples: Alright, we need a motion.

836
837 #14-0790 to amend Section 2-186, Deposits and Withdrawals. Councilmember Childs
838 moved to approve. Councilmember Stevens seconded. All voted in favor. MOTION CARRIED.

839
840 Mayor Samples: First reading is adopted.

841 Alright, Ms. Ellis, would you read 14-150 the resolution to allow horses on
842 the beach? We discussed this but we need to adopt the resolution.

843
844 Ms. Ellis: Resolution 14-150 to allow horses on the beach in the Town of
845 Surfside Beach on November the 5th, 2014 during the American Heart Association 33rd Annual
846 Beach Ride. Whereas the Town of Surfside Beach Town Council in chambers duly assembled in
847 a regularly scheduled meeting held on the 23rd day of September, 2014 is desirous of supporting
848 the 33rd Annual American Heart Association Beach Ride. And whereas Town Council has
849 assured by representatives of the American Heart Association, that the event would cause no
850 harm to the town's beaches and was in fact supported by the Department of Health and
851 Environmental Services. And whereas Town Council was assured by representatives of the
852 American Heart Association that there would be appropriate cleanup of the town's beach during
853 the event, and whereas Town Council adopted a motion to support said beach ride and
854 subsequently moved to direct staff to present a resolution to document said approval. Now
855 therefore be it resolved that the Town of Surfside Beach Town Council does hereby grant
856 permission for the American Heart Association to conduct its 33rd Annual Beach Ride on the
857 beach on November the 5th, 2014. Be it so resolved, this 14th day of October, 2014.

858
859 Mayor Samples: Thank you. Mr. Childs.

860
861 Councilmember Childs: When this was under discussion, I objected to it
862 because of complaints last time, but after thinking it over, that the Red Cross promised that they
863 would make sure that everything was cleaned up, and after reviewing that, I will withdraw my
864 objection and vote in favor.

865
866 Mayor Samples: Can I get a motion?

867
868 #14-150 to Allow Horses on the Beach for the American Heart Association Beach Ride,
869 November 5, 2014. Councilmember Johnson moved to approve. Councilmember Pellegrino
870 seconded. All voted in favor. MOTION CARRIED.

871
872 Mayor Samples: The next resolution, #14-151 to repeal 7th Edition and to

Regular Town Council Meeting
October 14, 2014

873 adopt 8th Edition Personnel Handbook. Ms. Fellner.

874

875 Ms. Fellner: Could we have the clerk read the resolution first?

876

877 Mayor Samples: We certainly can. Ms. Ellis.

878

879 Ms. Ellis: Resolution #14-151 to repeal personnel policy manual 7th edition
880 and to adopt personnel handbook 8th edition. Whereas this matter comes before the Council of
881 the Town of Surfside Beach at a regularly scheduled meeting held the 14th day of October, 2014.
882 And whereas the Town Council of the Town of Surfside Beach adopted the personnel policy, 7th
883 edition on the 24th of June 2008 and whereas the Town Council wishes to repeal said 7th edition in
884 its entirety. And whereas the Town Council adopted ordinance #03-0493 that sets forth
885 employment within the Town of Surfside Beach shall be at will. Now therefore be it resolved that
886 the Town Council of the Town of Surfside Beach hereby repeals the personnel policy manual 7th
887 edition dated June the 24th, 2008 in its entirety. Be it further resolved that the Town Council of the
888 Town of Surfside Beach hereby adopts the personnel handbook, 8th edition, dated October 14th,
889 2014.

890

891 And did I want to add that the ordinance that governs this is section 11-7B
892 which states incorporation by reference of town personnel policy manual of the town code states,
893 and I quote, the terms and conditions of the town personnel policy manual as amended from time
894 to time by the Town Council, are adopted by reference into the ordinances of the Town.
895 Therefore a resolution to repeal the 7th edition and adopt the 8th edition of the personnel handbook
896 and information, technology policy is required by the Council. And the resolution would achieve
897 this purpose. Having said that, I did receive an email today from Councilwoman Mabry with some
898 changes and I don't know if everyone wants to discuss that. Before we discuss that, I will also
899 say that this was the first major rewrite in probably 12 years of this. So we're going to find
900 additional little things here and there and we'll save them up and we'll come back from time to
901 time and correct whatever those little items are. But some of the ones that she discussed in here
902 are not so little and we could certainly make those changes if Council, if that's what Council
903 desires. I did have a problem with numbers 1 and number 3. But the rest I think should definitely
904 be -- the changes should be made.

904

905 Mayor Samples: I would suggest we move to suspend the rules so we can
906 cover these items tonight and we can move on, since the personnel manual has been worked on
907 for almost two years and I know the organization committee met on it several times. And I know
908 that Council had the draft personnel manual now for about a month. And so let's try to finish this
909 so if somebody would make a motion to suspend the rules, we can go one, two, three and we'll
910 reach consensus. And then we'll come back under the rules and hopefully vote to adopt the
911 consensus. Is that fair? The resolution. Can I get a motion to suspend the rules.

912

913 #14-151 to repeal 7th Edition and to adopt 8th Edition Personnel Handbook. Councilmember
914 Johnson moved to approve. Councilmember Mabry seconded. All voted in favor. MOTION
915 CARRIED. Councilmember Stevens moved to amend "with revisions". Councilmember Magliette
916 seconded. All voted in favor. MOTION CARRIED.

917

918 Councilmember Magliette: Since the rules are suspended, and I hope I'm not

Regular Town Council Meeting
October 14, 2014

919 out of order, there were discussions going on and emails were sent in September and they were
920 going back and forth about people having problems, which is now called the section 517 which is
921 the video and audio recording in the workplace. And emails have gone back and forth to people.
922 Some people wanted it to be left the way it was. Some people wanted it to be deleted. And I had
923 offered a middle of the road approach, was just to modify it because I'm not in favor of allowing
924 recordings in the workplace, except in the case of unlawful activity. So my recommendation,
925 since we're talking about these, would be to add to 517 just one sentence, and that one sentence
926 would say to allow recordings of one-to-one employee conversations only in the case of alleged
927 unlawful activity. That's it, Mr. Mayor, thank you.

928

929 Mayor Samples: Thank you, Mr. Magliette. I know that others had interest in
930 that particular section. Before we get off that particular section, let's deal with it.

931

932 Councilmember Mabry: I have -- I studied my phone and then I had to go
933 get my husband a new phone. All phones now have a recording device on them. And it says
934 recording and you hit it. Well unbeknownst to me that when you go to play it back, if you hit the
935 bottom, up comes a pair of little scissors and that's so that you can edit that conversation. And I
936 have my phone right here if anybody wants to check. So you can delete -- I can say anything and
937 then you can delete passages on your phone within five minutes, turn around, hit record and they
938 have altered everything you've said. I can say I like -- I hate the fact that I like little sheep. They're
939 so cute. But I love to eat lamb. They can change that and said I hate lamb. You can just go in
940 there and it's a button, it's a finger push it just takes off any word that you don't want there. So it's
941 not reliable. It's not safe. I had no idea you could do that right on the phone, I'm going to be
942 perfectly honest. I had no idea that smart phones have that capability. But they do and you can.
943 So for that reason alone, I would have to say no because the recording, how are you going to
944 know if it's a good recording or not? You're not.

945

946 Mayor Samples: Any other comment on Mr. Magliette's suggestion?

947

948 Councilmember Stevens: As long as state law allows you to record a
949 conversation, I cannot vote for this resolution. Simply because the first time that a person gets
950 fired, they're going to go get an attorney and they're going to come back and they're going to sue
951 the Town of Surfside and we're going to pay the price. It's a state law, it's accepted that you can
952 record a conversation if you're a party to that conversation. I can't record for example the Mayor
953 and Ms. Mabry's conversation secretly, but I can record the conversation between the three of us
954 as long as I'm a party to it. That's totally legal. That's the law. State law allows that. And I can't
955 vote for a policy that would actually fire a person, immediate termination is what it says, immediate
956 termination for following state law.

957

958 Mayor Samples: We're talking about Mr. Magliette's --

959

960 Councilmember Stevens: Yeah, I understand that. And I would agree with
961 what he said. He hasn't made a motion, but this is discussion. And the fact is Mr. Magliette
962 makes a good point. Unlawful activity should be recorded. If you're a party to that unlawful
963 activity, you should be able to record it. If a person is making sexual harassment remarks to you,
964 you should be able to record it. If that person is threatening you, you should be able to record it.

Regular Town Council Meeting
October 14, 2014

965 By law, if you're a party to it, you have that right. And it's the law in the State of South Carolina,
966 and we cannot trunk the laws of the State of South Carolina. So I can't vote for the resolution as
967 long as that's in there. Now I would go along with Mr. Magliette, what he says, unlawful activity.
968 Just it's unlawful, it's unlawful. I don't know anything about the recording things that Ms. Mabry
969 says that you can do all that, and I doubt half the people in this town know how to even operate
970 those things. I sure don't.

971
972 Mayor Samples. Thank you. Any other comments? Any other comments? I
973 would like -- is there a consensus.

974
975 Councilmember Pellegrino: I agree with Mr. Magliette's recommendation.

976
977 Mayor Samples: I do also, and the fact the matter is, any unlawful activity
978 should be reported through the chain of command. Otherwise we got a problem. Okay? So I
979 want to make note of that. Okay? If there's something illegal going on, it needs to be reported.

980
981 Councilmember Childs: Mr. Mayor, I agree with Mr. Magliette.

982
983 Mayor Samples: Okay. So I think we have a consensus that the addition of
984 that language to that section. Can you repeat that?

985
986 Councilmember Magliette: Yes, Mr. Mayor. The language is allow recording
987 of one-to-one employee conversations only in the case of alleged unlawful activity.

988
989 Ms. Ellis: Repeat it one more time please?

990
991 Councilmember Magliette: Sure. Allow recording of one-to-one employee
992 conversations only in the case of alleged unlawful activity.

993
994 Mayor Samples: And so there would be knowledge or belief on the part of
995 whoever's doing the recording that some quote unlawful activity. Is that fair?

996
997 Councilmember Magliette: Correct.

998
999 Mayor Samples: Alright. That's one consensus.

1000
1001 Councilmember Stevens: I'm going to play devils advocate here. You know,
1002 I know it may very well be cut and dry, but who is alleging the illegal activity and will it stand up in
1003 court. I mean it looks good on paper, but --

1004
1005 Mayor Samples: No, I understand your comment. If I could I would like to try
1006 to answer the question. The individual employee that's running around doing recordings, they
1007 better have some proof. That's what I want to say. Okay?

1008
1009 Councilmember Mabry: Mr. Mayor, I want to make one other little tiny
1010 comment. I did talk to my girlfriends, my relatives and I've talked to women in town hall. They are

Regular Town Council Meeting
October 14, 2014

1011 so opposed to this. They don't like anything about it. They think it's antiquated. I've told you that
1012 you can alter on your phone anything that you record. Now if I can do it, I believe over half the
1013 people in Surfside or town hall can do it. I'd like to think that I'm somewhat knowledgeable, but I'm
1014 certainly not the guru of smart phones. And if I can do it, anybody out here can do it. So to say
1015 that you're going to record something, how do you know it's been altered or not? How do you
1016 know? There's no way you can know. If there's somebody sneaky enough to start recording, I'm
1017 not too sure they're not capable of altering that recording.

1018
1019 Councilmember Stevens: Alright, this is my last comment on this. I was in
1020 fact present in a court case. Happened right here in Horry County. And they brought in an expert
1021 witness on both sides and the expert witnesses on both sides said the recorded conversation had
1022 not been altered. Under direct testimony. So you can tell if a tape has been altered. You can tell
1023 if a recording has been altered. It has already been applied here in Horry County. And I know my
1024 father's law firm was the people that represented the people and the recordings was allowed, and
1025 I watched the case. And the other people lost and the recording was actually verified in a court of
1026 law by experts. So it can be verified if you have tampered that tape.

1027
1028 Mayor Samples: Alright, by a show of hands, by a show of hands who
1029 objects to Mr. Magliette's language? Alright. Let's move on. Let's move on.

1030
1031 Ms. Fellner: Should I read these one by one? The next ones?

1032
1033 Mayor Samples: Yes, we're going to cover them one by one and we're going
1034 to come back in and we'll have a vote.

1035
1036 Ms. Fellner: These are from the email from Mary Beth Mabry on Tuesday,
1037 October 14th. The first one is section 103, the first paragraph, last sentence, should any employee
1038 be asked to violate the directive, they must report this to the Town Administrator. And then she
1039 says, we should add the Mayor or Town Council. This is one of the few that I actually disagree
1040 with. I think that when you have a violation, you need to report it up the chain of command so that
1041 -- and then if it doesn't go anywhere from the Town Administrator, by all means then you take it to
1042 the Council and to the Mayor. But it would be chaos to be reporting it to outside the chain of
1043 command.

1044
1045 Mayor Samples. Thank you. Ms. Mabry.

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1046
1047 Councilmember Mabry: Ms. Fellner, I think I did probably word that
1048 incorrectly because it should say, it needs to be clear that needs to go to the chain of command
1049 and you're the last stop; however, this policy is not about personnel that's here today. It's
1050 personnel neutral. So should we, and we have in the past, seen that directives were not followed
1051 or somebody has told somebody to turn a blind eye, they need to be able to go above the director
1052 or the administrator if that director, the administrator has told them to turn a blind eye. So there
1053 needs to be some language in there that says that you can take it to Council or they can take it to
1054 Council in case of an unusual situation -- but I do understand it has to go to you first.

1055
1056 Ms. Fellner: And I would have no problem with adding that language

Regular Town Council Meeting
October 14, 2014

1057 because we've added it in other places in the manual.

1058

1059 Councilmember Mabry: That's true, that's where I got it. Yeah. So that is
1060 what I meant. You're correct.

1061

1062 Ms. Fellner: That's fine. I have no problem with that.

1063

1064 Mayor Samples: What is the language?

1065

1066 Ms. Fellner: The language, it's just that if the problem is with the
1067 administrator, like if I were to tell --

1068

1069 Mayor Samples: I got it. So it would be specific to the Administrator.

1070

1071 Ms. Fellner: Right. Then they would need to go above me.

1072

1073 Councilmember Mabry: I didn't work it correctly.

1074

1075 Ms. Fellner: Other than that I have no problem with it.

1076

1077 Mayor Samples: Everybody understand what --

1078

1079 Councilmember Stevens: Could you read it one more time?

1080

1081 Ms. Fellner: What is says here is the first paragraph, last sentence, should
1082 any employee be asked to violate the directive, they must report this incident to the Town
1083 Administrator. And what Councilwoman Mabry is suggesting is that if -- because 103 involves
1084 ethic violations. If I were to say absolutely not, you know, as she said, turn a blind eye to that,
1085 which would mean I was not being ethical as the Town Administrator, then they would be able to
1086 take it according to the manual directly to the Mayor who would involve the labor attorney at that
1087 point.

1088

1089 Councilmember Johnson: I would like to make a motion to quickly suspend
1090 the rules to ask a question.

1091

1092 Mayor Samples: We still are. We're still in suspended rules.

1093

1094 Councilmember Johnson: Okay. My question is, are we bringing all of this
1095 information back to us because we're changing language that was given to us already.

1096

1097 Mayor Samples: Well, and I certainly am sympathetic to that, but listen, I'm
1098 going to be honest, we've had this, you know, on our plate for some time. I would expect the
1099 Administrator to make the changes that we are going to direct her to make.

1100

1101 Councilmember Johnson: That is correct, Mr. Mayor, but still, I mean --

1102

DRAFT

Regular Town Council Meeting
October 14, 2014

1103 Mayor Samples: What I'm saying, Mark, Mr. Johnson, what I'm saying is that
1104 she's got to publish a personnel manual for distribution to all of the employees. When she
1105 publishes that personnel manual with these changes, you and I, we will receive the personnel
1106 manual. If those changes are not to the satisfaction of individual Councilmembers, we can
1107 reconvene and talk about the personnel manual again. We are adopting it by resolution. It is
1108 referred to by ordinance. And my concern frankly is that we're using a 2007 or 8 personnel
1109 manual now that is inconsistent with lots of things that we actually do. Okay? So if you get my
1110 point.

1111 Councilmember Johnson: Yes. But may I make my point? We're making
1112 changes to the changes and I just want it to be done right the first or second time.

1113
1114 Councilmember Mabry: Mr. Mayor. First of all I'd like to apologize to
1115 Council. This is late in the game for me to bringing changes and I realize that. But after you read
1116 that manual about six times, you really don't catch everything. You're reading it the way you want
1117 it to read. Not the way it really reads. So I do apologize for bringing that late in the game.

1118
1119 Mayor Samples: Well, and I'll just add this. The only way that we're going to
1120 resolve some of these questions is by this Council considering the issue and deciding. Otherwise
1121 we're never going to get to the end game with the manual. So I thought, and I may be wrong, I
1122 thought that what we could do is go through the specific items that were noted, that the
1123 Administrator has considered and resolve them, and then after we came back into regular order, I
1124 was hoping that we could have a vote on approval of the manual with those consensus items that
1125 we're trying to talk about. And is that not what we want to do?

1126
1127 Consensus: Yes.

1128
1129 Councilmember Mabry: And I could take the wording, actually I could ask
1130 that the transcription be verbatim for this portion and then I could take the word exactly as so
1131 given by Council.

1132
1133 Mayor Samples: Thank you. The next item. Or did we -- do I need to call for
1134 a consensus?

1135 Councilmember: No, we're good.

DRAFT

1136
1137 Mayor Samples: Okay.

1138
1139 Ms. Fellner: The next item is in the same section, the first sentence, the
1140 second paragraph, Surfside Beach expects its directors, supervisors and employees to conduct
1141 business in accordance with the letter etcetera. It should say the Town of Surfside Beach and
1142 should add the Administrator before directors as Town Council gives directives to the
1143 Administrator. I think that's housekeeping, I agree.

1144
1145 Mayor Samples: Alright. So we're adding the Administrator to that sentence.
1146 I presume there's no disagreement there. No objection? Good. Let's move on.

1147
1148 Ms. Fellner: The third one is when I do have a problem with. Page 3, section

Regular Town Council Meeting
October 14, 2014

1149 104, middle of the page. Supervisors and managers who receive complaints or become aware of
1150 harassment will coordinate with the Town Administrator or the designee. Remove the word
1151 designee and add the Mayor or a member of Council. I think for harassment, that's already
1152 clearly laid out. It's the chain of command. And then if the problem is with the Administrator, it is
1153 taken up with the attorney who consults the labor attorney. It's taken up with the Mayor who
1154 consults the labor attorney.

1155
1156 Councilmember Mabry: I would like to point out the reason I put the
1157 administrator and designee, the reason I have that word -- wanted it removed -- we're such a
1158 small town. If we were Columbia or Charleston or a bigger town, it really wouldn't matter. But
1159 we're so small that if the Administrator should appoint someone else within the town, it's just a
1160 little close.

1161
1162 Ms. Fellner: Right. I would agree with the removal of the word designee. But
1163 it's the -- add the Mayor or member of Council that would be --

1164
1165 Councilmember Mabry: Could you not use the same language that you used
1166 in one?

1167
1168 Ms. Fellner: It is in the harassment section.

1169
1170 Councilmember Mabry: Okay, then that would be fine.

1171
1172 Ms. Fellner: Okay.

1173
1174 Councilmember Mabry: It was the designee that was bothering me.

1175
1176 Mayor Samples: Okay, so is there any objection to removing the word
1177 designee?

1178
1179 Consensus: No.

1180
1181 Mayor Samples: Okay. Let's move on.

DRAFT

1182
1183 Ms. Fellner: It's labeled number 3 here, it's actually number 4. Section 201,
1184 third paragraph, first sentence, newly added third sentence contradict each other. One says you
1185 have worked competently for 180 days before you can apply for posted jobs. The third newly
1186 added sentence says you can apply while you're on your six month probation period. I agree it is
1187 in conflict and it should be that you can apply while you are in your six month probation period.

1188
1189 Mayor Samples: Everybody agree?

1190
1191 Consensus: Yes.

1192
1193 Mayor Samples: Okay, very good. Let's move on.

1194

Regular Town Council Meeting
October 14, 2014

1195 Ms. Fellner: Okay. Section number 4 which is actually 5, section 207, third
1196 paragraph, middle of the paragraph starting with upon satisfactory completion of the initial
1197 probationary period. Initial should be removed and should say probation can be extended and the
1198 classification should not be changed or made until that time. It is said later, but I agree it should
1199 be said here. I agree.

1200
1201 Mayor Samples: Everybody agree?

1202
1203 Consensus: Yes.

1204
1205 Mayor Samples: Great.

1206
1207 Ms. Fellner: Okay. Number 5 which is really number 6, section 211, third
1208 paragraph starting with electronic media, fourth sentence in, and I quote, similarly any electronic
1209 files created on or software downloaded on a town computer or mobile device belong to the Town
1210 Administrator. Belongs to town, need to remove word administrator. I agree with that totally.

1211
1212 Mayor Samples: We agree. And they shouldn't be downloading anyway
1213 without somebody knowing what's being downloaded.

1214
1215 Ms. Fellner: And the last one is section 203, third sentence, remove or
1216 personnel administration. That would be mean anyone in administration could not have a family
1217 member working for the town. And I agree with that.

1218
1219 Mayor Samples: Alright. Everybody agrees if Micki agrees to the change.
1220 Alright, any other items in the personnel manual which we have not covered that need to be
1221 addressed now before we come back into regular order by any member?

1222
1223 Councilmember Magliette: We go back into regular session.

1224
1225 Mayor Samples: There's a motion, Mr. Magliette, to go back to regular
1226 session. Ladies first, second goes to Ms. Mabry. All in favor. MOTION CARRIED.

1227 Back in regular order.

1228 We have the resolution for consideration. There have been a number of
1229 consensus items that we just discussed. Are we prepared to approve the resolution, taking into
1230 consideration those consensus items that we just discussed?

1231
1232 #14-151 to repeal 7th Edition and to adopt 8th Edition Personnel Handbook.
1233 Councilmember Johnson moved to approve. Councilmember Mabry seconded. All voted in favor.
1234 MOTION CARRIED. Councilmember Stevens moved to amend "with revisions". Councilmember
1235 Magliette seconded. All voted in favor. MOTION CARRIED.

1236
1237 Mayor Samples: The next item is underground utilities. Micki, this is the
1238 consensus to enter into the contract with DDC t for the next phase of conversion of underground
1239 utilities on Ocean Boulevard

1240 Ms. Fellner: That's correct. Section 2-208, bidding, quotation, purchase

DRAFT

Regular Town Council Meeting
October 14, 2014

1241 order and purchase requisition requirements and approval authority states, and I quote, the
1242 Administrator shall inform Town Council in writing of any purchases, contracts or agreements or
1243 modifications thereto within 15 days of any purchases, contracts or agreements or modifications
1244 thereto. When any of the purchases, contracts or agreements or modifications thereto exceeds
1245 \$10,000.

1246 Since the total contract is for \$112,500, I will need a consensus to enter into
1247 the contract with DDC for the next phase of the underground utility conversion on Ocean
1248 Boulevard from 3rd Avenue South to 9th Avenue South. Council has already approved this project
1249 and the use of DDC as the engineer for the town for said project. But it is entering into the
1250 contract for \$112,500 that must be authorized by Council in accordance with the ordinance.

1251
1252 Mayor Samples: I need a motion.

1253
1254 Councilman Childs: I move that the Town of Surfside Beach enter into a
1255 contract with DDC to proceed with the next phase of conversion on Ocean Boulevard from 3rd
1256 Avenue South to 9th Avenue South.

1257
1258 Councilmember Stevens: Second.

1259
1260 Mayor Samples. There is a motion, Mr. Childs and seconded by
1261 Councilman Stevens. Any further discussion?

1262
1263 Mr. Stevens: Mr. Mayor, Ms. Fellner, just to refresh my memory and also the
1264 citizens' memory, a portion of that is paid back to us by somebody, right? How much is that?

1265
1266 Ms. Fellner: Yes. It's over 90%.

1267
1268 Mr. Stevens: Oh how much?

DRAFT

1269
1270 Ms. Fellner: It's over 90%.

1271
1272 Mr. Stevens: Over 90%. So 90 % of that will be reimbursed to the town?

1273
1274 Ms. Fellner: That's correct.

1275
1276 Mr. Stevens: Alright.

1277
1278 Ms. Fellner: But we still have to make the appropriation and so we have to
1279 lay that money out. So I have to get Council's approval.

1280
1281 Mr. Stevens: Love giving money and getting money back.

1282
1283 Ms. Fellner: But I still have to get Council's approval to use that money.

1284
1285 Mr. Stevens: Right. Okay.

1286

Regular Town Council Meeting
October 14, 2014

1287 Mayor Samples: Because it is our contract.

1288

1289 Ms. Fellner: Yes, Sir.

1290

1291 Mayor Samples: That is the town contract.

1292

1293 Ms. Fellner: That is correct.

1294

1295 Mayor Samples: Any further discussion?

1296

1297 Underground Utilities: Consensus to enter into DDC contract for the next
1298 phase of the conversion on Ocean Boulevard from 3rd to 9th Avenues South. Councilmember
1299 Childs moved to approved. Councilmember Stevens seconded. All voted in favor. MOTION
1300 CARRIED.

1301

1302 Ms. Fellner: Mr. Mayor, I would like a consensus going forward to move all
1303 underground utility projects to the capital projects fund for accounting purposes. They are typically
1304 three year projects, and although we are technically reimbursed, we still have to appropriate the
1305 funds and initially pay them out. Basically the facts are, one of the reasons for the establishment
1306 of the capital projects fund was to account for long term projects. Section 2-187, capital projects
1307 fund established dates. The capital projects fund shall receive all dedicated tax millage and other
1308 designated revenue for the storm water project and any subsequent capital project duly approved
1309 by Town Council.

1310

1311 Other long term projects have already been moved to capital projects. For
1312 example, beach nourishment, and accounting for long term projects and identifying them
1313 separately increases transparency and public financial understanding.

1314

1315 And so I would like this approved, this decision paper approved as
1316 presented.

1317

1318 Mayor Samples: Can I get a motion to approve.

1319

1320 Funds Transfer: Consensus to Move all underground utility projects to the
1321 capital projects fund for accounting purposes. Councilmember Stevens moved to approve.
1322 Councilmember Pellegrino seconded. All voted in favor. MOTION CARRIED.

1323

1324 Mayor Samples: Banking services.

1325

1326 Ms. Fellner: Correct. The purpose is to select a bank or depository as
1327 required by section 2-186 of town code. The facts are that section 2-186 deposits and withdraws
1328 states all moneys of the town should be deposited in a bank or depository selected by the town
1329 council. On July 18th 2014, the Town of Surfside Beach issued a request for a proposal for
1330 banking services, to which four banking institutions responded. And the reason we did that is
1331 because First Federal was taken over by another bank, South State Bank. After reviewing the
1332 proposals, the finance director determined that the best services, lowest cost to the town, and
1333 smoothest transition would be to remain with South State Bank, the town's current banking
1334 provider. The recommendation would be to stay with them and the rational would be South State

DRAFT

Regular Town Council Meeting
October 14, 2014

1333 Bank has proposed the lowest cost to the town for all desired banking services and since they are
1334 our current provider, would offer the smoothest transition. They have worked with us up to this
1335 point to address any problems we have had in the transition process from First Federal to South
1336 State.

1337
1338 Mayor Samples: Can I get a motion to approve.

1339
1340 Banking Services: Consensus to keep current banking institution for an
1341 additional four years. Councilmember Johnson moved to approve. Councilmember Mabry
1342 seconded. All voted in favor. MOTION CARRIED.

1343
1344 Mayor Samples: Thank you. We now enter our discussion period and
1345 Ralph, I'm going to -- Mr. Magliette, I am going to turn it over to you, multiple questions. It says
1346 multiple questions, October 5th 2014, email message. Yes Sir.

1347
1348 Councilmember Magliette: This is a great council because we have
1349 transparency and we listen to the people of Surfside Beach and we try to do what's best for them
1350 and like Councilman Pellegrino does when people have questions, they're brought up and the
1351 administrator will answer them and they're open and above board and there's complete
1352 transparency. So it's the same thing with a couple of items that I had sent to all the
1353 councilmembers and what I'd like to do is just have consensus and discuss them very briefly and
1354 also then the town residents are here or who reads the transcripts would also be able to find that
1355 information, find it useful or not. So I will just -- I will go very quickly because I see it's late, Mr.
1356 Mayor, on this but as quickly as I can.

1357 The first one dated October 2nd was a note that I had written and I said I
1358 have two fire department fee revenue questions involving a 2014-2015 budget. Number one, how
1359 do we have a part-time fire inspector, at a cost of \$18,000 no benefits? The 2014-15 budget was
1360 to fund this position with the local business fee inspection. The business committee was in
1361 support of this fee to be paid by the local business. And then secondly, we were to consider a
1362 charge non-residents only for services provided by the fire department, and automobile, and truck
1363 accidents to occur within the town limits of the Town of Surfside Beach. The cost of these services
1364 were to be paid by owners insurance company, it was noted that almost all surrounding towns and
1365 cities in South Carolina now charge this type of vehicular accident fee. And then the
1366 administrator, Ms. Fellner, provided us -- the day that I requested it and her response was when
1367 we brought -- what is the status of these two revenue generating fees. And we brought it forward,
1368 town council authorized the part-time fire marshal with taxes about \$20,000, but not the inspection
1369 fee or the Lenovo protection services.

1370 They have not been brought back to Council for discussion and approval or rejection. My
1371 understanding was we wanted council, one of the inspection fees on Lenovo protection services
1372 brought back at the visioning meeting. If these fees are not approved, were there any monies for
1373 part-time fire inspector salaries coming from and responsible as out of the approved budget as the
1374 fire marshal salary was approved without contingency.

1375 So my first comment open to the council is, what do we want to do? Do we want to
1376 discuss this now, do we want to wait to the visioning meeting? What's the feeling of my other
1377 councilmembers on this?

1378

Regular Town Council Meeting
October 14, 2014

1379 Mayor Samples: Thank you, Sir. Ms. Mabry?

1380

1381

1382 Councilmember Mabry: Mr. Mayor, I talked with both fire chiefs about our
1383 part-time, so I had the privilege of talking to Chief Fox today. The reason we got the ISO rating of
1384 one was because we approved that part-time fire marshal. So we're going to -- the citizens are
1385 going to see that \$20,000, they're going to see that over and over again.

1386

1387 So I don't care how we get the money, I just want to make sure we keep that
1388 position so I want to make sure that everybody understood that it wasn't just because we thought
1389 it would be nice to have, it really did help the rating.

1388

1389

Mayor Samples: Any other comments? Mr. Pellegrino.

1390

1391

1392 Councilmember Pellegrino: I agree with Ms. Mabry. We need to keep that
1393 position. Chief Cimini talked about how we can't get around to every business in a year. We're
1394 taking 18 months or more to get around for the required inspections and so we definitely need that
1395 position. We did talk about obviously creating that fee for the businesses which many other towns
1396 do, most other towns do. And now looking at we're ISO one, they are going to be getting a
1397 discounted insurance rate I think would be a good time to start talking about implementing that
1398 personally.

1398

1399

Councilmember Mabry: Can we talk about those fees individually?

1400

1401

Mayor Samples: I'm sorry.

1402

1403

Councilmember Mabry: Can we talk about those fees individually?

1404

1405

1406 Mayor Samples: Well that's what Mr. Magliette was asking. You know, do we
1407 want to talk about them now or at the visioning and I appreciate the comments.

1407

1408

Councilmember Pellegrino: I'd like to have it be in an appropriate place.

1409

The visioning.

1410

1411

Mayor Samples: Alright. Well okay, Ralph, visioning it is.

1412

1413

1414 Councilmember Magliette: Very good. Visioning, Thank you. I'm just
1415 bringing all this up for transparency, so everybody knows what's going on. There's no hidden
1416 agenda with what -- I'm just talking. Okay.

1416

1417

Mayor Samples: I got it. Appreciate it.

1418

1419

1420 Councilmember Magliette: Okay, so I'll speed it up because, like I said, it's
1421 getting late. I had on a couple questions because we've gone back and forth on the parking
1422 meters and the number of meters and what was in the past, and my question was before the
1423 current parking meter contract, how many parking meters did the Town of Surfside Beach own.
1424 And the answer, again, the answer is coming from the administrator and the answer was about
110. How many were in working condition? Approximately 87. How much revenue did they

Regular Town Council Meeting
October 14, 2014

1425 generate? And the question here was that meters were not broken out, so what I had done, I had
1426 sent everybody a copy. This is just to get a feel for it so I have a feel for it is, what is the net
1427 amount of money that we got, that we received after all the expenses are taken out from parking
1428 revenue. And I had asked Diana King to provide me that data. Everybody got that data and
1429 basically I have the data and I'll just share the net data, because that's the most important thing to
1430 me is the net. How much money did we receive as revenue. And I had asked for 2010 through
1431 2014 and she said to me -- and anyone who's gotten a copy of this -- that the 2010 data was not
1432 available at this time but as far as net dollars, in 2011 we generated \$160,290. In 2012 we
1433 generated \$178,927. In 2013 we had a net a deficit of \$89,673, because that was the cost of the
1434 purchase of the meters and through September 30th of this year, we have a net of \$219,443. So
1435 as we can see, we've had a -- I would say a significant increase in the revenue and it's pretty
1436 remarkable that with Lanier, one could say that Lanier is successful because they've done a good
1437 job, we've actually seen a nice return on money. So I think \$219,000 going forward through
1438 September, at least for that part, we've done a pretty good job.

1439 Okay, the third question was, how many full, part-time contract employee
1440 positions are required to support the parking meter, collections under the old system when the
1441 town basically took that responsibility? And the answer is, three to four part-time enforcement
1442 officers but don't forget there are a lot of other hidden fees. IT to reset meters and troubleshoot
1443 facilities, to work on broken down equipment, of course to finance, process violations, make
1444 deposits, etcetera. And so this one function was, as I would just like to say and open it up, it
1445 appears that Lanier has been very successful for us. Our revenue is up and I think that if we look
1446 at it over a four year period, we've seen significant revenue increase. And that's basically all I
1447 wanted to bring forward is information to the Council.

1448
1449 Mayor Samples: Thank you. Yeah, I found it very interesting myself. I did.
1450 Are there any other comments?

1451
1452 Councilmember Stevens: In reference to the parking and we did have a
1453 meeting here on parking, and one of the things I remember when we did the parking, we made a
1454 amendment, Councilman Pellegrino made the amendment, I seconded it, where we would allow
1455 parking on the east side -- oh excuse me, the west side of Ocean Boulevard for a temporary
1456 period. But we never actually addressed how long that temporary period was, and I would like to
1457 see that addressed because temporary in some people's mind might be 20 years, some people's
1458 mind it may be only one year or six months.

1459
1460 Mayor Samples: Well, and I understand, You know, my recollection is, and
1461 correct me if I'm wrong, but the temporary was attached to the prospect of the town acquiring
1462 additional parking lots. I think .

1463
1464 Councilmember: That's correct , it was based on -- Ms. Fellner was working
1465 on where were create these agreements with land owners -- lot owners to create additional
1466 parking spots.

1467
1468 Councilmember Stevens: I would like to see something, if not monthly,
1469 every two months, letting us have an update on the status of those parking lots.

1470

Regular Town Council Meeting
October 14, 2014

1471 Mayor Samples: Well I think you're going to get it more frequently than that.
1472 Okay? Well I know we're having an executive session, okay.

1473
1474 Councilmember Stevens: Alright, thanks.

DRAFT

1475
1476 Mayor Samples: Mr. Magliette, thank you.

1477
1478 Mr. Magliette: Ladies and Gentlemen, I'm sorry for taking so long, we're
1479 almost done. Please forgive me. Okay, the next question I had was, what is the status of the
1480 annexation plan. And the response from the administrator was only one owner was interested
1481 and he wanted to the town to permanently waive the overlay. Sabrina's also concern with the
1482 storm water issues as well we could probably get the county to assist as with installing's some
1483 additional drains and vaults, so I'm not as concerned with that aspect. And then I had a comment
1484 because we had that large map on the wall there for Business 17, and my comment was looking
1485 at the enlarged map of the Town of Surfside Beach, I see some individual business locations that
1486 border the town's limits. But perhaps we can identify and work on those three or four at a time,
1487 one small step at a time, you know, the low hanging fruit. And the response to that was, after we
1488 hire the part-time person for CRS, that could happen. If Council wants to have to pursue it, but at
1489 present Sabrina is slammed. The bad news is, no one qualified applicant has come around so we
1490 had to re-post the openings.

1491
1492 Councilmember Mabry: That annexation is a big thing. I mean it's bigger
1493 than I thought it was. Ms. Morris has got some information. If it's alright, can she share it with us
1494 because annexation is serious and there's some information that I did not know.

1495
1496 Mayor Samples: Please, if your prepared. We got handouts, so I guess you
1497 were prepared.

1498
1499 Ms. Morris: I'm always prepared. Actually I'm not really sure what Ms.
1500 Mabry's wanting me to address, but I would like to address the storm water issues. It's all the
1501 same thing, it's just one packet. Because it did say that that there was a small concern on some
1502 parts, and first with annexation, I've certainly done this several times before and the very first thing
1503 you do is your due diligence and you contact the county first.

1504 We did say and we -- I mean I've lived here all my life, I know there's flood
1505 problems in that parking lot. There have been since it started. So we did contact the county. We
1506 contacted the county before we even contacted the property owners. And Dave Fuss, which is
1507 the watershed planner for Horry county, said that there are definitely problems with the storm
1508 water issues there.

1509 He had Tom Roth contact us which is the Deputy Storm Water Management for the
1510 county. He explained that part of the problem was a large ditch under county maintenance, behind
1511 Camping Connection and the Old Time Pottery. It drains out a significant portion of Deerfield
1512 subdivision and golf courses, so it's just one ditch that gets all that drainage. That water as well
1513 as the standing water in the shopping center, has to travel through one pipe under Old Time
1514 Pottery to the east side of Highway 17 discharge into Ocean Lakes Campground.

1515 Two other South Carolina DOT pipes are discharged into the same channel. This
1516 water travels through several ponds before discharging into the ocean. The county pipe and the

DRAFT

Regular Town Council Meeting
October 14, 2014

1517 SCDOT pipes cannot handle large storm loads.

1518 And then we asked about maintenance to the system because for the first time
1519 ever, the town would be dumping storm water onto the county. And you know here the county
1520 dumps storm water onto our property so there's a 70-30 match.

1521 So the county cleans out the large ditch behind the shopping center once a year at
1522 least. The main problem is a lot of trash dumped in the ditch. The county also had to perform
1523 erosion control and stabilization measures in the Ocean Lake canal pond system due to the
1524 volume and velocity of water running through there. He said that the county would be happy to
1525 hand over the maintenance to Surfside Beach if we'd like for them to. He further stated that if the
1526 water quality was ever to become a problem down stream, the town would definitely have to
1527 participate in point source reduction, testing and possible TDML which is total maximum daily load
1528 monitoring and compliance efforts. So that is the main purpose of us not recommending pursuing
1529 that further.

1530
1531 Councilmember Mabry: Ms. Morris, I got a little bit confused. That water
1532 does not go into our water shed?

1533
1534 Ms. Morris: It does not, it goes into the Ocean Lake Campgrounds.

1535
1536 Mayor Samples: Thank you any questions for -- Ralph?

1537
1538 Councilmember Magliette: So my question was, I know that you had said
1539 that you had contacted those four businesses initially and could you please inform us what the
1540 results of that was?

1541
1542 Ms. Morris: Yes, we heard from three right away and they were absolutely
1543 no. They were not interested in any kind of annexation. The last -- we actually heard from the
1544 lessee, leasing agent and they were in -- they wanted to come in and they did and they talked
1545 about waiving all of our overlay requirements, which the county has a more stringent overlay
1546 requirement. And also they wanted much larger signs than allowed in the Town of Surfside. I let
1547 them know that we could not agree to that, that would have to come to council and have to be
1548 discussed. Then we heard from the owner who said they were not interested. So the leasing
1549 agent was at least interested in coming to talk, but the owner was not.

1550
1551 Councilmember Magliette: I know you're very busy and my one proposal
1552 would be if we could look at that enlarged map and there are businesses that are around the edge
1553 of the limits of the Town of Surfside Beach, if we could identify maybe two or three businesses
1554 which you thought might be reasonable and to approach them. Is that doable or do you want to
1555 take a pass because of you're resource limited right now?

1556
1557 Ms. Morris: I certainly don't mind doing that. Actually I'd like to maybe
1558 consider bringing that to the visioning. That would give me a little extra time. I know it's next
1559 month but believe it or not that extra time would be greatly appreciated. We're trying to get the
1560 CRS documents taken care of. So we can certainly bring it back at the visioning if Council wishes
1561 it.

1562

DRAFT

Regular Town Council Meeting
October 14, 2014

1563 Mayor Samples: I think that would be appropriate. Mr. Pellegrino?

1564

1565 Councilmember Pellegrino: And Ms. Morris, and I think the visioning meeting
1566 is the right place to continue this discussion but, can you also prepare for that? We had -- when
1567 we previously talked about this, that the benefits that we're trying to sell to --

1568

1569 Ms. Morris: Absolutely.

1570

1571 Councilmember Pellegrino: -- the businesses and include in there some
1572 more details about the ISO one and how that can help also?

1573

1574 Ms. Morris: Yes, we certainly will.

1575 Councilmember Pellegrino: Thank you.

1576

1577 Ms. Morris: You're Welcome.

1578

1579 Mayor Samples: Thank you. Go ahead.

1580

1581 Councilmember Magliette: I was going to just finish, I have my last item.

1582

1583 Councilmember Stevens: My question to Ms. Morris is, have you looked at
1584 the property west of Isaiah Drive and Sandy Lane? Because we're already getting their water.

1585

1586 Ms. Morris: That is true, and no we have not. The only annexation that I was
1587 instructed to look at by council was the area that -- in the area that we're passing around now. But
1588 at the visioning meeting, if Council as a whole asks me, I'll be glad to look at that. Absolutely.

1589

1590 Councilmember Stevens: Well for example the big storage place. I know
1591 because I dealt with the place before it was ever the storage place. The building is in the county
1592 and the parking lot is in Surfside.

1593

1594 Ms. Morris: That is correct, yes.

1595

1596 Mayor Samples: That's not uncommon, you know along Highway 17. I mean
1597 that's the way that the things developed.

1598

1599 Councilmember Magliette: My last question to the administrator and I think
1600 this really belongs in our visioning meeting, and the question that I had is, has there ever been a
1601 Town of Surfside Beach redevelopment plan or business redevelopment survey or study
1602 performed. And the response was, not that I'm aware of. So obviously there are no copies
1603 available. And I asked her, where can I find information. So she gave a URL where there might be
1604 county, state, or federal grants available for economic development corporation and it's in the
1605 packet and it's available, But if anyone is interested, the website is [http://www.grants.gov/view-](http://www.grants.gov/view-opportunity.html?oppld18193)
1606 [opportunity.html?oppld18193](http://www.grants.gov/view-opportunity.html?oppld18193). If anyone wants a copy of it, it's available. So to move along, my
1607 question was -- and this will be the visioning, when we have our visioning meeting, what do we
1608 need to define as the drivers that will make real progress on business development in the town.

DRAFT

Regular Town Council Meeting
October 14, 2014

1609 Any suggestions to make this happen? I was addressing that to our administrator. And she said
1610 that adopting a more stringent county overlay, create a development plan which includes
1611 accountability and as major stakeholders at the table, hire a dedicated spearhead to drive it. To
1612 do it right is a full time job. I did not believe partnering with local colleges or Myrtle Beach
1613 Regional Economic Development Corporation would have any impact unless you had someone
1614 continually pressing our interests.

1615 And my other question again was, Conway and Georgetown City are moving forward on
1616 business redevelopment initiatives. What about Surfside Beach? And again because we've heard
1617 it up here, we're small town, and the answer to that is that if you read the transmittal letters in the
1618 past CAFRS, I think you will see that we are accomplishing a lot of things with limited resources.
1619 We all wear a lot of hats here and we don't have the staffing level that the other municipalities
1620 enjoy. I would agree with that but I think for our visioning meeting, I think it has to be a top
1621 priority. I know I believe it and I know Councilman Pellegrino believes it. We need to have a plan.
1622 A one year, a three year, a five year, a ten year plan on how we're going to develop Business 17,
1623 bring in new businesses. But for me personally the more important thing is to provide
1624 employment opportunities for people in Surfside Beach who want work, want part-time work and
1625 can't find it. That's about all I have on my information packet. Thank you.

1626
1627 Councilmember Pellegrino: Just one comment, that's a good point and I
1628 have a lot of ideas for the visioning meeting on business redevelopment. But we do have an
1629 active business committee and I think it would be great if they can meet before our visioning
1630 meeting and actually establish her recommendations for that through our liaison, which is still Mr.
1631 Stevens, correct?

1632
1633 Mayor Samples: Correct.

DRAFT

1634
1635 Councilmember Pellegrino: If you guys can create a -- their
1636 recommendations, their vision for just , you know, nothing elaborate but just the ideas for
1637 business expansion, business redevelopment for Surfside. To me that would be a great starting
1638 point for offsite meeting, our visioning meeting.

1639
1640 Mayor Samples: I think that's an excellent suggestion. You think it's doable
1641 between now and visioning?

1642
1643 Councilmember Pellegrino: Yes.

1644
1645 Mayor Samples: Okay very good, excellent, okay. So we're going to make
1646 that happen.

1647
1648 Councilmember Pellegrino: Thank you.

1649
1650 Mayor Samples: Yes Sir. Alright any other items, matters of concern or
1651 information we need to know. Ms. Fellner ?

1652
1653 Ms. Fellner: I do, Mr. Mayor. I have one bit of good news that just was text
1654 to me by John Adair who is at the CTC meeting and he has gotten \$200,000.00 in funding.

DRAFT

Regular Town Council Meeting
October 14, 2014

1655 Mayor Samples: Wonderful, wonderful. That's from the County
1656 Transportation Committee which is, I don't know what it is, gas tax money or is it gas tax money?
1657 Yeah. So it's always nice to get some of our gas tax money back. And John, I know everybody
1658 thinks he's a great guy, but he's also very diligent at representing the town. Okay? Any other
1659 comments or any items anybody wants to bring up? Mr. Stevens?

1660
1661 Councilmember Stevens: I have had the pleasure of being a citizen lately
1662 and having to go to two governmental agencies to apply to the board of zoning appeals. One was
1663 Horry County, one was Georgetown County. Going there I found the process to be very helpful, I
1664 learned a lot, but I also found out that the board of zoning appeals basically is -- I've talked to
1665 these people for a long time in both Horry County and Georgetown County -- is under a federal
1666 mandate for each municipality and county in the United States to have a fully operative board of
1667 zoning appeals. And that every citizen when they have a zoning issue, they have a constitutional
1668 right, to go to that county municipality and be heard. Ed Reed and I sent an email out just recently
1669 and I was asking about how many appeals we have heard in the Town of Surfside, we haven't
1670 heard that many.

1671 The fact is, I was sent an email back, but I know from personal experience that I was
1672 turned down twice and I know another person that was turned down to go before the board of
1673 zoning appeals and I think we have a problem here if people are not being given their
1674 constitutional rights. It's a right that we all have, the board of zoning appeals in my opinion is a
1675 quasi judicial body made up of seven people that hears people who want to have a complaint with
1676 different things. One of them is to appeal for a variance, where you think the ordinances are too
1677 strict. The other one is to hear an appeal, the side of appeals where it's alleged that there is an
1678 error in order requirement decision determination and made by an administrator officials in the
1679 enforcement of zoning. Another one is to permit useful special exceptions subject to terms and
1680 conditions used to set forth. Another one is to remand the matter to administrative official by the
1681 motion of the party so the board can remand it back to them.

1682 I like the idea of having citizens who are property owners who have a stake in this town,
1683 being able to hear. And I asked the county, Horry County and Georgetown County, you ever turn
1684 anybody down? They say no, we hear them all. Because that gives us a resolution to each and
1685 every zoning problem or question that a citizen might have. And I think that needs to be
1686 addressed sometime in the near future. Why some people don't get a hearing and some people
1687 do. I think it's a shame that we're not getting those things. That's just my personal opinion after
1688 being exposed to Horry County and Georgetown County.

1689
1690 Councilmember Mabry: Can anyone --? I'd like to know why some do and
1691 some don't. I don't know. I know that there's got to be a reason, ordinance, something.

1692
1693 Mayor Samples: Yeah, Yeah.

1694
1695 Ms. Morris: Well I can tell you that if it is a zoning matter, if it involves a
1696 zoning ordinance, they have been heard. There has been a few that have applied for an appeal to
1697 the zoning board of appeals that does not qualify because it is not involved in the zoning
1698 ordinance. It's involved in the code of laws for the town. If it does not -- if it's not written within the
1699 zoning ordinance itself, the board has no jurisdiction. So if it has to do with an ordinance that
1700 you're violating, that's the code of ordinances, the board has no authority there. We have turned

Regular Town Council Meeting
October 14, 2014

1701 down those that do not qualify because it's not in the zoning. I don't have any appeal for that
1702 except for maybe circuit court or this --

DRAFT

1703
1704 Mayor Samples: This body.

1705
1706 Ms. Morris: This body, exactly. So if it involves zoning or it was a denial or a
1707 variance request, we certainly would hear it and we would present it to the board. If not, it doesn't
1708 qualify because the board is not qualified to do that under state law.

1709
1710 Mayor Samples: Does that seem to make sense?

1711
1712 Councilmember Stevens: Not exactly. My question would be a few years
1713 back, I and another citizen were turned down on the board of zoning appeals. It had to do with the
1714 town violating their own zoning ordinances.

1715
1716 Ms. Morris: Okay, that was before me, I apologize, I don't know anything
1717 about that.

1718
1719 Mr. Stevens: I know it was. I know it was. But I was turned down flat. And I
1720 wonder to this day why I was turned down flat. The board of zoning appeals could have heard it
1721 and they could have made a decision whether we were right or wrong. And I think we all have a
1722 constitutional right to have our day in court regardless of what it might be. It also -- and one of the
1723 things that it says, and this is from the state law, was a hearing where you can decide appeals
1724 where there's alleged there's an error in order requiring a decision determination made by an
1725 administrative official in the enforcement of a zoning orders.

1726
1727 Ms. Morris: That's correct. And we have an outstanding board of zoning
1728 appeals. The membership is wonderful, they certainly go by the state law. So I can't answer you
1729 as to before I got here, but I can certainly answer you from the date I started. We have not
1730 withheld anyone from going --

1731
1732 Mayor Samples: Thank you, I appreciate that . I think we've covered it. Any
1733 other comments?-

1734
1735 Councilmember Magliette: My comment is I would like the council to
1736 consider to have another parking workshop to discuss parking issues and the proposed initiatives
1737 that we might put in place to resolve the parking problems in Surfside beach. And the reason I
1738 ask that is I think we need to have all the ideas and proposals in an open public session so that
1739 we can have 100% transparency and maximize citizen participation in the process . I would ask
1740 council consensus to having another parking committee workshop where we all could work
1741 together and find a resolution to our parking problems that we have in town.

1742
1743 Mayor Samples: Thank you Sir, you heard Mr. Magliette's requests, how do
1744 y'all feel?

1745
1746 Councilmember Mabry: I would support Mr. Magliette if that's what he'd like.

Regular Town Council Meeting
October 14, 2014

1747 Mayor Samples: How about a week from tonight? Alright. I would like to
1748 pick a date. Yeah, how about tonight. I'm sure we all want -- we all look forward to another
1749 parking meeting. But Ms. Fellner, provide our options for council?
1750

1751 Ms. Fellner: I will and I'm serious because I don't know what's on that
1752 calender with regard to other meetings.
1753

1754 Mayor Samples: I get it. No, I understand. I understand and to be honest
1755 with the exception of one of us, I think we're all flexible because one of us has to work for a living.
1756 And has, you know, obligation. Right, Mr. Johnson?
1757

DRAFT

1758 Councilmember Johnson: Yes.
1759

1760 Mayor Samples: Okay, so schedule it as you can so that we can properly
1761 advertise it and address it and that will actually I guess determine whether or not at the next
1762 regular meeting we're able to bring parking back. Okay?
1763

1764 Alright, we're now going to enter our public comment, what is it. Oh. Yeah
1765 let's go ahead and do the proclamation. Debbie, read the proclamation. It is recognition of
1766 October. Go ahead, Debbie. Thank you.
1767

1768 Ms. Herrmann: Proclamation 14-95 Breast Cancer Awareness Month
1769 October 2014. Whereas as breast cancer touches the lives of Americans from every background
1770 and in every community across our nation, though great strides have been made in combating this
1771 devastating illness, more than 200,000 women and although it is rare even some men will be
1772 diagnosed with breast cancer this year. And tens of thousands are expected to lose their lives to
1773 the disease.

1774 During National Breast Cancer Awareness month, we honor those we have
1775 lost, lend our strength to those who can carry on the fight, and pledge to educate ourselves and
1776 our loved ones about this tragic disease. And whereas though the exact causes of breast cancer
1777 are unknown, understanding its risk factors is essential to prevention. Older women and those
1778 who have a personal or a family history of breast cancer are among those at greater risk of
1779 developing the illness. Early detection is also key in the fight against breast cancer. Getting
1780 recommended screening mammograms can help to detect breast cancer early. I encourage
1781 women and men to speak with their healthcare provider about breast cancer and to visit
1782 www.cancer.gov to learn more about symptoms, diagnosis, and treatment.
1783

1784 Whereas this month we stand with the mothers, daughters, sisters, aunts
1785 and friends who have been affected by breast cancer and we recognize the ongoing efforts of
1786 dedicated advocates, researchers, and healthcare providers who strive each day to defeat this
1787 terrible disease. In memory of the loved ones we've lost and inspired by the resilience of those
1788 living with the disease, let us strengthen our resolve to join in the efforts to lead the Town of
1789 Surfside Beach and the nation toward a future free from cancer in all its forms.

1789 Now therefore as Mayor of the Town of Surfside Beach, I encourage
1790 citizens, government agencies, private businesses, non-profit organizations and all other
1791 interested groups to join in activities that will increase awareness of what Americans can do to
1792 prevent breast cancer.

Regular Town Council Meeting
October 14, 2014

1793 Be it proclaimed therefore, I Douglas F. Samples do hereby proclaim this
1794 14th day of October, 2014 that in the Town of Surfside Beach, the Month of October 2014 as
1795 Breast Cancer Awareness Month.

1796
1797 Mayor Samples: Thank you. We now enter our public comment period.

1798
1799 **PUBLIC COMMENTS**

1800 Mr. Ron Ott: 7th avenue north. Recently I had a chance to look at a data
1801 sheet from the Keep Surfside Beautiful and the volunteers that go on our beach and clean up.
1802 One of the things that jumped out at me was there was over 3,000 cigarette butts. We have an
1803 ordinance and you can't ask the police to be chasing someone with a pack of Salem's up and
1804 down the beach, it's just not going to happen. You're not going to stop it. I looked and I see
1805 where maybe the problem is the signage. We got a sign at every beach access area and it has
1806 about 15 or 18 do not do this, do not do that. Did anybody here ever read all of those? You know
1807 there's one in there that says don't leave holes in the sand. Well I think that nobody's reading it,
1808 it's too much to read when you want to get up there and get your chair and sit on the beach, it's
1809 just too much. And if we put nice signs out, not don't do this, don't do that. Please, respect our
1810 beach, we don't smoke on it, ask nicely, nice signs. I think we have a real good chance in maybe
1811 knocking this down a little bit by asking people nicely.

1812 The other thing is the fireworks. Yeah, I guess with having all those big fireworks sitting on
1813 the pier, holding out 1000 feet, stopping all those other fireworks from hitting it. Then what we do
1814 is we're going to cluster everybody and if, you know 15 years ago those fireworks didn't look
1815 anything like they do today. They were bottle rockets and stuff like that. Today we got --
1816 everybody's got like these semi-pro type of fireworks, and it's like, well which one do I want to
1817 watch? So I want to watch this guy's over here or do I want to watch the one coming off the pier.
1818 Now we're going to cluster them. There must be a law saying that, you know, what kind of mortar
1819 can this guy over here, that's half drunk, shoot off. Must be some kind of a law that says, does
1820 anybody look at the firework stores and say okay this guys not selling anything that's going, you
1821 know, put a big hole in the sand. But we don't know, I think that's what we need to do is -- I like
1822 fireworks as much as the next guy, but some of them are pretty big that are coming from a regular
1823 Joe. Thank you.

1824
1825 Mayor Samples: Thank you Sir.

1826
1827 Ms. Magliette: Hello, Patty Magliette, 104 Harbor Lights Drive and I'll be real
1828 quick because it's late. We have November coming upon us, South Strand Helping Hands is
1829 getting together its Christmas and its Thanksgiving food. I want to thank everybody in town for
1830 being very proactive and very kind with helping our food bank. We're signing up as I said
1831 Christmas and Thanksgiving dinners If you have a few spare dollars, I know it's a lot to ask, what
1832 the South Strand is trying to do is collect -- get turkeys at a very reasonable cost rate. So if you
1833 have some spare change or a few dollars, they're going to try to buy the turkeys for the most
1834 economical price, better than we could buy them individually. And because they can do that, and
1835 because of limited freezer space, they'd rather have our dollars than our turkeys donated. But for
1836 everything else, if you have anything in your pantry that you cannot stand the flavor of or buy one
1837 get one free, we appreciate every little bit helps. If you have any old winter coats you're not
1838 wanting to wear, they can take some clothes and some coats too or unwanted household items

Regular Town Council Meeting
October 14, 2014

1839 like blankets. But really for the holidays, it is a joyous thing to be able to feed the hungry and poor
1840 for the Christmas and Thanksgiving Day dinners, and they are signing up these families starting
1841 now. So I thank you and I want to say God bless each and every one of you who's helping in this
1842 cause and may you never have a hungry night. Thank you and goodnight.

1843
1844 Mayor Samples: Thank you.

1845
1846 Mr. Tom Dodge: 15th Avenue North. Who in the world would ever believe
1847 that those ugly, horrible, nasty, awful, parking meters would of brought in \$354,000.

1848
1849 Mayor Samples: Thank you. Any other comments?

DRAFT

1850
1851 COUNCIL COMMENTS

1852
1853 Councilmember Magliette: Very, very briefly. The first thing I want to do is I
1854 want to thank the Keep Surfside Beach Beautiful Committee members and our volunteers and
1855 friends for the wonderful hanging baskets that they installed. The baskets are on Surfside Drive in
1856 the Pier parking lot and in the business section of Surfside Drive. And I just want to thank them
1857 and all the volunteers and efforts that they've done to help keep Surfside Beach beautiful and their
1858 dedication. We don't really acknowledge our volunteers and I've said that many times and many
1859 people want to be invisible and want to be anonymous. And so to all the volunteers and to
1860 everyone who opens their heart to a stranger, who gives money to a charity, who volunteers for
1861 the Town of Surfside Beach, is a pleasure knowing you and a pleasure living in this town and we
1862 are truly blessed.

1863 One other item. The library is going to have a senior bingo day. If anyone
1864 wants to play bingo, it's going to be Wednesday the 22nd of October between 10 and 11:30 a.m.
1865 They're going to have prizes. It is not age limited so if anyone would like to go to the library and
1866 play bingo as one of our activities that we're doing in conjunction with the library, again library
1867 bingo on Wednesday the 22nd of October from 10 to 11:30 a.m.. And the prizes are going to be
1868 really nice books and paperbacks if you're interested. So if you know any seniors or people who
1869 like to play bingo, please remind them again it's Wednesday the 22nd of October, that's a
1870 Wednesday, from 10-11:30 a.m. Thank you very much, thank you for coming out and God bless
1871 you.

1872
1873 Councilmember Pellegrino: Thank you for coming tonight and we always
1874 appreciate your comments. Just one comment on parking, and I'm glad that we're going to set up
1875 another parking workshop because we do have some unfinished business, but I explained
1876 actually the meeting after we made the vote to get rid of the meters during the meeting that I
1877 received a letter from one of our visitors about parking meters. And after that vote, I wrote them
1878 back. I actually had to -- they only left a return address so I actually had to get letterhead from
1879 Ms. Herrmann and actually write, address an envelope and stamp an envelope and type the letter
1880 and sign it. I hadn't done that in about ten years so it was a good relearning experience. But I
1881 did get a letter back from them and they did thank me for -- basically all I did was summarized the
1882 votes we had up to that point and they stated in the first letter that they would never be coming
1883 back. And in this letter they said they would come back. So although we're not done, I still feel
1884 like we're making steps in the right direction and some people agree, some don't, but that's -- I'm

Regular Town Council Meeting
October 14, 2014

1885 actually happy with the direction that parking's going and I'm happy that we're meeting sometime
1886 in the next couple of weeks so we can resolve the final issues.

1887
1888 Councilmember Johnson: Thank you Ladies and Gentlemen for coming out,
1889 have a good evening.

1890
1891 Councilmember Mabry: First of all we want to say thank you again to the
1892 fire department for the ISO of one. I went online to see what that meant. We're one of 84 in the
1893 country. We're the only small independent fire station in the country. In other words we're not
1894 getting an influx of money from the county or from a big city, but we're the small town that fully
1895 subsidizes our own fire department. You don't see a fire tax on your bill. We do it and they have
1896 taken that and done amazing things with it. So if you ever you see them, be sure to say thank you
1897 because the paperwork alone is amazing. Again Sabrina Morris working so hard with the CRS
1898 and the planning and zoning. She's gotten her rate lowered. The paperwork again, these
1899 regulations are -- they really put you through the ringer. When I ask about what it takes, I
1900 somewhere get lost in the translation. So our staff is doing a fantastic job and thank them
1901 because they do wear many hats as Ms. Fellner says. Ms. Fellner does an excellent job. She
1902 and I work so well together. And thank you again. I threw this at you at the last minute, and thank
1903 you so much for helping me and thank y'all for coming out.

1904
1905 Councilmember Stevens: Yes, thank you, Mr. Mayor. Thank you all for
1906 coming out. In the spirit of Thanksgiving, I'm going to make an official challenge to all the rest of
1907 the Councilmembers, I'm going to pledge \$50.00 for turkeys. It's a tax write-off, Boys, write it off
1908 your taxes. So I challenge every Councilmember to meet my challenge. 50 bucks, Mr. Magliette
1909 see me after the meeting.

1910
1911 Mr. Magliette: Will do, thank you, God bless you.

1912
1913 Councilmember Stevens: That's all, thank you and have a goodnight.

1914
1915 Mayor Samples: Thank you. Mr. Childs.

1916
1917 Councilmember Childs: Mr. Mayor, I'd just like to thank everybody for
1918 coming out and staying around here until 9:00 tonight and that's all I have to say.

1919
1920 Mayor Samples: Thank you I want to express my appreciation to all the
1921 members. Councilmembers for sticking to business, being professional, civil, and addressing the
1922 issues as we move forward. I appreciate everybody coming out.

1923 I need a motion to enter into executive session for -- you want to read it, go
1924 ahead, Mr. Johnson.

1925
1926 Councilmember Johnson: I'll make a motion that we move into executive
1927 session pursuant to FOIA section 30-4-70A1 and section 30-4-70A2.

1928
1929 Ms. Mabry: Second.

1930

DRAFT

Regular Town Council Meeting
October 14, 2014

1931 Mayor Samples: There's a motion that's been properly seconded by Ms.
1932 Mabry. All in favor say I. We'll be back, thank you.

1933
1934 Mayor moved to adjourn the meeting. Seconded. All voted in favor. **MOTION**
1935 **CARRIED.**

1936
1937
1938 Prepared and submitted by:

1939
1940
1941
1942
1943 _____
1944 Julianne Deveau, AAA Transcribing Service
1945 Micki Fellner, Town Administrator

DRAFT

1946 Approved: _____
1947
1948
1949 Douglas F. Samples, Mayor

1950
1951
1952
1953 _____
1954 David L. Pellegrino, Mayor Pro Tempore Robert F. Childs, Town Council
1955
1956 _____
1957 Mark L. Johnson, Town Council Mary M. Mabry, Town Council
1958
1959 _____
1960 Ralph J. Magliette, Town Council Randle M. Stevens, Town Council

1961
1962 *Note: This document constitutes summary minutes of the meeting that was digitally recorded. Audio*
1963 *recordings are published on the town website after the meeting (approximately two weeks) until the*
1964 *minutes are approved and published. You may download the recording to your personal computer*
1965 *from the website or bring a flash drive to the town clerk to obtain a copy. Appointments to hear or to*
1966 *obtain copies of recordings should be scheduled with the town clerk, telephone 843-913-6333. In*
1967 *accordance with FOIA, meeting notice and the agenda were distributed to local media and interested*
1968 *parties. The agenda was posted on the town website, the entry door at Town Council Chambers, and*
1969 *in the Town Hall reception area. Meeting notice was also posted on the Town marquee.*

DRAFT



**SURFSIDE BEACH TOWN COUNCIL
PARKING WORKSHOP MINUTES
OCTOBER 21, 2014 AT 4:00 P.M.
TOWN COUNCIL CHAMBERS**

CALL TO ORDER.

Mayor Samples called the workshop to order at 4:00 P.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette, and Stevens were in attendance. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Public Works Director Adair. Parking Committee Chairman Kohlmann and members Dodge and Hunt were also present.

Ms. Fellner gave a brief PowerPoint presentation to remind Town Council and the Parking committee of the actions and concurrences previously made.

1. Remove all (41) meters on east side of Ocean Boulevard. Consensus at September 8th workshop; motion approved at September 23rd regular Town Council meeting, with an amendment to prohibit all parking on the east side of Ocean Boulevard.
2. Remove 24 meters from the west side of Ocean Boulevard on the intersection corners. Passed by consensus and motion with an amendment to remove *all* meters on Ocean Boulevard, except those located between 16th and 17th Avenues North, and to allow parking on the west side of the boulevard, subject to further council action.
3. Nonresident parking passes recommendation for trial 100 passes at \$100 each for one year to be reassessed after completion of the trial period. Passed by consensus and motion.
4. Free beach access areas. The recommendation for Option 2 to charge at the seven premium crossovers failed.
5. No parking signs on Dogwood South between 6th and 7th, and asking SCDOT (South Carolina Department of Transportation) to place addition no parking signs on the south side of Melody Lane between Ocean Boulevard and Hollywood Drive. Passed by consensus and motion.
6. Guy Daniels Surfuff Event recommendation to allow free parking for participants and all other parking rules remain in effect. Passed by consensus and motion.
7. Recommendation by staff to increase only the pier parking rate to \$1.50 per hour. Passed by consensus and motion.

Note: "Passed by consensus and motion" in numbers 2, 3, 4, 5, 6, and 7 refers to same dates set forth in number 1.

Ms. Fellner said that Town Council should also consider whether rates would increase proportionately for pier daily and weekly rates when the proposed ordinance was discussed.

Ms. Mabry wanted council to be aware that land was cleared across the street for 488 high density units. Wicked Stick golf course will be building high density condominiums. Not only will that construction impact water runoff, those new residents will place a burden on the town's resources. She did not oppose removing the meters, but council needed to know that facts. Revenue from the meters on Seaside Drive and Ocean Boulevard equated to \$67,215 gross in five years. If they were taking this

Town Council Workshop
October 21, 2014

56 revenue away, she asked what would be given back; free parking concerned her. The town paid a lot for
57 the meters and she would like to see them used somewhere.

58
59 Mayor Samples asked if Town Council wished to continue free parking for residents in town. All
60 members **CONCURRED**.

61
62 Mr. Magliette said the town is a gem and said there were multiple zones to protect its residents.
63 He feels the town has a good balance not found in other places, without density problems experienced in
64 Myrtle Beach or the high rise building problems in Garden City. Visitors come to town, because they like
65 the family beach. Council should protect its town, because too much density will cause tourists to go
66 other places. He asked how many people could the town really accommodate during the peak season,
67 and asked if high density would destroy the quality of life in the town. In his opinion, there was a limit to
68 how many people the beach could handle comfortably. Mr. Magliette fully understood the financial
69 implications, and that people want to come to the beach. His responsibility is to protect the little gem
70 known as Surfside Beach, taking small steps to find the balance point. The town may not recover if
71 things move too quickly.

72
73 Ms. Mabry agreed with Mr. Magliette 100-percent. Allowing free parking everywhere doesn't
74 injure anyone coming to the beach. Visitors will come as long as there is somewhere to park. If meters
75 are removed, which she is fine with doing so, at least save the west side of Ocean Boulevard for resident
76 parking, then maybe the residents would not fill the metered spaces that visitors could use. That would
77 give the residents something in return for taking the revenue away from them.

78
79 Mr. Magliette said the east side of Ocean Boulevard has parking prohibited. Why would anyone
80 pay to park in a lot, if parking was available on Ocean Boulevard for free? Ms. Mabry brought that
81 question up prior to his being seated on council, and did not receive a second, and was denied the
82 courtesy of discussing the issue. She has always said meters should be removed from the east side of
83 the boulevard. Mr. Magliette said some of the ideas were very good, but he did not like radical change.
84 The parking should be monitored for a year to collect data and allow time to hear from the public.

85
86 Mr. Johnson asked what Mr. Magliette would recommend. Mr. Magliette thought that most of the
87 parking workshop recommendations he voted for were a good first step. Those were the type things he
88 would endorse, and reiterated waiting to gather data before moving forward. Some of the consensus
89 items presented at the council meeting were completely changed, which caused him confusion. He
90 wanted to reach consensus on these matters and move forward. A long-range goal might be worth
91 considering; it did not all have to be done today. Mr. Johnson totally agreed with Mr. Magliette. He did
92 not want to eliminate parking on Ocean Boulevard. He welcomed suggestions for keeping it, including
93 just allowing parking on the west side. He also supported allowing parking on the east side.

94
95 Mr. Stevens said during the January 22, 2013 Parking Committee Chairman Kohlmann and
96 Member Maruca asked why 136 meters were being placed on the boulevard, because the committee only
97 recommended 30, at most 50 meters. He never discussed that number with anyone, and did not know
98 how it came about, although Town Council approved the number unanimously. In his opinion, several
99 current members campaigned to remove meters from Ocean Boulevard, and others lost their seats,
100 because they were blamed for 136 meters, which they never put on there. The fact is the meters were
101 removed from Ocean Boulevard. He did not believe the parking committee ever wanted meters on
102 Ocean Boulevard. He suggest that Ocean Boulevard become a greenway. Mayor Samples said to clarify
103 that Mr. Stevens was saying remove the meters and make the boulevard a greenway, along which
104 parking would be prohibited. Mr. Stevens said that was right. Mr. Stevens said 12 years ago he was able
105 to find free parking in Charleston, which is like a big Surfside with many towns all around it. The last time
106 he was in Charleston, those same places were now parking by permit only. There was no free parking.
107 He did not support free parking, and predicted that eventually parking meters would be placed throughout
108 the town.

109
110 Mr. Pellegrino, said a key piece of information was still missing. He asked Ms. Fellner for an
111 update on the parking lot cooperative contracts. Ms. Fellner said the matter was turned over to John

112 Jerow. She just completed a revision of the contract drawn up by town attorney Mike Battle. Because it
113 is a contractual matter, she preferred not to state details in public.

114
115 Mayor Samples asked how many potential spaces were possible. Ms. Fellner said 67 parking
116 spaces in the two lots being negotiated. Mayor Samples said those spaces would be limited to paid
117 parking. Ms. Fellner said yes; residents with parking permits decals could not park free in these lots.

118
119 Mr. Childs said there are 45 meters between 16th and 17th Avenues North and 36 meters at 13th
120 Avenue South that are not being used. He thought ways to utilize those parking areas should be
121 developed, which would more than offset the expected loss. Mr. Stevens agreed wholeheartedly and
122 reiterated that the lots were not being used. Mr. Childs thought the parking committee should consider
123 signage.

124
125 Mayor Samples said the town currently has signage as recommended by the committee that he
126 would like to see removed. The only sign that actually directs traffic to parking is the one on Surfside
127 Drive. He was not sure that advertising the beach so prominently was beneficial to the town during some
128 of the annual events along the Grand Strand. As already mentioned, the town cannot handle large
129 crowds, particularly late at night. The council agrees there is a parking problem; why are there signs on
130 Highway 17 pointing people to beach parking. In his opinion, it was inconsistent.

131
132 Mr. Childs asked why the sign on Surfside Drive could not also include information about other
133 parking lots. Mayor Samples said it made sense to him that way finding signs be placed in the existing
134 parking lots showing visitors where other lots were located to redirect them when lots are full.

135
136 Mr. Kohlmann said the committee did not want any parking on Ocean Boulevard, because of
137 safety, aesthetics and revenue. If parking is prohibited on Ocean Boulevard, the people may use the
138 underutilized lots. It is a fact that if parking is free on Ocean Boulevard, people will park where it is free
139 instead of using the lots. Almost every single recommendation made by the committee is supported. The
140 way-finding signs were not installed properly; they are too close to the intersections.

141
142 (** Several speaking at once.)

143
144 Mayor Samples referred to the information provided by Ms. Fellner saying there was a consensus
145 to go through the items to reaffirm or alter what was discussed before.

146
147 **1. Stickers for nonresidential property owners.** All members **CONCURRED**.

148
149 **2. Removal of 41 east side meters and prohibit all parking on the east side of Ocean**
150 **Boulevard.** Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, Magliette
151 and Stevens **CONCURRED**. Mayor Samples was against.

152
153 **3. Removal of all west side meters, except those between 16th and 17th Avenues North,**
154 **and to allow free parking on the west side of Ocean Boulevard.** Councilmembers Childs, Mabry,
155 Magliette and Stevens were against. Mr. Pellegrino said a decision must be made based on the
156 information available now. Ms. Mabry said offering free parking next door to a pay-to-park lot would
157 probably keep property owners from doing business with the town. Mr. Pellegrino said if the lots are
158 successfully negotiated he did not want free parking. Ms. Mabry asked how that would work if the
159 ordinance allowed free parking. Mr. Kohlmann said this would also damage the town; who would pay
160 when they could park closer to the beach for free. He suggest restricted parking. Mr. Magliette preferred
161 to go back to the original consensus to removal all west side meters, except those between 16th and
162 17th Avenues North and delete the rest. Mr. Pellegrino spoke with many people that wanted to eliminate
163 the meters, but the town needs to be careful, because of the lot negotiations, which would replace the
164 parking places on Ocean Boulevard. But, if the lot negotiations are not successful, people will need
165 somewhere to park. Ms. Mabry suggested using the west side of Ocean Boulevard for residential
166 parking. Mr. Childs agreed. Mayor Samples asked if that would be for vehicles and golf carts. Mr. Childs
167 said yes, any vehicle with a town issued parking permit. Mr. Pellegrino said parking by permit only would

168 be a compromise. He thought that might create a mess, although residents would be happy. He
169 questioned whether businesses would be happy. Mayor Samples was in favor of removing west side
170 meters and allowing free parking like it used to be. Mr. Stevens disagreed, because it created another
171 safety issue, which was one reason there were problems on Ocean Boulevard. Without some type
172 control, people park any and everywhere. Mayor Samples asked for consensus. Mr. Childs said remove
173 the meters and allow resident parking by permit only on the west side. Mr. Pellegrino asked if members
174 could decide on the two parts.
175

176 Mayor Samples asked who supported removing meters on the west side of Ocean Boulevard,
177 except those located between 16th and 17th Avenues North. All **CONCURRED**. Mayor Samples asked
178 who supported parking. Mayor Samples and Councilmembers Johnson and Mabry supported parking.
179 Mayor Samples said there was not a majority to support "wide open" parking.
180

181 Mayor Samples asked who supported permit only parking on the west side of the boulevard. (**)
182 Mr. Stevens asked if permit parking only signs were available. Mr. Adair said they could be delivered in
183 about two weeks. Ms. Mabry said that Mayor Samples and Mr. Pellegrino brought up a good
184 point...what about the businesses and overflow parking. There has to be a way to get temporary permits
185 for tourists that are residents for a week. Mr. Kohlmann asked how many renters used the permits last
186 year. Ms. Fellner said very few. Mayor Samples said realtors were paying the parking tickets for their
187 renters. Mr. Dodge said renters are provided parking at the houses where they rent.
188

189 Mr. Magliette hoped that if restricted parking was approved, the public would pay to park in the
190 lots. This would be good data to see if the change induces people to those underutilized lots. Mr.
191 Johnson said the permit only restriction may also promote the sale of permits to nonresidents. Mr.
192 Pellegrino believed this would cause an uproar in the lodging community. (**) Mr. Stevens asked why.
193 Mr. Pellegrino said it limits flexibility on tourist businesses. His vision down the road is that by next
194 summer there is no parking on Ocean Boulevard. He did not know if that was feasible, but believed it
195 was the right action. Council was making decisions that placed "handcuffs" on the tourist business, which
196 was where the bulk of the town's revenue was generated.
197

198 Mayor Samples asked again who supported permit parking only on the west side of Ocean
199 Boulevard. Councilmembers Childs, Mabry, Magliette and Stevens in favor. Mayor Samples, Mayor Pro
200 Tempore Pellegrino and Councilmember Johnson against. **Majority CONCURRED**.
201

202 **4. Nonresident parking permits, 100 passes at \$100 each. Concurrence and motion**
203 **adopted by Town Council. All members CONCURRED.**
204

205 **5. Premium access areas, Option 2 designating seven premium access areas to be**
206 **metered. Motion failed at Town Council Meeting.** Mr. Childs supported metering spaces at the
207 premium beach accesses, which would create a revenue stream. Mr. Pellegrino said a fence was being
208 put around Surfside again. Mr. Kohlmann said rental agencies and tourists pay \$250 or more a week for
209 a golf cart rental. If the agencies buy a \$100 permit, that is less than \$10 a week. The agencies were
210 making a lot of money off the tourists. The recommendation was made because many accesses are over
211 packed that creates wear and tear, and increase water costs, and lifeguard services. This would just
212 create a little more revenue to help the town. He said 50-percent of the beach access use is by day-
213 trippers and they should contribute something towards the amenities. Councilmembers Childs, Mabry
214 support meters in the premium accesses. Mayor Samples, Mayor Pro Tem Pellegrino, and
215 Councilmembers Johnson, Magliette and Stevens were against. **MOTION FAILED STANDS.**
216

217 **6. No parking signs on Dogwood South between 6th and 7th, and asking SCDOT to place**
218 **additional signs on the south side of Melody Lane extending from Hollywood Drive to Ocean**
219 **Boulevard.** Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Mabry, Magliette and Stevens
220 supported. Mayor Samples and Councilmember Johnson were against. **Majority CONCURRED.**
221

222 **7. Guy Daniels event recommendation to issue free parking permits to event participants,**
223 **all other parking rules to remain in effect. Concurred and adopted by Town Council.** All members
224 **CONCURRED.**
225

226 **8. Recommendation to raise parking rate to \$1.50 in pier parking lot only. Concurred and**
227 **adopted by Town Council.** All members **CONCURRED.**

228 Ms. Fellner asked if Town Council wished to adjust the daily and weekly rates at the pier parking
229 lot, since the hourly rate changed. After much discussion, Town Council **CONCURRED** to leave the daily
230 and weekly rates at the current rates of \$8 per day and \$40 per week.
231

232 Mayor Samples said *for the record* "that we consider removing the parking signs on Highway 17.
233 Do you agree or disagree? You know and that way I'll quit talking about it. But, I think the parking signs
234 on 17 (** unnecessary (** because when you, we got 'em on Melody. We got 'em on [10th] Avenue
235 South, Surfside Drive, 5th Avenue North, and 16th. If any of 'em, 16th is the only one that probably has
236 merit, but again, I have other concerns associated with those signs along 17." Mr. Kohlmann said the
237 signs were a recommendation to help direct people to the parking lots. If they did not work, they should
238 be removed. He personally just saw the signs a few weeks ago. (** Several speaking at once.) Mayor
239 Samples was not sure that during certain events that the town wanted to advertise where its beach is.
240 Mr. Childs agreed with Mayor Samples. Mr. Pellegrino asked whether the signs would be repositioned to
241 another location where they would have added value. Mayor Samples said Mr. Adair would remove
242 them; if they could be used elsewhere, they would be installed. All members **CONCURRED** to remove
243 the parking way-finding signs along Highway 17.
244

245 Ms. Fellner said during these discussions Seaside Drive needs to be addressed. Mr. Childs and
246 Ms. Mabry thought Seaside Drive was addressed. (**several speaking at once.) Mr. Childs said there
247 would be no meters and anybody can park there for free. Ms. Mabry said not many people could park
248 there, except for the homeowners. Mayor Samples said according to the information council received,
249 there were 19 meters on the north end... (**) Mr. Childs said residents and visitors along Seaside Drive
250 do not have any overflow parking. Usually when there is a six bedroom house, there are six cars there.
251 Seaside should be left alone; there have not been any complaints from the residents in the area. Mr.
252 Kohlmann said the town would lose at least \$4,000 by this action, and from the nearby parking lots.
253 When people find out there is free parking on Seaside, they will park there instead of the pay for parking
254 lots. Mr. Childs said the renters would take spaces as soon as they were available.
255

256 Ms. Mabry said these houses rent for a lot of money. As a general rule, the better rental
257 companies will say how many parking spaces are available. If additional cars are brought, there is a \$40
258 week charge. Realty companies offer linens, grills, golf carts, etc. and extra parking is easy to add to the
259 bill. She supported removing meters from Seaside. Plaques could be offered for tenants on Seaside.
260 Mr. Magliette liked Ms. Mabry's suggestion. Premium spaces should be protected so tenants can enjoy
261 their vacations and their cars will be protected.
262

263 Mayor Samples called for concurrence to eliminate the meters on Seaside Drive and restrict
264 parking to tenants and/or homeowners. Ms. Mabry believed extra cars should purchase parking. She
265 suggested contacting all the rental agencies to hear their opinions. Mayor Samples said he, Mr. Smith
266 and Ms. Fellner met with large realty companies without much success. Ms. Fellner said that was when
267 the service companies list was developed. This matter has not been discussed with them. Mr. Johnson
268 and Mr. Pellegrino did not agree with any additional charges on Seaside, although Mr. Pellegrino agreed
269 with removing the meters. Mayor Samples agreed with the general idea, but wanted to make it available
270 in a general sense of adequate parking for the businesses that pay the bills in town; not just parking for
271 Seaside housing.
272

273 Mr. Pellegrino said 84-percent of the town's revenue is generated by tourist traffic, which pays for
274 the services like fire and police. Of the people he fires in his business, 99-percent have committed
275 egregious customer service. The town should make sure its tourists are pleased and want to return next
276 year. Ms. Mabry said the town has more lifeguards per square foot than any other area in Grand Strand;
277 more bathrooms; more showers; the nicest crossovers, and you are one minute away from police and fire

Town Council Workshop
October 21, 2014

278 protection. The town has every amenity that every other beach will fight for any day. Garden City
279 businesses hate the town, because they have parking everywhere, people do what they want...Garden
280 City gets the people that do not want to pay. The town gets tourists that appreciate its amenities. We
281 take some of that money to maintain the facilities and make the town a place you want to come. The
282 town is head and shoulders above other places.

283
284 Mayor Samples asked again for concurrence that Seaside Drive would have meters removed and
285 free parking. Mayor Samples, Mayor Pro Tempore Pellegrino and Councilmembers Childs, Johnson,
286 and Stevens in favor. Councilmembers Mabry and Magliette were against. **Majority CONCURRED.**

287
288 Ms. Fellner said the draft ordinance was presented so councilmembers could discuss it, if
289 necessary. There are not too many things effected. Mr. Johnson said the ordinance was cut and dry.
290 Mr. Stevens asked how vehicles could be directed to meters during special events, and to consider
291 placing meters on certain side streets. Mr. Pellegrino and Mr. Johnson totally disagreed. Ms. Mabry said
292 that was brought up about six months ago, and no second was offered. Mr. Magliette reiterated that the
293 town should take small steps and revisit later; he opposed making too many radical changes at once.

294
295 Mayor Samples said to sum up that meters are going to be removed from Ocean Boulevard,
296 except for those located between 16th and 17th Avenues North by the Holiday Inn. Ms. Fellner said the
297 ordinance would be presented at the next meeting, and a list of concurrences made at this workshop for
298 confirmation at the regular meeting. Mayor Samples said that anytime parking was prohibited, it should
299 be clearly stated in the record. Mr. Kohlmann asked if the lines of sight at corners on Ocean Boulevard
300 would be addressed, because of the safety concerns. Mr. Johnson and Ms. Mabry said that council had
301 already agreed to eliminate those 24 spaces. Mayor Samples wanted to be certain signage was clear to
302 avoid writing tickets when the public had not been informed.

303
304 Mr. Pellegrino asked if Ms. Fellner could schedule another workshop once the lot negotiations
305 were done, because that would change a lot of what was decided at this meeting. Mayor Samples said
306 absolutely. (**several speaking at once.)

307
308 Mayor Samples asked if there was general agreement that in the parking lots themselves would
309 be a good point of departure for signage that states additional parking was located at various addresses.
310 All members **CONCURRED**. Mayor Samples said visitors at Fuller Park yesterday had no idea that All
311 Children's Park was in town, which supports the need for public education and way finding signs.

312
313 Mr. Adair said other towns have acknowledged premium parking by having lower rates at the
314 meters farther back from the beach. He recommended lowering the rate at the meters at the Holiday Inn
315 and the 13th Avenue South lot to \$1.00 or 75-cents per hour with appropriate signage so tourist will know
316 where to park for less, if they don't mind walking. The lower rate creates a better chance that the lots
317 would be used. Mayor Samples said that was a good suggestion. Ms. Mabry suggested trying it for the
318 next season. Mr. Magliette said the town needs to find ways to fill the lots; this might work. Mr. Pellegrino
319 said it would also spread people along the beach.

320
321 Mr. Hunt believed over-sized golf carts should be redirected to regular parking lots, because they take
322 up multiple spaces and create hazards when they are in golf cart parking spots. Mr. Pellegrino had seen
323 the same problems, but did not have a solution. Mr. Child suggested an area designated for over-sized
324 golf carts. Mayor Samples said in the Yaupon lot and asked if golf cart parking filled up in the Yaupon lot.
325 Mr. Kohlmann said only during events. Mayor Samples asked if the lot continue being used as it is. Mr.
326 Kohlmann said it should be changed, but cars would not fit. Mr. Stevens suggested compact cars. Mayor
327 Samples asked staff to bring options to council to optimize the spaces.

328
329 Mr. Kohlmann said the price adjustment had not been considered, but in his opinion, the town
330 should wait one more year. With the loss of paid parking on Ocean Boulevard, people may go into the
331 paid lots first. If not, the council could act. Several members agreed with Mr. Kohlmann's suggestion.
332 After additional discussion, council **CONCURRED to wait until after next season before lowering the**
333 **rates.**

Town Council Workshop
October 21, 2014

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Mayor Samples asked if trailer parking was provided during bike week events. Mr. Kohlmann said it wasn't advertised enough. (**several speaking at once.) Mr. Magliette said the Surfside United Methodist Church offered free bike parking last year. He would find out if the church would offer it again this year. Mr. Kohlmann said the goal was to get the trailers off the road, because they block line of site.

Mayor Samples asked if everyone was happy with the one-way street. Mr. Kohlmann spoke with the resident on that street who actually suggested it be made one-way and thought it was working well. The streets by Scotty's and Surfside Realty did not have too much impact. (**) Mayor Samples asked if the one-way streets should be left as they are. There was no consensus on one-way streets.

ADJOURNMENT.

Mayor Samples declared the meeting adjourned at 5:44 p.m.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved:

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary Beth Mabry, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Clerk's Note: This document constitutes summary minutes of the workshop that was digitally recorded. Appointments to hear recordings may be scheduled with the town clerk, or you may bring a flash drive to obtain a copy of the audio recording. In accordance with FOIA, meeting notice was distributed to local media and interested parties. Workshop notice was posted at the entry door at Town Council Chambers, and in the Town Hall reception area and on the Town marquee.



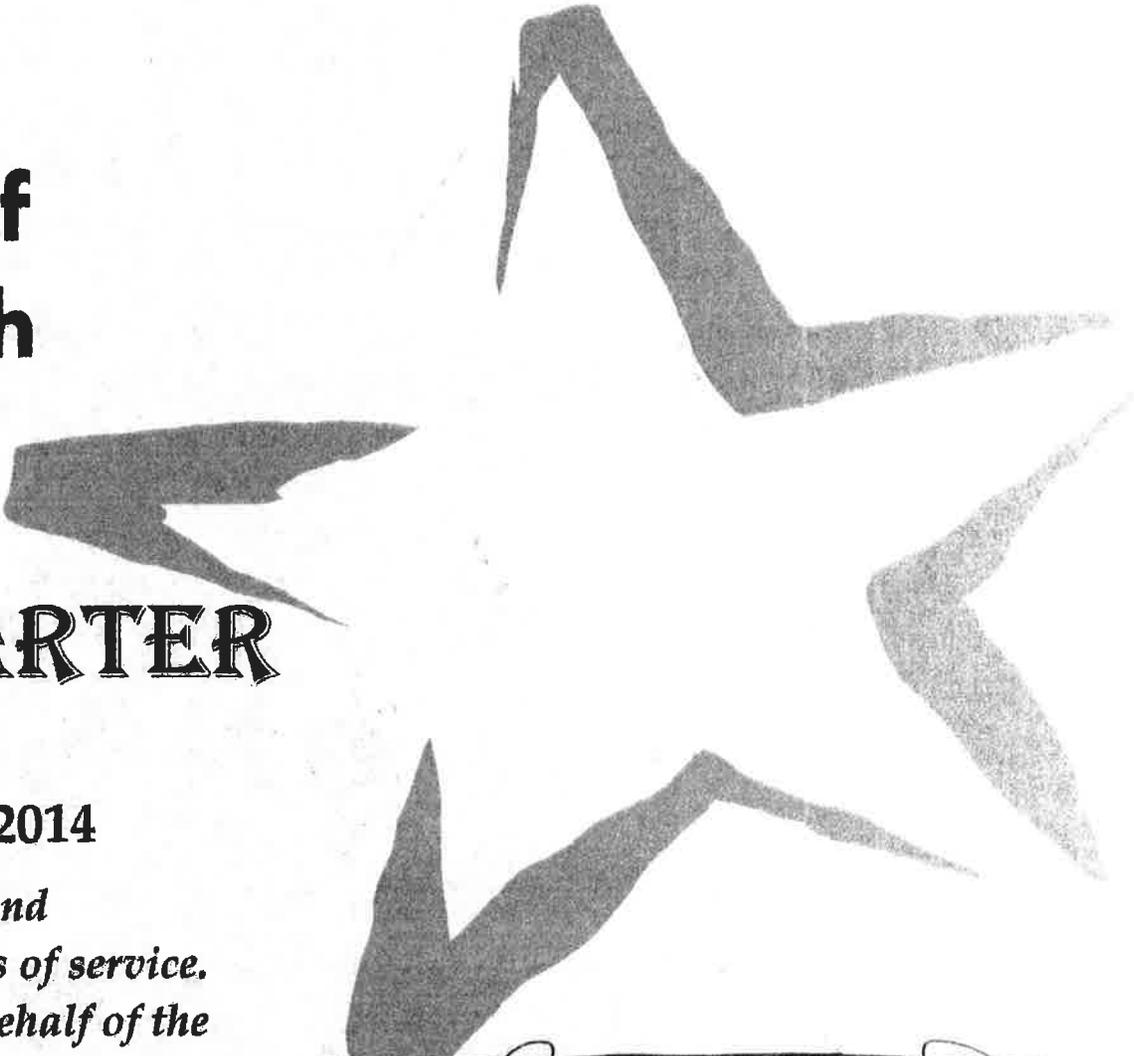
Town of Surfside Beach

In recognition of

WILLIE CARTER

October 1, 1999— October 1, 2014

*Today we celebrate your dedication and
commitment during your fifteen years of service.
Thank you for all of your efforts on behalf of the
Town of Surfside Beach and its citizens.*




The Hon. Douglas F. Samples, Mayor


Micki Fellner, Town Administrator


Debra E. Herrmann, CMC, Town Clerk

Town of Surfside Beach
Finance Department Report: September 2014

General Fund

General Fund revenue YTD exceeds prior year by \$256k. This is due to the funds received from the State/CTC for the resurfacing of Town roads. The paving project is also the main reason for expenditures in General Fund exceeding the previous year.

Business licenses and permit fees exceed prior year by \$11k. Permit revenue accounts for all of this increase.

There were 38 new business license accounts opened in September: 7 new rentals, 8 new contractors, and 9 new local businesses. 14 businesses located outside the town have obtained licenses to operate here. All other revenues appear reasonable at this time.

Salaries and benefits exceed prior year by \$122k year to date. This increase is partially due to moving all salaries and benefits to general fund this year along with increased costs of salaries and benefits. Operating expenditures in General Fund appear reasonable although \$61k more than last year.

Capital Projects Fund

Expenses YTD total \$32k for stormwater projects and lake maintenance. Transfers were made to Capital Projects for beach renourishment reserve which now totals \$250,993. A transfer was also made for stormwater projects.

Special Revenue Funds

Accommodations Fund expenses total \$137k YTD for beach events and police patrol. Revenue for the summer months July- Sept will be sent to us in October.

Hospitality Fund – Hospitality collections exceed last year by \$24k.

Local A-Tax Fund - Revenue collected YTD total \$77k slightly more than last year.

Enterprise Funds

The Pier revenue YTD totals \$205k an increase of \$36k from prior year mainly due to parking increase of \$15k and admission/rent increase of \$14k from prior year.

The Sanitation Fund revenue YTD totals \$438k an increase of \$58k from the prior year due to the sale of a truck for \$54k. Sanitation fees are up slightly from the prior year.

Lanier Parking:

Parking and citation revenue collected by Lanier YTD (July to September) totals \$201k. Last year July to September collections totaled \$152k, an increase this year of \$49k. Revenue for the season (Jan- Sept) total \$354k an increase of \$108k from the prior year revenue of \$246k.

Finance Department:

The Finance Department has been working with external auditors on the financial report which is expected to be ready for the vision meeting in November.

Transparency:

The Town's accounts payable check register has been posted online: Town of Surfside Beach
<http://surfsidebeach.org/>

Please contact the Finance department if you have any questions concerning this report, (843) 913-6336, or email finance@surfsidebeach.org

**Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending September 30, 2014**

Revenue	September 2014	YTD FY 2014-15	FY 14-15 Budget	Over/(Under) Budget	September 2013	YTD FY 2013-14
Property Taxes	\$ 15,662	\$ 44,881	\$ 2,770,325	\$ (2,725,444)	\$ 18,317	\$ 56,346
Licenses & Permits	35,456	74,742	1,552,500	(1,477,758)	29,283	63,593
Franchise Fees	17,381	52,144	625,900	(573,756)	17,381	52,144
Fines	16,092	48,978	151,500	(102,522)	14,797	45,830
Interest	375	1,272	2,500	(1,228)	233	782
Intergovernmental	229,845	232,845	497,320	(264,475)	-	-
Special Event	3,445	9,106	28,500	(19,394)	2,678	6,285
Other Revenue	2,929	11,603	77,800	(66,197)	11,062	16,547
Lanier Parking	22,340	144,577	223,045	(78,468)	20,045	112,186
Other Financing Sources	137,225	140,893	612,100	(471,207)	151,550	151,550
Total Revenue	\$ 480,750	\$ 761,041	\$ 6,541,490	\$ (5,780,449)	\$ 265,346	\$ 505,263
Expenditures						
Salaries & Benefits						
Salaries	\$ 232,361	\$ 652,764	\$ 3,142,640	\$ 652,764	\$ 217,132	\$ 570,375
Benefits	93,869	270,020	1,262,030	(992,010)	78,189	228,645
Total Salaries & Benefits	\$ 326,230	\$ 922,784	\$ 4,404,670	\$ (3,481,886)	\$ 295,321	\$ 799,020
Operating Expenditures						
Administration	\$ 7,715	\$ 22,547	\$ 153,505	\$ (130,958)	\$ 2,916	\$ 18,065
Finance	24,654	43,507	82,185	(38,678)	17,614	35,616
Court	3,227	11,261	46,680	(35,419)	3,654	9,260
Facilities	3,275	5,882	32,165	(26,283)	1,704	5,045
Police	24,068	75,410	326,840	(251,430)	33,953	78,101
Parking Expenses	11,047	39,903	136,945	(97,042)	11,532	37,913
Fire	20,129	58,633	191,335	(132,702)	15,309	38,404
Building & Zoning	1,902	9,681	62,065	(52,384)	1,023	6,324
Grounds	12,690	30,704	108,600	(77,896)	5,147	17,922
Public Works	20,923	60,496	242,830	(182,334)	18,752	54,597
Fleet Maintenance	4,514	14,903	33,170	(18,267)	(882)	7,620
Recreation & Special Events	8,521	18,265	109,540	(91,275)	12,283	22,619
Non Departmental	8,391	23,642	109,220	(85,578)	6,855	22,362
Total Operating Expenditures	\$ 151,056	\$ 414,834	\$ 1,635,080	\$ (1,220,246)	\$ 129,860	\$ 353,848
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	\$ 3,464	\$ (576,577)	\$ 501,740	\$ (1,078,317)	\$ (159,835)	\$ (647,605)
Debt and Capital Expenditures						
Debt Service	\$ -	\$ -	\$ 86,230	\$ (86,230)	\$ -	\$ -
Capital Replacement	-	-	275,250	(275,250)	-	-
Capital Improvements	-	299,020	465,000	(165,980)	13,964	13,964
Transfer to Capital Projects	75,000	75,000	300,000	(225,000)	-	-
Total Debt and Capital Expenditures	\$ 75,000	\$ 374,020	\$ 1,126,480	\$ (752,460)	\$ 13,964	\$ 13,964
Total Expenditures	\$ 552,286	\$ 1,711,638	\$ 7,166,230	\$ (5,454,592)	\$ 439,145	\$ 1,166,832
Net Change in Fund Balance	\$ (71,536)	\$ (950,597)	\$ (624,740)	\$ (325,857)	\$ (173,799)	\$ (661,569)

**Town of Surfside Beach
Finance Department Report
September 30, 2014**

General Fund	September 2014	YTD FY 14-15	FY 14-15 Budget	Over (Under) Budget	September 2013	YTD FY 13-14
Property Taxes						
Current Property Taxes	\$ 12,991	\$ 40,493	\$ 2,706,325	\$ (2,665,832)	\$ 15,775	\$ 51,469
Penalties & Prior Year Taxes	1,442	3,009	60,000	(56,991)	885	2,512
Motor Carrier Taxes	1,229	1,379	4,000	(2,621)	1,657	2,365
Total Property Taxes	\$ 15,662	\$ 44,881	\$ 2,770,325	\$ (2,725,444)	\$ 18,317	\$ 56,346
Licenses and Permits						
Business Licenses - Local	\$ 10,321	\$ 23,411	\$ 690,000	\$ (666,589)	\$ 9,464	\$ 22,432
Business Licenses - MASC	36	36	700,000	(699,964)	-	544
Animal Licenses	90	295	2,500	(2,205)	250	780
Building Permits	25,009	51,000	160,000	(109,000)	19,569	39,837
Total Licenses & Permits	\$ 35,456	\$ 74,742	\$ 1,552,500	\$ (1,477,758)	\$ 29,283	\$ 63,593
Franchise Fees						
Santee Cooper (Bi-Annual)	\$ -	\$ -	\$ 270,000	\$ (270,000)	\$ -	\$ -
GSW&SA (Monthly Installments)	17,381	52,144	215,000	(162,856)	17,381	52,144
Time Warner (Quarterly)	-	-	132,000	(132,000)	-	-
SCANA (Annual)	-	-	7,100	(7,100)	-	-
HTC	-	-	800	(800)	-	-
Beach Services	-	-	1,000	(1,000)	-	-
Total Franchise Fees	\$ 17,381	\$ 52,144	\$ 625,900	\$ (573,756)	\$ 17,381	\$ 52,144
Fines and Forfeits						
Police Fines	\$ 14,066	\$ 41,505	\$ 125,000	\$ (83,495)	\$ 12,367	\$ 37,591
Victims Assistance	1,916	6,513	24,000	(17,487)	2,277	6,622
Parking Fines	110	960	2,500	(1,540)	153	1,617
Total Fines Foreifts	\$ 16,092	\$ 48,978	\$ 151,500	\$ (102,522)	\$ 14,797	\$ 45,830
Interest						
	\$ 375	\$ 1,272	\$ 2,500	\$ (1,228)	\$ 233	\$ 782
Intergovernmental Revenues						
Aid - Local Government Fund	\$ -	\$ -	\$ 80,000	\$ (80,000)	\$ -	\$ -
Alcohol Permits	-	-	35,000	(35,000)	-	-
Homestead Exemption	-	-	37,000	(37,000)	-	-
Merchants Inventory	-	-	11,120	(11,120)	-	-
Government Grants CTC	229,845	229,845	200,000	29,845	-	-
Other Grants	-	3,000	7,500	(4,500)	-	-
H.C. Recreation Dept.	-	-	11,700	(11,700)	-	-
H.C. Road Maintenance	-	-	115,000	(115,000)	-	-
Total Intergovernmental	\$ 229,845	\$ 232,845	\$ 497,320	\$ (264,475)	\$ -	\$ -
Rental and Special Events Revenue						
Civic Center Rental	\$ 525	\$ 1,752	\$ 13,500	\$ (11,748)	\$ 368	\$ 1,260
Special Events	2,920	7,354	15,000	(7,646)	2,310	5,025
Total Rental & Special Events	\$ 3,445	\$ 9,106	\$ 28,500	\$ (19,394)	\$ 2,678	\$ 6,285
Other Revenue						
Miscellaneous Revenues	\$ 1,765	\$ 3,214	\$ 6,800	\$ (3,586)	\$ 1,484	\$ 4,767
False Alarms	605	1,565	1,000	565	340	1,355
Police, K-9, Parking, Records, Jail	249	4,011	17,000	(12,989)	70	1,094
Town Merchandise	310	2,242	3,000	(758)	132	295
Fire Inspection Fees	-	-	50,000	(50,000)	-	-
Sale of Fixed Assets	-	-	-	-	-	-
Insurance Proceeds	-	571	-	571	9,036	9,036
Total Other Revenue	\$ 2,929	\$ 11,603	\$ 77,800	\$ (66,197)	\$ 11,062	\$ 16,547
Lanier Revenue						
Parking Fees-Lanier	\$ 15,625	\$ 120,752	\$ 190,125	\$ (69,373)	\$ 13,416	\$ 92,980
Parking Citations-Lanier	6,715	23,825	32,920	(9,095)	6,629	19,206
Total Parking	\$ 22,340	\$ 144,577	\$ 223,045	\$ (78,468)	\$ 20,045	\$ 112,186
Other Financing Sources						
Transfer from Sanitation Fund	\$ 17,500	\$ 17,500	\$ 70,000	\$ (52,500)	\$ 25,000	\$ 25,000
Transfer from Accommodations Tax Fund	-	-	49,750	(49,750)	-	-
Trans A-Tax Contractual Services	37,350	37,350	149,400	(112,050)	9,700	9,700
Trans from Hospitality	37,500	37,500	150,000	(112,500)	37,500	37,500
Transfer from Local Accommodations Tax Fund	37,555	37,555	150,220	(112,665)	70,000	70,000
Interest Revenue Pier Enterprise	-	3,668	13,450	(9,782)	-	-
Transfer from Pier Enterprise	7,320	7,320	29,280	(21,960)	9,350	9,350
Total Other Financing Sources	\$ 137,225	\$ 140,893	\$ 612,100	\$ (471,207)	\$ 151,550	\$ 151,550
Total Revenue & Other Financing Sources	\$ 480,750	\$ 761,041	\$ 6,541,490	\$ (5,780,449)	\$ 265,346	\$ 505,263

**Town of Surfside Beach
Capital Projects Fund
September 30, 2014**

Capital Projects Fund	September 2014	YTD FY 14-15	FY13-14 Budget	Over (Under) Budget	September 2013	YTD FY 13-14
Revenue						
Property Taxes	\$ 346	\$ 1,058	\$ 60,500	\$ (59,442)	\$ 369	\$ 3,066
Interest	114	314	900	(586)	94	298
Misc/Reimbursement	-	-	-	-	-	-
Total Revenue	\$ 460	\$ 1,372	\$ 61,400	\$ (60,028)	\$ 463	\$ 3,364
Expenditures						
Grounds	\$ 3,789	\$ 4,749	\$ 36,500	\$ (31,751)	\$ 982	\$ 5,327
Street	464	16,396	18,000	(1,604)	8,128	11,109
Storm water Improvements	10,690	10,840	475,000	(464,160)	-	13,830
Total Expenditures	\$ 14,943	\$ 31,985	\$ 529,500	\$ (497,515)	\$ 9,110	\$ 30,266
Other Financing Sources						
General Fund for Stormwater	\$ 75,000	\$ 75,000	\$ 300,000	\$ (225,000)	\$ -	\$ -
Hospitality Beach Renourishment	62,525	62,525	250,100	(187,575)	-	-
A-Tax Beach Renourishment	19,750	19,750	79,000	(59,250)	-	-
Total Other Financing Sources	\$ 157,275	\$ 157,275	\$ 629,100	\$ (471,825)	\$ -	\$ -
Net Change in Fund Balance	\$ 142,792	\$ 126,662	\$ 161,000	\$ 437,487	\$ (8,647)	\$ (26,902)

**Town of Surfside Beach
September 30, 2014
Special Revenue Funds**

Accommodations Fund

	<u>September 2014</u>	<u>YTD 2014-2015</u>	<u>FY 14-15 Budget</u>	<u>Over (Under) Budget</u>	<u>September 2013</u>	<u>YTD 2013-2014</u>
Revenue						
Accommodations Tax	\$ -	\$ -	\$ 520,000	\$ (520,000)	\$ -	\$ -
Special Events/Donations	-	-	-	-	-	3,127
Interest Income	7	32	300	(268)	24	68
Total Revenues	<u>\$ 7</u>	<u>\$ 32</u>	<u>\$ 520,300</u>	<u>\$ (520,268)</u>	<u>\$ 24</u>	<u>\$ 3,195</u>
Expenditures						
Police	\$ 2,619	\$ 19,016	\$ 41,445	\$ (22,429)	\$ 12,296	\$ 33,009
Special Events	1,532	24,970	35,300	(10,330)	2,542	29,789
Utilities	643	2,447	9,000	(6,553)	791	3,187
Advertising & Promotion	2,902	3,313	9,000	(5,687)	-	-
Grants & Materials & Supplies	-	5,400	11,000	(5,600)	200	5,200
Fireworks Display	-	25,000	25,000	-	-	25,000
Advertising - MB Chamber (30%)	-	-	141,075	(141,075)	-	-
Trans to General Contractual	37,350	37,350	149,400	(112,050)	9,700	9,700
Transfer to Gen Fund	-	-	49,750	(49,750)	-	-
Trans to Beach Renourishment	19,750	19,750	79,000	(59,250)	-	-
Total Expenditures	<u>\$ 64,796</u>	<u>\$ 137,246</u>	<u>\$ 549,970</u>	<u>\$ (412,724)</u>	<u>\$ 25,529</u>	<u>\$ 105,885</u>
Net Change in Fund Balance	<u>\$ (64,789)</u>	<u>\$ (137,214)</u>	<u>\$ (29,670)</u>	<u>\$ (107,544)</u>	<u>\$ (25,505)</u>	<u>\$ (102,690)</u>

Hospitality Fund

	<u>September 2014</u>	<u>YTD 2014-2015</u>	<u>FY 14-15 Budget</u>	<u>Over (Under) Budget</u>	<u>September 2013</u>	<u>YTD 2013-2014</u>
Revenue						
Hospitality Fees	\$ 138,687	\$ 297,482	\$ 650,000	\$ (352,518)	\$ 122,753	\$ 273,081
Interest Income	81	188	2,000	(1,812)	93	202
Total Revenues	<u>\$ 138,768</u>	<u>\$ 297,670</u>	<u>\$ 652,000</u>	<u>\$ (354,330)</u>	<u>\$ 122,846</u>	<u>\$ 273,283</u>
Expenditures						
Police	\$ 15,458	\$ 15,971	\$ 54,900	\$ (38,929)	\$ -	\$ -
Fire	15,430	26,961	44,500	(17,539)	1,577	7,583
Grounds	-	155	49,300	(49,145)	-	-
Special Events	62	176	3,200	(3,024)	54	164
Transfer to Capital Proj BR	62,525	62,525	250,100	(187,575)	-	-
Transfer to General Fund	37,500	37,500	150,000	(112,500)	37,500	37,500
Total Expenditures	<u>\$ 130,975</u>	<u>\$ 143,288</u>	<u>\$ 552,000</u>	<u>\$ (408,712)</u>	<u>\$ 39,131</u>	<u>\$ 45,247</u>
Net Change in Fund Balance	<u>\$ 7,793</u>	<u>\$ 154,382</u>	<u>\$ 100,000</u>	<u>\$ 54,382</u>	<u>\$ 83,715</u>	<u>\$ 228,036</u>

Local Accommodations Fund

	<u>September 2014</u>	<u>YTD 2014-2015</u>	<u>FY 14-15 Budget</u>	<u>Over (Under) Budget</u>	<u>September 2013</u>	<u>YTD 2013-2014</u>
Revenue						
Local Accommodations Tax	\$ 35,316	\$ 77,364	\$ 150,000	\$ (72,636)	\$ 30,638	\$ 71,215
Interest Income	15	31	220	(189)	12	23
Total Revenues	<u>\$ 35,331</u>	<u>\$ 77,395</u>	<u>\$ 150,220</u>	<u>\$ (72,825)</u>	<u>\$ 30,650</u>	<u>\$ 71,238</u>
Expenditures						
Transfer to General Fund	<u>\$ 37,555</u>	<u>\$ 37,555</u>	<u>\$ 150,220</u>	<u>\$ (112,665)</u>	<u>\$ 70,000</u>	<u>\$ 70,000</u>
Net Change in Fund Balance	<u>\$ (2,224)</u>	<u>\$ 39,840</u>	<u>\$ -</u>	<u>\$ 39,840</u>	<u>\$ (39,350)</u>	<u>\$ 1,238</u>

Town of Surfside Beach
September 30, 2014
Enterprise Funds

Pier Enterprise Fund

	September 2014	YTD 2014-2015	FY 14-15 Budget	Over (Under) Budget	September 2013	YTD 2013-2014
Revenue						
Income Rents/Leases	\$ 10,000	\$ 54,334	\$ 90,800	\$ (36,466)	\$ 10,000	\$ 47,661
Other Income-Admissions	5,755	30,237	50,000	(19,763)	4,557	26,715
Other Income-Fishing	13,022	64,578	112,000	(47,422)	9,793	54,354
Parking Fees Lanier	11,265	51,394	83,160	(31,766)	9,274	36,088
Parking Citations Lanier	1,450	4,700	14,115	(9,415)	1,250	4,425
Interest Income	38	91	500	(409)	24	49
Miscellaneous Income	-	-	-	-	-	-
Total Revenues	\$ 41,530	\$ 205,334	\$ 350,575	\$ (145,241)	\$ 34,898	\$ 169,292
Expenses						
Operating Expenses	\$ 866	\$ 6,541	\$ 13,300	\$ (6,759)	\$ 596	\$ 2,604
Parking Bank Fees & Misc	562	2,550	2,500	50	235	742
Parking Expenses Lanier	4,172	14,551	44,190	(29,639)	2,647	8,736
Insurance	4,875	4,875	4,800	75	2,998	2,998
Depreciation Expense	30,000	30,000	120,000	(90,000)	28,487	28,487
Interest Expense (Loan)	-	3,668	13,450	(9,782)	-	-
Transfer General Fund	7,320	7,320	29,280	(21,960)	9,350	9,350
Total Expenses	\$ 47,795	\$ 69,505	\$ 227,520	\$ (158,090)	\$ 44,313	\$ 52,917
Change in Net Position	\$ (6,265)	\$ 135,829	\$ 123,055	\$ 12,849	\$ (9,415)	\$ 116,375

Sanitation Fund

	September 2014	YTD 2014-2015	FY 14-15 Budget	Over (Under) Budget	September 2013	YTD 2013-2014
Revenue						
Sanitation Fees	\$ 107,131	\$ 383,029	\$ 1,355,000	\$ (971,971)	\$ 100,794	\$ 379,832
Sale of Scrap	321	659	3,500	(2,841)	-	803
Sale of Fixed Assets	-	54,483	-	-	-	-
Interest Income	141	382	1,300	(918)	119	306
Total Revenues	\$ 107,593	\$ 438,553	\$ 1,359,800	\$ (975,730)	\$ 100,913	\$ 380,941
Expenses						
Salaries & Operating Expenses	\$ 83,019	\$ 241,913	\$ 911,755	\$ (669,842)	\$ 71,256	\$ 228,637
Depreciation Expense	36,250	36,250	145,000	(108,750)	33,750	33,750
Transfer to General Fund	17,500	17,500	70,000	(52,500)	25,000	25,000
Total Expenses	\$ 136,769	\$ 295,663	\$ 1,126,755	\$ (831,092)	\$ 130,006	\$ 287,387
Change in Net Position	\$ (29,176)	\$ 142,890	\$ 233,045	\$ (144,638)	\$ (29,093)	\$ 93,554

Town of Surfside Beach											
Parking											
2014-2015 Fiscal Year 2014-2015 July 1, 2014 to June 30, 2015											
Season 2014 Jan 2014- Dec 2014											
	A	B	C	D	E	F	G	H	J	K	
	Meter/Paystn Revenue	Citation Revenue	Total Revenue	Lanier Charges	Net Lanier	Other parking Expenses	Net Revenue Parking	Season YTD	Lanier Budget	Var to Budget	
2014									Month	Month	
January	\$ -	\$ 1,075	\$ 1,075	\$ 4,747	\$ (3,672)	\$ -	\$ (3,672)	\$ (3,672)	\$ (3,270)	(402)	
February	-	3,125	3,125	6,373	(3,248)	237	(3,485)	(7,157)	(6,225)	2,977	
March	7,897	4,175	12,072	11,519	553	20,182 *	(19,629)	(26,786)	(7,985)	8,538	
April	24,280	4,725	29,005	14,259	14,746	799	13,947	(12,839)	6,145	8,601	
May	37,290	5,525	42,815	15,260	27,555	1,327	26,228	13,389	21,210	6,345	
June	59,026	6,778	65,804	15,934	49,870	1,478	48,392	61,781	38,635	11,235	
2014											
July	84,007	10,810	94,817	18,023	76,794	4,242	72,552	134,333	64,595	12,199	
August	61,250	9,550	70,800	16,572	54,228	2,385	51,843	186,176	41,715	12,513	
September	26,890	8,165	35,055	13,908	21,147	1,873	19,274	205,450	21,065	82	
October			-		-		-		6,995		
November			-		-		-		(2,910)		
December			-		-		-		(4,185)		
FYTD 14-15	\$ 172,147	\$ 28,525	\$ 200,672	\$ 48,503	\$ 152,169	\$ 8,500	\$ 143,669	\$ 143,669	\$ 127,275	\$ 24,794	
Season 2014	\$ 300,640	\$ 53,928	\$ 354,568	\$ 116,595	\$ 237,973	\$ 32,523	\$ 205,450	\$ 205,450	\$ 175,785	\$ 62,088	
							* Meter cost	\$ 18,742			
	L	M	N	O	P	Q	R	S	U	V	
	Pier Fund				General Fund				Actual YTD	Actual Month	
	Meter	Citation	Expenses	Net	Meter	Citation	Expenses	Net			
2014											
January	\$ -	\$ 225	\$ 1,424	\$ (1,199)	\$ -	\$ 850	\$ 3,323	\$ (2,473)	\$ (3,672)	\$ (3,672)	
February	-	1,075	1,959	(884)	-	2,050	4,651	(2,601)	(7,157)	(3,485)	
March	5,119	1,550	3,648	3,021	2,778	2,625 *	28,053	(22,650)	(26,786)	(19,629)	
April	10,880	1,750	4,511	8,119	13,399	2,975	10,546	5,828	(12,839)	13,947	
May	12,959	950	4,978	8,931	24,331	4,575	11,609	17,297	13,389	26,228	
June	19,963	1,925	5,224	16,664	39,063	4,853	12,188	31,728	61,781	48,392	
2014											
July	21,287	1,850	6,680	16,457	62,720	8,960	15,585	56,095	134,333	72,552	
August	18,842	1,400	5,687	14,555	42,408	8,150	13,270	37,288	186,176	51,843	
September	11,265	1,450	4,734	7,981	15,625	6,715	11,047	11,293	205,450	19,274	
October				-				-		-	
November				-				-		-	
December				-				-		-	
FYTD 14-15	\$ 51,394	\$ 4,700	\$ 17,101	\$ 38,993	\$ 120,753	\$ 23,825	\$ 39,902	\$ 104,676	\$ 143,669	\$ 143,669	
Season 2014	\$ 100,315	\$ 12,175	\$ 38,845	\$ 73,645	\$ 200,324	\$ 41,753	\$ 110,272	\$ 131,805	\$ 205,450	\$ 205,450	

PUBLIC WORKS MONTHLY REPORT

September 18th – October 22nd, 2014

SANITATION DIVISION (FTEs – 9)

Residential Service – Two carts were delivered and seven carts were removed per owner request. Four carts were replaced. Sanitation supervisor responded to one call regarding ordinance enforcement; eleven calls regarding late put outs and/or questions about bulk/yard debris pick up, seven calls concerning winter roll-out service, three miscellaneous calls, and four complaints.

Commercial Service – Service routes continue to be updated based on business needs. Two businesses (NAPA & Graham Golf Carts) added dumpster service. Two businesses (Benjamin's Calabash & Sophia's Ice Cream) have closed for the season and discontinued service. Supervisor explained commercial collection schedules to seven new businesses (Home Again, Tower Management, Bagley Electric Co., Johnson's Moving & Storage, Direct Vacations, McKinnons Antique Books & Furniture, Barnaby & Sons Windows). Supervisor responded to two miscellaneous calls.

Recycling News – Seven carts have been delivered and eight carts removed per requests. Supervisor responded to four miscellaneous calls with questions about recycling.

Household Hazardous/E-Waste Drop Off – One hundred and five (105) residents participated in the drop off. Crew collected 5,560 pounds of hazardous waste. Report on amount of E-waste is forthcoming.

Roll-Out Service – One time a week winter roll out service began on Wednesday, September 10th and continues through May 6, 2015.

Crew assisted with the Family Festival and the “Thanks for the Memories” 50th Anniversary celebration.

In September we collected 449.04 tons of solid waste, 44.05 tons of mixed debris, 90.17 tons of yard debris, and 41.00 tons of recyclables.

STREETS & DRAINAGE DIVISION (FTEs –10)

The Beach – Swash outlets being dug out to ensure proper water flow as needed. Beach is being raked twice a week, weather permitting. Beach trash and recycle cans are being checked and serviced at least twice a week.

On-going/Special Projects:

- Crews have repaired several pot holes/sink holes throughout Town.
- Crews from PSI, Inc. continue working on the Upper Myrtle and Magnolia Drainage improvements through December 15th, per schedule.
- Ditch cleaning and maintenance as well as tree trimming are being performed as scheduled throughout town.
- Street crews have installed a new concrete walkway in Fuller Park, allowing better access from the west gate to the restrooms.
- Seasonal maintenance is being performed on showers at beach accesses.
- The next round of new blue replacement street name signs is being installed as time permits.
- Crew assisted with the Family Festival and the “Thanks for the Memories” 50th Anniversary celebration.
- Twice a week (Tuesday & Friday) spraying for mosquitoes continues town wide, weather permitting.

- Street sweeping is being done on Mondays, Wednesdays and Fridays, weather and time permitting.
- Dirt – The availability of dirt has decreased to the point where we are filling dirt requests through October 31, 2014 only, at which point the program will be suspended until such time as new supplies become available (i.e., dredging).
- Four reports were sent to Santee Cooper identifying street lights that were not working.
- From September 18th through October 16th Public Works assistant answered 282 incoming calls. 196 of those calls dealt with sanitation questions/concerns; 42 calls dealt with street related issue – street/drainage issues, streetlights, and questions about driveway inspections and dirt delivery; 4 calls dealt with parks/grounds issues; 17 were internal calls dealing with department and/or personnel issues and/or questions; 9 calls were received for the Public Works Director; 14 calls dealt with vendors, miscellaneous questions, wrong departments and/or telemarketers.

GROUNDS DIVISION (FTEs-4)

- Ball fields are being mowed and maintained during the fall season.
- Plumbing repairs were made at Fuller Park and beach access restrooms.
- Repairs were made to the fountains at the Dog parks.
- Clean up, mowing, and mulching are being done at all Town properties.
- Debris clean up and spraying of lakes continues weekly, weather permitting.
- Crew assisted with the Family Festival and the “Thanks for the Memories” 50th Anniversary celebration.
- A second streetlight was added to the interior of All Children’s Park, in keeping with CPTED practices, to discourage vandalism and allow visibility from the road of the whole park and lot.

FLEET MAINTENANCE DIVISION (FTE-2)

From September 18th through October 16th our mechanics completed sixty-four (64) repairs on Town vehicles and equipment. Four (4) vehicles had flats repaired and one (1) vehicle had tires replaced. Bi-weekly fleet tires checks and fire extinguisher inspections were completed on all Public Works vehicles and/or equipment. “Preventive” and “Scheduled” maintenance (consisting of lube, oil & filter changes, brake inspections, tire rotations and fluid checks) were performed on forty-four (44) Town vehicles and/or equipment.

FACILITIES DIVISION (FTE-2)

- Carpets were cleaned at Town Hall.
- Crew installed the new hanging baskets at the Pier, along Ocean Blvd, and in the Surfside Drive Business district.
- Plumbing repairs were made at the Police Department and the Pier.
- Cleaning and maintenance are performed at all Town properties as scheduled. Repairs are performed as needed.
- Repairs were made to the Press Box doors and roof at Huckabee Complex.
- Crew assisted with the Family Festival and the “Thanks for the Memories” 50th Anniversary celebration.

ADDITIONAL NOTES:

Congratulations to Willie Carter who celebrated 15 years of service to the Town as of October 1, 2014.

Public Works has returned to “Winter Hours”. Our hours of operation will be 7:00am to 4:00pm Monday through Friday with lunch from Noon to 1:00pm.

PUBLIC WORKS- CURRENT EVENTS- OCTOBER 2014



Street Department crew puts finishing touches on new walkway in Fuller Park.



Work on drainage improvements continues along 3rd Avenue N. Upon completion, work will shift to 16th Avenue N.

From: John Adair [mailto:jadair@surfsidebeach.org]
Sent: Wednesday, October 22, 2014 1:20 PM
To: 'Debra Herrmann'
Subject: FW: PSI

Please place in my Council package,

Thanks,

John Adair
Public Works Director
Town of Surfside Beach
740 Sandy Lane
Surfside Beach, SC 29575
843-913-6360
jadair@surfsidebeach.org

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From: winyah67@yahoo.com [mailto:winyah67@yahoo.com]
Sent: Tuesday, October 21, 2014 7:55 AM
To: jadair@surfsidebeach.org
Cc: dougsamples@surfsidebeach.org; bchilds@surfsidebeach.org; keithmesimer@pavingservicesinc.com
Subject: PSI

Good morning John. Just a quick note to say how impressed we are with PSI's crew working on the storm water runoff project.

These young men are some of the hardest working and most diligent we've seen in a long time. They start at the crack of dawn and work until they can't see in the evening, everyday. What is even more impressive is that their supervisor works as hard or harder than the crew he has working for him. Everyday, we see him driving a front end loader or in a trench helping out.

Additionally, they take pride in their work; attempting to carefully grade the right of ways so they will return to their former appearance.

In communicating with them, we've found them to be friendly, polite and respectful.

These days, it isn't often that you see people with this level of work ethic. Clearly, PSI was a good choice to complete this work in our town.

Regards,

Larry and Cathy Altman
3rd Avenue North

SPECIAL EVENTS & RECREATION DEPARTMENT OCTOBER 2014 MONTHLY REPORT

SPECIAL EVENTS

The 35th Annual Family Festival was held on October 4th. Food, arts and crafts and information vendors filled 142 spaces this year. Entertainment was provided by the Josh Brannon Band and the Mark Roberts Band. Local dance groups, including Coastal Carolina Dance Team, as well as a hula show and science show filled the demonstration stage. Inflatables, a video game truck, and a rock climbing wall were available to children as well as face painting, balloon art and a petting zoo. The dunking' booth for the Police Department raised over \$500.00 for the American Red Cross who also had a booth at the festival. Postcards for suggestions and comments were mailed to all vendors who participated and I have received nothing but positive comments. I received a postcard from Coastal Animal Rescue in Murrells Inlet stating they had five (5) dogs adopted that day. Enclosed in your council packet is an email from Amy Griffith with the Sun News stating that the Town of Surfside Beach was one of the winners for BEST ANNUAL EVENT/FESTIVAL for the Family Festival in their Best of the Beach Readers Poll.

I want to publicly thank Chief Keziah, Operations Supervisor Kenny Hofmann and their officers for their assistance with the festival. Traffic control for set up and break down of the event was the best we have had in years. Also, I would like to thank Mary Lynn and Joan Saleem for their contribution every year as well as the employees from Public Works who assist the day before, the day of and the Monday after.

The two day Thanks for the Memories event was held October 10th and 11th. Friday night a "drive-in" movie was held in Yaupon parking lot. Attendance was not as expected with only approximately 30 people attending. The car show was held on Saturday with an estimated 70 cars participating according to Myrtle Beach Car Club. Entries in the car show were asked to donate canned goods or non-perishable food which was taken to South Strand Helping Hand Monday morning. Harris Willard prepared and sold oysters, chicken bog and chili and Danny's Barbeque sold BBQ. Both food vendors stated at the end of the day that they "broke even". Attendance was lower than anticipated.

The Employee Health Fair was held on Friday, October 17th at the Civic Center. The public was invited during the hours of 8:30 a.m. to 10:00 a.m. Attendance was outstanding and double from last year. We had 40 employees who had the lab work done and received the flu shot, with another 6 employees who received the flu shot only. Public participants were twenty. I would like to thank Georgetown Hospital and their staff for conducting this event each year.

The Farmers' Market ended today. A report from Waccamaw Market Cooperative Director Blake Lanford will be presented to council when all the data has been compiled.

Parade applications have been mailed to all participants from last year as well as requests submitted during the year. Also, applications have been mailed to every high school marching band in Horry County and surrounding areas.

Page two

The Nathan Black 5K race was held on Saturday, October 25th in the north side of the pier parking lot in honor of Patrol Sergeant Lee Black's brother.

The 50th Anniversary banners will be taken down the middle of November and will be available for purchase. The large banners on 17 Business are \$40.00 and the smaller banners on the first block of Surfside Drive are \$25.00. If anyone is interested, please contact me at the Civic Center.

UPDATE ON YOUTH ASSOCIATION

Per the President of the Youth Association, Will Rabon, fall baseball season is scheduled to end October 30th. There have been a few minor complaints, i.e. strike zone, jerseys, etc. but nothing major.

Mike Conway with Myrtle Beach Officials Association passed away within 2 weeks of the season opening. The Association has secured officials through SAU, Inc. who was referred by Cal Ripken Experience. They are the same officials Ripken uses but have agreed to charge the Association recreation ball prices.

UPCOMING EVENTS

1. **ELECTION** – Tuesday, November 4th – 7:00 a.m. to 7:00 p.m. – Civic Center
2. **VETERANS DAY SERVICE** – Tuesday, November 11th – 2:00 p.m. Veterans Memorial
3. **TURKEY TROT** – Thursday, November 27th – 8:00 a.m. – pier parking lot

Debbie Ellis

From: Griffith, Amy [agriffith@thesunnews.com]
Sent: Friday, October 10, 2014 10:52 AM
To: Debbie Ellis
Subject: Best of the Beach

Hi Debbie,

I hope you are well. I wanted to congratulate you... you guys were one of the winners for BEST ANNUAL EVENT/FESTIVAL in our Best of the Beach Readers Poll. You won for Surfside Beach Family Festival. So, CONGRATULATIONS!!!

We announce the winners in a section that comes out on October 26. A lot of the winners run ads in that section thanking people for voting, etc.

So I was wondering if you would be interested in running something small in there.... thanking people and maybe including the date for next year. The smallest ad we have is \$158. And, of course, if you have other events coming up we can include those as well.

Let me know what you think and congratulations, again!

Thanks

Amy

Decision Paper

Written by: Micki Fellner and Debra Herrmann

1. **SUBJECT:** Second Reading of Ordinance #14-0786 to amend Sec. 8-36 (a), "Fireworks"
2. **PURPOSE:** To place a 500 foot "No Fireworks Zone" on either side of the pier.
3. **ASSUMPTIONS:**
 - (a) Town Council desires to continue to allow the public to set off fireworks on the 4th of July.
 - (b) Town Council desires to continue sponsoring a professional 4th of July fireworks display.
4. **FACTS:**
 - (a) Town Council approved first reading without any amendments.
 - (b) A professional fireworks display occurs on the pier each July 4th.
 - (c) Various incendiary devices set off by the public have landed on the pier during the time the professional fireworks are on the pier.
 - (d) The Fire Chief has indicated that this practice exposes the pier and the professionals setting off the fireworks to increased danger.
 - (e) This practice also exposes the town to increased liability.
 - (f) 500 feet on either side of the pier extends on the north side to the first lot past the 1st Ave North access (#111 Seaside N) and on the south side to the fourth lot past the 1st Ave South access (#115 Seaside S.)
 - (g) The Police Chief has indicated that this is enforceable.
5. **IMPACT OF SUCCESS OR FAILURE:**
 - (a) Failure to adopt would mean that fireworks would continue to be allowed within 500 feet of the pier and the town would be perpetuating a dangerous situation.
 - (b) Adoption would place a 500 foot "No Fireworks Zone" on either side of the pier and reduce the town's liability.
6. **RECOMMENDATION:** Approve second reading as presented.
7. **RATIONALE FOR RECOMMENDATION:** Reduction of endangerment and liability is always desirable.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 23rd day of September 2014.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Mary M. Mabry, Town Council

Robert F. Childs, Town Council

Ralph J. Magliette, Town Council

Mark L. Johnson, Town Council

Randle M. Stevens, Town Council

Debra E. Herrmann, CMC, Town Clerk

Draft

Decision Paper

Written By: Sabrina Morris, Director of Planning, Building & Zoning

10/28/14

1. **SUBJECT:** Ordinance Number 14-0788
2. **FOR:** Amendments to the Flood Damage Prevention Ordinance
3. **PURPOSE:** To establish a more stringent Flood Damage Prevention Ordinance in anticipation of the updated FEMA maps that are scheduled to be introduced in February of 2015. To promote a safer community against flood hazards within our town and prevent loss of property and promote life safety.
4. **ASSUMPTIONS:** By establishing more stringent requirements within the town, structures and property will have greater protection against flooding
5. **FACTS:**
 - a. The town is a member of the Community Rating System. The CRS promotes and recognizes communities that implement floodplain management practices that exceed the federal minimum requirements of the NFIP to provide protection from flooding.
 - b. Communities that are members of the CRS may see results in flood insurance rate discounts to reflect the reduced flood risk.
 - c. Changes proposed in the Flood ordinance will help improve the town's CRS Rating, but also reduce the risk of damage to structures if there were a storm or flooding occurrence.
 - d. The town has held several workshops to inform the citizens, contractors and general public of the proposed amendments to the Flood Damage Prevention Ordinance.
 - e. The FEMA CRS Committee has assisted in the amendments of the ordinance and recommends the changes being presented.
 - f. Staff received approval of the proposed changes from the FEMA State Floodplain Coordinator, Maria Lamm on August 21, 2014.
 - g. First Reading was unanimously approved by Town Council on October 14, 2014.
 - h. A Public Hearing was scheduled for tonight, October 28, 2014 at 6:00PM.
6. **IMPACT OF SUCCESS OR FAILURE:** Not only will the amendments help improve the CRS Rating within the town, the changes will also encourage better flood damage prevention in all areas of the town, not just the SFHA. By prohibiting fill and slab on grade construction the town is promoting a safer and more resilient community from natural flood disasters and stormwater drainage problems on surrounding properties in the town.
7. **RECOMMENDATION:** Approve ordinance as submitted.
8. **RATIONALE FOR RECOMMENDATION:** It is the purpose of the proposed ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in the town.

- DRAFT -

STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)	
COUNTY OF HORRY)	TO AMEND THE TOWN OF SURFSIDE BEACH
)	
TOWN OF SURFSIDE BEACH)	FLOOD DAMAGE PREVENTION ORDINANCE

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desires to amend the Flood Damage Prevention Ordinance; and

WHEREAS, the town council anticipates receiving updated FEMA flood maps in the near future and desires to take a proactive approach to those anticipated changes by adopting more stringent requirements to promote a resilient community from flood damage; and

WHEREAS, the town is a member of the Community Rating System which recognizes communities for implementing floodplain management practices that exceed the federal minimum requirements of the NFIP to provide protection from flooding.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Flood Damage Prevention Ordinance be amended as adopted by reference as if fully set forth herein.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___ day of _____ 2014.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary Beth Mabry, Town Council

Ralph J. Magliette, Town Council

Randle Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

- DRAFT -

Chapter 14 - FLOOD DAMAGE PREVENTION

[ARTICLE I. - GENERAL PROVISIONS](#)

[ARTICLE II. - VARIANCE PROCEDURES](#)

[ARTICLE III. - STORMWATER MANAGEMENT](#)

ARTICLE I. - GENERAL PROVISIONS

[Sec. 14-1. - Statutory authorization.](#)

[Sec. 14-2. - Findings of fact.](#)

[Sec. 14-3. - Statement of purpose and objectives.](#)

[Sec. 14-4. - Lands to which this chapter applies.](#)

[Sec. 14-5. - Establishment of development permit.](#)

[Sec. 14-6. - Compliance.](#)

[Sec. 14-7. - Interpretation.](#)

[Sec. 14-8. - Partial invalidity and severability.](#)

[Sec. 14-9. - Warning and disclaimer of liability.](#)

[Sec. 14-10. - Penalties for violation.](#)

[Sec. 14-11. - Definition interpretation.](#)

[Sec. 14-12. - Definitions.](#)

[Sec. 14-13. - Designation of local administrator.](#)

[Sec. 14-14. - Development permit and certification requirements.](#)

[Sec. 14-15. - Duties and responsibilities of the local administrator.](#)

[Sec. 14-16. - Administrative procedures.](#)

[Sec. 14-17. - Flood hazard reduction standards.](#)

[Sec. 14-18. - Specific standards.](#)

[Sec. 14-19. - Standards for areas outside of the Special Flood Hazard Area \(SFHA\).](#)

[Sec. 14-20. - Standards for subdivision proposals.](#)

[Sec. 14-21. - Standards for areas of shallow flooding \(AO zones\).](#)

[Sec. 14-22. - Coastal high hazard areas V, VE, or V130 or Coastal A zone](#)

Sec. 14-1. - Statutory authorization.

The Legislature of the State of South Carolina has in S.C. Code of Laws, Title 5, Chapters 7, 23 and 25 (Articles 5 and 7) and Title 6, [Chapter 7](#), and amendments thereto, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the mayor and council of the Town of Surfside Beach, South Carolina does ordain as follows:

Sec. 14-2. - Findings of fact.

The flood hazard areas of the Town of Surfside Beach are subject to periodic inundation which results in loss of life, property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

- DRAFT -

Furthermore, these flood losses are caused by the cumulative effect of obstruction in floodplains causing increased flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damage.

Sec. 14-3. - Statement of purpose and objectives.

It is the purpose of this chapter to protect human life and health, minimize property damage, and encourage appropriate construction practices to minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction. Uses of the floodplain which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion are restricted or prohibited. The provisions attempt to control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters, and control filling, grading, dredging and other development which may increase flood damage or erosion. Additionally, the article prevents or regulates the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

The objectives of this chapter are to protect human life and health, to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas, and to insure that potential home buyers are notified that property is in a flood area. The provisions of the article are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions. Also, an important floodplain management objective of this chapter is to minimize expenditures of public money for costly flood control projects and rescue and relief efforts associated with flooding.

Floodplains are an important asset to the community. They perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, and habitat for diverse natural wildlife populations, recreational opportunities, and aesthetic quality. These functions are best served if floodplains are kept in their natural state. Wherever possible, the natural characteristics of floodplains and their associated wetlands, especially floodways and stream channels, should be the result of careful planning processes which evaluate resource conditions and human needs.

Sec. 14-4. - Lands to which this chapter applies.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of Surfside Beach as identified by the Federal Emergency Management Agency in its flood insurance study, date September 17, 2003, as published by the Federal Emergency Management Act, with accompanying flood insurance rate maps and other supporting data which are hereby adopted by reference and declared to be a part of this chapter. Upon annexation any special flood hazard areas identified by the Federal Emergency Management Agency in its flood insurance study for the unincorporated areas of Horry County, with accompanying map and other data are adopted by reference and declared part of this chapter.

Non-Residential and Residential structures must be constructed so that the lowest floor, including basements if permitted, is located no lower than the base flood elevation plus 3 feet.

- DRAFT -

No environmentally conditioned space shall be allowed below the lowest floor. Floodproofing shall not be permitted within the town.

This chapter shall also apply to areas outside of the special flood hazard areas as prescribed in Section 14-19.

Sec. 14-5. - Establishment of development permit.

A development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities.

Sec. 14-6. - Compliance.

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this chapter and other applicable regulations.

Sec. 14-7. - Interpretation.

In the interpretation and application of this chapter, all provisions shall be considered as minimum requirements liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state law. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, which imposes the more stringent restrictions shall prevail.

Sec. 14-8. - Partial invalidity and severability.

If any part of this chapter is declared invalid, the remainder of the chapter shall not be affected and shall remain in force.

Sec. 14-9. - Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land areas outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create a liability on the part of Surfside Beach or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 14-10. - Penalties for violation.

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person or corporation who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00), or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate

- DRAFT -

offense. Nothing contained herein shall prevent the Town of Surfside Beach from taking such other lawful action as is necessary to prevent or remedy a violation.

Sec. 14-11. - Definition interpretation.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

Sec. 14-12. - Definitions.

Accessory structure or use. A structure or use which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Detached garages, carports, storage sheds, and swimming pools are common urban accessory structures or uses.

Addition (to an existing building). An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation or reconstruction to any building that was constructed prior to the initial flood insurance study for that area, and the addition, renovation or reconstruction does not equal forty eight (48) percent of the present tax value of the structure or certified appraisal. Where a fire wall, load-bearing or exterior wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction. Compliance with mandatory building or zoning codes is also required.

Agricultural structure. A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this chapter.

Appeal. A request for a review of the local administrator's interpretation of any provision of this chapter.

Area of shallow flooding. A designated AO or VO zone on a community's flood insurance rate map (FIRM) with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Base flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Basement. Means any enclosed area of a building which is below grade on all sides.

Building. See structure

Coastal high hazard area. An area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to velocity wave action from storms or seismic sources V, VE, or V130.

- DRAFT -

Coastal A Zone. area landward of a V, VE, or V130 Zone where the principal source of flooding will be astronomical tides, storm surges or tsunamis, not riverine flooding. During base flood conditions, the potential for breaking wave heights between 1.5 feet and 3.0 feet will exist. Areas considered to be within the Coastal A Zone are shown on maps available in the Planning, Building and Zoning Department and can be distributed.

Critical facility. A structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities include but are not limited to fire stations, police stations, hospitals, residential health care facilities, electrical transmission switching stations and distribution substations, main telephone switching office, and hazardous materials storage sites. Sanitary sewer pump stations are not considered a critical facility for the purpose of this chapter.

Development. Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

Elevated building. A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

Existing construction. Means, for the purposes of determining rates, structures for which the start of construction commenced before the initial FIRM date, or before January 1, 1975, for FIRMs effective before that date.

Existing manufactured home park or manufactured home subdivision. A manufactured home park or subdivision for which the construction of facilities for services the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site-grading or the pouring of concrete pads) is completed before February 5, 1980.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site-grading or the pouring of concrete slabs.)

Flood. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard boundary map (FHBM). An official map of a community issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been identified.

Flood insurance rate map (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

- DRAFT -

Flood insurance study. The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

Flood-resistant material. Any building material capable of withstanding direct and prolonged contact (minimum seventy-two (72) hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material which is water soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumber are acceptable flooring materials. Sheet-type floor coverings which restrict evaporation from below and materials which are impervious, but dimensionally unstable are not acceptable. Materials which absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2-93, Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program, document number FIA-TB-2, date 4/93, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Flood vent. A permanent opening in a wall that allows the free passage of water automatically in both directions without human intervention.

Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Freeboard: a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally dependent facility. A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water such as a fishing pier, docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long term storage, manufacture, sales, or service facilities.

Highest adjacent grade. The highest natural elevation, as certified by a registered land surveyor or engineer or architect, of the ground surface next to the proposed exterior walls of a structure.

Historic structure. Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily, determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary [of the Interior] to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places; and

- DRAFT -

- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:
- (1) By an approved state program as determined by the Secretary of Interior; or
 - (2) Directly by the Secretary of Interior in states without approved programs.

Some structures or districts listed on the state or local inventories may not be "historic" as cited above, but have been included on the inventories because it was believed that the structures or districts have the potential meeting the historic structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

Limited storage (enclosures). An area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood-resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zones, it shall meet the requirements of subsection 14-18(4)(b) of this chapter. No storage or enclosures shall be permitted below the base flood elevation in a V, VE and V1-V30 and Coastal A zone.

Lowest floor. The lowest floor of the lowest enclosed area. Any unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided such an enclosure is not built so as to render the structure in violation of other provisions of this chapter.

Manufactured home. A structure, transportable in one (1) or more sections, which is built to HUD standards on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or a South Carolina Building Code Council approved "modular home".

Manufactured home park or subdivisions. A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Mean sea level. Means, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

National Geodetic Vertical Datum (NGVD). As corrected in 1929, elevation reference points set by National Geodetic Survey based on mean sea level.

North American Vertical Datum (NAVD) of 1988 – vertical control, as corrected in 1988, unused as the reference datum on Flood Insurance Rate Maps.

New Construction. Structure for which the start of the construction commenced on or after February 5, 1980. The term also includes any subsequent improvements to such a structure.

- DRAFT -

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of the facilities services the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed on or after February 5, 1980.

Non-Conversion Agreement: An agreement signed by the owner as a condition of a Certificate of Occupancy. The owner must agree to not alter the building at a later date so as to violate the building code or flood damage prevention ordinance requirements. The agreement shall be binding upon heirs, grantees, successors and assigns of parties hereto and shall constitute a covenant running with the structure being constructed under said permit. The agreement shall be recorded in the Horry County Register of Deeds prior to obtaining a Certificate of Occupancy inspection.

North American Vertical Datum (NAVD). Datum point established at Pointe-au-Pere on the St. Lawrence River, Quebec Province, Canada, based on the mass or density of the earth. The datum listed as the reference datum on flood insurance rate maps should be used for elevation certificate and floodproofing certificate completion.

Primary frontal dune. A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and subject to erosion and overtopping from high tides and waves during coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from relatively steep slope to a relatively mild slope.

Recreational vehicle. A vehicle which is:

- (a) Built on a single chassis;
- (b) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreation, camping, travel, or seasonal use.

Special Flood Hazard Area. The area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30 and Coastal A.

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date of the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within one hundred eight (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the

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erection of temporary form; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

Structure. A walled and roofed building, a manufactured home, including a gas or liquid storage tank or other manmade facility, accessory or appurtenance that is principally above the ground. For the purpose of this chapter, swimming pools and solid fencing shall also be included as a structure.

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged conditions would equal or exceed forty eight (48) percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement."

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds forty eight (48) percent of the tax or certified appraised value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. Permits shall be cumulative for a period of five (5) years. If the improvement project is conducted in phases, the total of all cost associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur. The term does not however, include:

- (1) Any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official, and safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include Americans with Disabilities Act compliance standards); or
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure. Permits shall be cumulative for a period of five (5) years (ordinary minor repairs do not count towards cumulative permit totals). If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

Variance. The grant of relief from a term or terms of this chapter.

Violation. The failure of a structure or other development to be fully compliant with these regulations.

Sec. 14-13. - Designation of local administrator.

The Planning, Building and Zoning Director or his/her designee is hereby appointed to administer and implement the provisions of this chapter.

- DRAFT -

Sec. 14-14. - Development permit and certification requirements.

Application for a development permit shall be made to the local administrator on forms furnished by the town prior to any development activities. The development permit may require, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions, and elevations of the area in question; existing or proposed structures; and the location of storage areas, and drainage facilities. Specifically the following information is required:

- (1) A certified survey providing the following information:
 - a. Scale and north orientation arrow;
 - b. Parcel boundaries and the location and names of adjacent streets;
 - c. All watercourses on the parcel;
 - d. All floodplain, AE, V, VE, or V130, Coastal A-Zone, and floodway boundaries that run through the parcel certified by a registered land surveyor or professional engineer with the FIRM Map number and date the map was enacted;
 - e. Flood boundaries/zones must be certified accurate with latest adopted flood map information included;
 - f. All required buffer or setback lines from shoreline or channel banks;
 - g. All drainage and utility easements;
 - h. All areas to be cleared, cut or graded;
 - i. The location of existing and proposed fences, walls and other structures;
 - j. Show the 100-year floodplain contour or a statement certifying that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either subsection 14-15(6) or section 14-20.
 - k. The survey must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.
 - l. If the permit includes a new building or an expansion of an existing building the plot plan or survey must show the footprint of all existing and proposed buildings and building additions.
 - m. As a condition of receiving a building permit a complete stormwater plan with narrative as set forth in Chapter 14, Article III Stormwater Management ordinance shall be submitted and approved. This requirement shall apply to all parcels within the town limits.
- (2) The survey required by section 14-14(1) must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either subsection 14-15(6) and 14-20.
- (3) Where base flood elevation data is provided as set forth in section 14-4 or subsection 14-15(6), the application for a development permit within the flood hazard area shall include an elevation certificate showing:

The elevation (in relation to mean sea level) of the lowest floor of all new construction, additions and substantially improved structures)
- (4) If no base flood elevation data is provided as set forth in section 14-4 or subsection 14-15(6), the application for a development permit must show construction of the lowest floor at least three (3) feet above the highest adjacent grade.

- DRAFT -

- (5) Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation.
- (6) An elevation certificate providing floor elevation is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, it shall be the duty of the permit holder to submit to the local administrator a certification of the lowest floor, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior additional working being permitted to proceed. Failure to submit the survey or failure to make said corrections required shall be cause to issue a stop work order for the project.
- (7) In Coastal high hazard areas (V, VE, or V130 or Coastal A zone), documentation from a professional engineer must be acquired stating the slab placed under the building is not connected to the foundation.
- (8) When a structure is located in zones V, VE, or V130 or Coastal A zone certification shall be provided from a registered professional engineer, separate from submitted plans, that new construction, additions or substantial improvement meets the criteria in section 14-22.
- (9) Upon completion of the development, a registered professional engineer or land surveyor, whichever professional is appropriate, shall certify by elevation certificate and any other documentation required that subsection(8) is built in accordance with the submitted plans and previous predevelopment certifications.
- (10) A non-conversion agreement shall be required on all buildings within the Special Flood Hazard Area when the building is completed and the owner applies for a certificate of occupancy or a use permit. This is done after the final inspection, when the community confirms that the building meets all building code and flood damage prevention ordinance requirements. The agreement must be recorded in the Horry County Register of Deeds office and a clocked copy must be returned to the town to be filed with the Planning, Building and Zoning Department prior to a certificate of occupancy inspection being made. This requirement includes but is not limited to new construction, additions, substantial improvements and renovations.
- (11) For new construction and additions not located within the SFHA, an elevation certificate must be certified by a registered land surveyor, engineer or architect, stating the lowest floor of the structure is a minimum of 3 feet above the highest adjacent grade. This certification must be provided prior to a certificate of occupancy being issued.
- (12) All permits issued within the SFHA (regardless of cost) must provide a recent elevation certificate (issued and dated within 5 years or less) if a current elevation certificate is not

- DRAFT -

on file, before the permit can be issued. Elevation certificate must show existing conditions and if additions (including new mechanical equipment) or substantial improvements are made a new elevation certificate will be required before a final inspection is made on the project.

- (13) If the proposed project will impact the configuration of a watercourse, floodway, or base flood elevation for which a detailed flood insurance study has been developed, the applicant shall apply for and must receive approval for a conditional letter of map revision with the Federal Emergency Management Agency prior to actual construction.

Sec. 14-15. - Duties and responsibilities of the local administrator.

Duties of the local administrator shall include, but not be limited to:

- (1) Review all development permits to assure that the requirements of this chapter have been satisfied.
- (2) Requirements of Federal and/or state permits – Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.
- (3) Watercourse alterations –
 - a. Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water, and Conservation Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - b. In addition to the notifications required watercourse alterations per Section 14-15 (3)(a), written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance, and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.
 - c. If the proposed project will modify the configuration of the watercourse, floodway, or base flood elevation for which a detailed Flood Insurance Study has been developed, the applicant shall apply for and must receive approval for a Conditional Letter of Map Revision with the Federal Emergency Management Agency prior to the start of construction.
 - d. Within 60 days of completion of an alteration of a watercourse, referenced in the certification requirements of Section 14-14(5) the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

- DRAFT -

- (4) Floodway encroachments – Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 14-18(8) are met.
- (5) The local administrator must ensure that a registered professional engineer shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in subsections 14-22(6) and (15) of this chapter.
- (6) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretations as provided in this article.
- (7) When base flood elevation data or floodway data has not been provided in accordance with section 14-4, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, state, or other source, including data developed pursuant to section 14-21, in order to administer the provisions of this chapter. Data from preliminary, draft and the final flood insurance studies constitutes best available data from a federal, state, or other source. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Parts 67.5 and 67.6, the data does not have to be used.
- (8) When the exact location of boundaries of the areas of special flood hazards conflict with the current natural topography information at the site, the property owner may apply and be approved for a letter of map amendment (LOMA) by FEMA. A copy of the letter of map amendment issued from FEMA will be maintained by the local administrator in the permit file.
- (9) Make on-site inspections of projects in accordance with section 14-16.
- (10) Serve notices of violations, issue stop work orders, revoke permits, and take corrective actions in accordance with section 14-16.
- (11) Maintain all records pertaining to the administration of this chapter and make these records available for public inspection.
- (12) Annexations. Notify the land resources and conservation districts division, within six (6) months, of any annexations that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this chapter within ninety (90) days of annexation.

Sec. 14-16. - Administrative procedures.

- (1) *Inspections of work in progress.* As the work pursuant to a permit progresses, the local administrator or his designee shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. A minimum of three inspections shall be performed for each permitted development project in the regulated floodplain:

- DRAFT -

The first inspection is conducted when the site is staked out or otherwise marked. A “Construction Drawings” elevation certification is provided to the town. The inspector checks that areas subject to special requirements are clearly marked on the ground.

The second inspection is conducted when the lowest floor is built for a building or building addition. The builder provides the town with documentation of the surveyed lowest floor elevation (“Building under Construction” elevation certificate). The inspector checks that:

- a. The foundation or forms for the structure are correctly located on the site;
- b. Where buildings have enclosures below the base flood elevation (permitted in AE zones only), the location and size of the openings are as specified on the approved plans; and
- c. In coastal high hazard areas V, VE, V130 or Coastal A zones, slabs placed under the building are not connected to the foundation.

The third inspection is conducted when the project is finished; the “Finished Construction” elevation certificate is submitted, and before the final building inspection. The inspector checks:

- a. The foundation and floor elevation have not been altered since the second inspection;
- b. All areas below the required elevation are constructed with materials resistant to flood damage and do not exceed the allowed square footage (or for those buildings in the V, VE, or V130 and Coastal A Zones – no areas are enclosed below the required elevation);
- c. Where buildings have enclosures below the base flood elevation (permitted in AE zones only), the location and size of the openings are specified on the approved plans and recorded on the elevation certificate.
- d. All electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other equipment is located, elevated, or protected as specified on the approved plans and recorded on the elevation certificate.
- e. There has been no alteration of the ground since the second inspection or the ground has been graded according to the approved plans.

- (2) *Stop work orders.* Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this chapter, the administrator or his designee may order the work to immediately be stopped. The stop work order shall be in writing and directed to the person doing the work. Notification of the property owner is also required. The stop work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop work order shall constitute a misdemeanor.
- (3) *Revocation of permits.* The local administrator may revoke and require the return of the development permit by notifying the permit holder and owner in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in

- DRAFT -

securing the permit. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.

- (4) *Periodic inspections.* The local administrator and each member of the inspection department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) *Violations to be corrected.* When the local administrator finds violations of applicable state and local laws, it shall be his duty to notify the owner of the building of the violation. The owner shall immediately remedy each of the violations of law on the property he owns.
- (6) *Actions in event of failure to take corrective action.* If the owner of a structure or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail, to his last known address or by personal service, that:
 - (a) The building or property is in violation of the flood damage prevention article;
 - (b) A hearing will be held before the local administrator at a designated place and time, not later than ten (10) days after the date of notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) Following the hearing, the local administrator may issue such order to alter, vacate, or demolish the structure, or to remove fill as appears appropriate.
- (7) *Order to take corrective action.* If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the structure or development is in violation of the flood damage prevention article, he shall make such an order in writing to the owner, requiring the owner to remedy the violation within such period, not more than sixty (60) days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period that may be feasible.
- (8) *Appeal.* Any owner who has received an order to take corrective action may appeal from the order of the Surfside Beach Construction Board of Adjustments and Appeals by giving notice of appeal in writing to the local administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local appeals board shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) *Failure to comply with order.* If the owner of a structure or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the appeals board following an appeal, they shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

Sec. 14-17. - Flood hazard reduction standards.

Development may not occur in the special flood hazard floodplain where alternative locations exist due to inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures (and additions) cannot be located out of the floodplain and that

- DRAFT -

encroachments onto the floodplain are minimized. In all areas of special flood hazard, the following provisions are required:

- (1) All new construction, additions and/or substantial improvements shall conform to the requirements contained in the latest adopted International Building Code or International Residential Code, whichever is applicable and anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) All new construction, additions and/or substantial improvements shall be constructed with flood-resistant materials and utility equipment resistant to flood damage;
- (3) All new construction, additions and/or substantial improvements shall be constructed by methods and practices that minimize flood damages;
- (4) Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located at least three (3) feet above the required base flood elevation so as to prevent water from entering or accumulating within or on the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for shower heads, hoses, etc., as long as cutoff devices and backflow devices are installed to prevent contamination of the service components and thereby minimize any flood damages to a structure and contents;
- (5) Gas containers shall be elevated and anchored at least three (3) feet above the base flood elevation or buried below grade and anchored to a reinforced concrete footing;
- (6) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (7) New and replacement sanitary sewer shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters;
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
- (9) Any alteration, repair, reconstruction, addition or improvement to a structure which is in compliance with the provisions of this chapter, shall meet the requirements of "new construction" as contained in this chapter. This includes post-FIRM development and structures.
- (10) Nonconforming structures or uses. Nonconforming structures or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this chapter. Use of nonconforming ground floor habitable spaces or walls for an addition of a second floor above the base flood elevation shall not be allowed.
- (11) Americans with Disabilities Act (ADA). A building must meet the specific standards for floodplain construction outlined in section 14-18, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving

- DRAFT -

these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

- (12) All new construction, additions and/or substantial improvements shall be designed and sealed by a registered design professional as complying with the requirements of the latest adopted International Building Code or International Residential Code, whichever is applicable.
- (13) Slab construction (including raised slabs) shall be prohibited within all special flood hazard areas (SFHA).
- (14) Fill: The use of fill shall be prohibited. This includes not approving Conditional Letters of Map Revision based on Fill (CLOMR-F or LOMR-F).
- (15) Filling may be allowed only where needed to protect or restore natural floodplain functions, such as part of a channel restoration project.
- (16) Flood proofing as a flood protection measure shall be prohibited. All structures (including non-residential) shall be required to elevate to the base flood elevation plus three (3) feet.
- (17) New septic systems in floodplains are prohibited.
- (18) *Critical Facilities*: Critical facilities as defined in subsection 14-12 shall be prohibited in the 500-year flood zone. (Note: The 500 year floodplain includes the entire [SFHA](#) plus other land that is lower than the 500 year flood elevation).
- (19) Hazardous velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. Therefore, solid foundation walls shall not be permitted within any special flood hazard area.
- (20) All fences crossing floodplain boundaries are subject to flood review. The most restrictive zone crossed by the fence will prevail. All fencing material shall be flood-resistant materials.
- (21) There shall be no alteration of sand dunes which would increase potential flood damage.
- (22) Swimming pools in Special Flood Hazard Area: Pools located within the SFHA shall be built to the following standards:
 - a. Swimming pools must meet all applicable requirements set forth in the Zoning Ordinance.
 - b. Swimming pools must be sited as far away from the regulatory flood boundary as feasible.
 - c. No above grade pools are allowed in the V, VE, or V130 or Coastal A Zone.
 - d. No portion of a swimming pool structure in the V, VE, or V130 or Coastal A zones will be allowed more than six inches above the adjacent grade.

- DRAFT -

- e. Fill for swimming pool construction is not allowed in any special flood hazard area (SFHA).
- f. Swimming pools beneath a structure in any SFHA must be flush with the natural grade and must be engineered certifying:
 - i. The swimming pool or other obstruction will not be subject to breaking up or flooding out the ground and affecting the piles or columns of the structure; and
 - ii. The swimming pool shall meet the same anchoring requirements as the support system of the building.
- g. Enclosures associated with any swimming pool located in the SFHA shall not be permitted.

(23) *Recreational vehicles.* Shall not be permitted within the SFHA.

(24) Outdoor storage of any kind shall be prohibited within the SFHA.

(25) No basements shall be permitted within the town limits.

Sec. 14-18. - Specific standards.

In all areas of special flood hazard AE where base flood elevation data has been provided, as set forth in section 14-4 the following provisions are required in addition to those set forth in Section 14-17 of this chapter:

- (1) *Residential construction.* New construction, addition and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated not lower than three (3) feet above the base flood elevation. No basements are permitted.
- (2) *Nonresidential construction.*
 - a. New construction, addition and substantial improvement of any commercial, industrial, or nonresidential structure (including manufactured structures) shall have the lowest floor elevated no lower than three (3) feet above the level of the base flood elevation.
 - b. A registered professional engineer shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in subsections 14-14(6) and 14-14(9). A variance may be considered for wet flood proofing agricultural structures in accordance with the criteria outlined Article II this ordinance. Agricultural structures not meeting the criteria of Article II must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are flood proofed are required to have an approved maintenance plan with an annual exercise. This local floodplain administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.
- (3) *Manufactured homes.*
 - (a) No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a

- DRAFT -

lot in an existing manufactured home park or subdivision, provided the anchoring and the elevation standards of subsection 14-18(3)(c) are met.

- (b) Manufactured homes that are substantially improved on sites outside a manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which as manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than three (3) feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and movement.
 - (c) Manufactured homes as permitted in Section 14-18(3)(a) shall be anchored to prevent flotation, collapse or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse or lateral movement in accordance with Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations, effective date May 25, 1990, as amended. Additionally, the chassis must be elevated a minimum of three (3) feet above the base flood elevation the chassis shall be supported by reinforced piers or other foundation elements at least equivalent strength.
- (4) *Elevated buildings.* New construction, addition and/or substantial improvements of elevated buildings that include limited enclosures (allowed only in AE flood zones) in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
- a. Designs for complying with this requirement must be certified by a professional engineer and meet the following minimum criteria:
 - 1. Provide a minimum of two (2) openings on different walls having a *total net area* of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one (1) foot above the higher of the interior or exterior grade immediately under the opening,
 - 3. Only the portion of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
 - 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;
 - b. Enclosures Below Lowest Floor:
 - 1. Access to the enclosed area shall be the minimum necessary to allow for limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator). Total enclosed area shall not exceed 290 square feet. No other enclosures shall be permitted below the required base flood elevation.

- DRAFT -

2. The interior portion of such enclosed area shall not be finished or partitioned or finished into separate rooms, must be void of utilities except for essential lighting as required for safety, and cannot be temperature controlled.
 3. One (1) wet location switch and/or outlet connected to a ground fault circuit interrupt breaker may be installed below the required lowest floor elevation specified in subsections 14-18(1), (2) and (3).
 4. All construction materials below the required lowest floor elevation specified in subsections 14-18(1), (2), and (3) shall be of flood-resistant materials.
 5. Enclosures of any kind shall be prohibited in the V, VE, or V130 and Coastal A zone except as permitted in Section 14-22 (15) of this chapter.
- c. Hazardous velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. Therefore, solid foundation walls shall not be permitted.
- (5) *Accessory structures.* Any detached accessory structure, the cost of which is greater than three thousand dollars (\$3,000.00), must comply with the elevated structure requirements of subsections 14-18(2) and (5), or constructed completely of flood-resistant materials. When accessory structures of three thousand dollars (\$3,000.00) or less are to be placed in the floodplain, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including workshop, sleeping, living, cooking, or restroom areas);
 - (b) Accessory structures shall be constructed of flood-resistant material designed to have low flood damage potential;
 - (c) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - (d) Accessory structures shall be firmly anchored to prevent flotation, collapse, or lateral movement of the structure;
 - (e) Service facilities such as electrical shall be installed in accordance with subsection 14-17(4);
 - (f) Openings to relieve hydrostatic pressure during a flood event shall be provided below the base flood elevation in accordance with subsection 14-18(5); and
 - (g) Accessory structures shall comply with town zoning regulations.
 - (h) Accessory structures shall be prohibited in the V, VE, or V130 and Coastal A zone.

- DRAFT -

- (6) *Floodways*. Located within areas of special flood hazard established in section 14-4, are areas designated as floodway. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles and has erosion potential. The following provisions shall be presented to the local administrator:
- (a) No encroachments, including fill or raised slab foundation, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator. Raised slab foundation may be utilized in floodways only when no other practical alternative exists.
 - (b) If subsection 14-18(6) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions.
 - (c) Stream crossing for any purpose (i.e., timber harvesting operations), if temporary, shall be permitted in accordance with subsection 14-18(7). Otherwise, the development shall comply with all applicable flood hazard reduction provisions.
 - (d) No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision, provided the anchoring and the elevation standards of subsection 14-18(3).
 - (e) Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife and related uses; also lawns, gardens, play areas, picnic grounds, hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations.
- (7) The use of fill shall be prohibited.
- (8) Any unauthorized or construction inconsistent with plans approved by the town will be required to return the area to original conditions. This requirement includes existing properties.

Sec. 14-19. – Standards for areas outside of the Special Flood Hazard Area (SFHA)

Other areas of the town are subject to periodic inundation of flood waters due to acts of nature, stormwater drainage and other issues. These properties, although outside of the SFHA, need to be protected. The town wishes to minimize any potential lost due to periodic flooding by enforcing certain requirements within the 100 year and 500 year flood zones. These flood zones have no base flood elevation data therefore the following requirements are to be enforced on all new construction and additions:

- DRAFT -

- (1) Minimum finished floor elevation. All structures, not located in a special flood hazard area, shall have the lowest floor and all mechanical or electrical equipment, such as compressors, air conditioning units, etc., elevated no less than 36 inches above the highest adjacent grade of the lot. Final site grading shall insure that ponding of stormwater will not occur beneath the building, nearer than three feet from the building's perimeter or any mechanical or electrical equipment.
- (2) Crawl space or raised slab construction shall be used for all foundations.
- (3) Enclosed crawl space construction must be designed and certified by a professional engineer to meet the following minimum criteria:
 - a. Provide a minimum of two (2) flood vents on different walls having a *total net area* of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - b. The bottom of all flood vents shall be no higher than one (1) foot above the higher of the interior or exterior grade immediately under the opening,
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- (4) The use of fill shall be prohibited.
- (5) The use of fill strictly prohibited except when used to fill the interior area of a raised slab.
- (6) Slab on grade foundations shall be prohibited.
- (7) The installation of outdoor faucets for shower heads, hoses, etc., are permitted as long as cutoff devices and backflow devices are installed to prevent contamination of the service components and thereby minimize any flood damages to a structure and contents;
- (8) Gas containers shall be elevated and anchored at a minimum three (3) feet above the highest adjacent grade or buried below grade and anchored to a reinforced concrete footing.
- (9) Additions to existing structures shall meet the requirements of new construction outlined in this section. This includes pre and post-FIRM development.

Sec. 14-20. - Standards for subdivision proposals.

All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations.

- (1) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. An access road at or above the base flood elevation shall be provided to allow emergency access during flood conditions.

- DRAFT -

- (2) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (3) Base flood elevation data shall be provided for all subdivision proposals of 50 lots or more than 5 acres or greater.
- (4) All residential subdivision proposals having 50 lots or more shall be required to provide an approved evacuation plan.

Sec. 14-21. - Standards for areas of shallow flooding (AO zones).

Located within the areas of special flood hazard established in section 14-4, are areas designated as shallow flooding. The following provisions shall apply within all such areas in addition to those requirements set forth in Section 14-17 of this chapter:

- (1) All new construction, addition and substantial improvements of residential structures shall have the lowest floor elevated to at least as high as the depth number specified on the flood insurance rate map, in feet above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade.
- (2) All new construction, addition and substantial improvements of nonresidential structures shall:
 - Have the lowest floor elevated to at least as high as the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or
- (3) All structures on slopes must have drainage paths around them to guide water away from the structures.
- (4) The use of fill shall be prohibited.

Sec. 14-22. - Coastal high hazard areas (V, VE, or V130 and Coastal A Zones).

Located within the areas of special flood hazard established in sections 14-4 or 14-12, are areas designated coastal high hazard areas. These areas have special flood hazards associated with wave wash. The following provisions shall apply within all such areas in addition to those requirements set forth in Section 14-17 of this chapter:

- (1) All new construction, addition and substantial improvements shall be located landward of the reach of means high tide, first line of stable natural vegetation and comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements.
- (2) All buildings and structures shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located no lower than three (3) feet above the base flood elevation level, with all space below the lowest supporting member

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open so as not to impede the flow of water. (See exception under number (15) of this section).

- (3) All buildings and structures shall be securely anchored on pilings or columns, extending vertically below a grade of sufficient depth and the zone of potential scour, and securely anchored to the subsoil strata.
- (4) All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, lateral movement and scour due to the effect of wind and water loads acting simultaneously on all building components.
- (5) A registered professional engineer shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in subsections 14-22(3),(4), (6),(8),(12),(13) and (14) of this chapter.
- (6) The use of fill shall be prohibited.
- (7) There shall be no alteration of sand dunes, which would increase potential flood damage.
- (8) Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor.
- (9) No manufactured homes shall be permitted.
- (10) Recreational vehicles shall not be permitted in coastal high hazard areas.
- (11) Accessory structures shall be prohibited.
- (12) Parking areas shall be located on a stable grade under or landward of a structure. Any parking surface shall consist of gravel or ROC aggregate. Concrete parking slabs shall be a maximum of four (4) inches in thickness, designed to break apart during storm surge scouring.
- (13) Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located at a minimum three (3) feet above the lowest horizontal member so as to prevent water from entering or accumulating within the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for showerheads, hoses, etc., as long as cut-off devices and backflow devices are installed to prevent contamination to the service components and thereby minimize any flood damage to the building.
- (14) Documentation from a professional engineer must be presented to the Planning, Building and Zoning Department stating the slab placed under the building is not connected to the foundation.
- (15) Enclosures of any kind including but not limited to storage, breakaway walls (including non-supporting), open lattice work or insect screening shall be prohibited below the base flood elevation and required freeboard.

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Exception: Elevators shall be permitted in the V and Coastal A zones with the following conditions:

- a. Elevator enclosures must be designed and certified by professional engineer to resist hydrodynamic and hydrostatic forces as well as erosion, scour, and waves.
 - b. Must comply with building, fire, electrical and mechanical code requirements.
 - c. A detection system designed and certified by a professional engineer having one or more float switches in the elevator shaft which prevent the elevator cab from descending into floodwaters.
 - d. Total enclosure shall be limited to 40 square feet.
 - e. Electrical controls and hydraulic pumps shall meet BFE plus required freeboard.
 - f. Flood damage resistant material must be used inside and outside the elevator cab. (See Technical Bulletin 2, Flood Damage-Resistant Materials).
 - g. Electrical equipment such as electrical junction boxes and circuit and control panels shall be located to meet BFE plus required freeboard.
 - h. Any electrical equipment installed in the hoist way below the BFE shall be National Electrical Manufacturers Association (NEMA) 4 rated enclosure for water resistance.
- (16) One (1) wet location switch and/or outlet connected to a ground fault circuit interrupt breaker may be installed below the required lowest floor elevation in residential and commercial construction.

ARTICLE II. - VARIANCE PROCEDURES

[Sec. 14-23. - Establishment of appeals board.](#)

[Sec. 14-24. - Right to appeal.](#)

[Sec. 14-25. - Historic structures.](#)

[Sec. 14-26. - Considerations.](#)

[Sec. 14-27. - Findings.](#)

[Sec. 14-28. - Floodways.](#)

[Sec. 14-29. - Conditions.](#)

[Sec. 14-30. - Effect on rights and liabilities under the existing flood damage prevention ordinance.](#)

[Sec. 14-31. - Effect upon outstanding building permits.](#)

[Sec. 14-32. - Effective date.](#)

[Secs. 14-33—14-45. - Reserved.](#)

Sec. 14-23. - Establishment of appeals board.

The construction board of adjustments and appeals as established by the Town of Surfside Beach shall hear and decide requests for variances from the requirements of this chapter.

Sec. 14-24. - Right to appeal.

- DRAFT -

Any person aggrieved by the decision of the appeal board or any taxpayer may appeal such decision to court.

Sec. 14-25. - Historic structures.

Variations may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure.

(Sec. 14-26. - Considerations.

In passing upon such applications, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of the article and:

- (1) The danger that materials may be swept onto other lands to the injury of others;
- (2) The danger to life and property due to flooding or erosion damage, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage to the individual owner;
- (4) The importance of the services provided by the proposed facility to the community;
- (5) The necessity to the facility of a waterfront location, where applicable;
- (6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (7) The compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (8) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- (9) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges; and
- (10) Agricultural structures must be located in wide, expansive floodplain areas, where no other alternative location for the agricultural structure exists. The applicant must demonstrate that the entire farm acreage, consisting of a contiguous parcel of land on which the structure is to be located, must be in the special flood hazard area and no other alternative locations for the structure are available.

Sec. 14-27. - Findings.

- DRAFT -

Findings listed above shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the department of natural resources, land resources and conservation districts division, state coordinator's office, must be taken into account and included in the permit file.

Sec. 14-28. - Floodways.

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

Sec. 14-29. - Conditions.

Upon consideration of the factors listed above and the purposes of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter. The following conditions shall apply to all variances:

- (1) Variances may not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations or ordinances.
- (2) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (3) Variances shall only be issued upon a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship, and a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
- (4) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.
- (5) The local administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.
- (6) Variances shall not be issued for any structure or development begun without proper permits that is not in compliance with the provisions of this chapter. Violations shall be corrected in accordance with subsection [14-16\(5\)](#) of this chapter.

Sec. 14-30. - Effect on rights and liabilities under the existing flood damage prevention ordinance.

This chapter in part comes forward by reenactment of some of the provisions of the flood damage prevention ordinance enacted June 21, 1988, as amended, and it is not the intention to repeal but rather reenact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued there under are reserved and may be enforced. The enactment of this chapter shall not affect any action, suit, or proceeding, instituted or

- DRAFT -

pending. All provisions of the flood damage prevention ordinance of the Town of Surfside Beach enacted on June 21, 1988, as amended, which are not reenacted herein, are repealed.

Sec. 14-31. - Effect upon outstanding building permits.

Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a building permit has been granted by the building official or his authorized agents before the time of passage of this chapter; provided, however, that when construction is not begun under such outstanding permit within a period of sixty (60) days subsequent to the passage of this chapter, construction or use shall be in conformity with the provisions of this chapter.

Sec. 14-32. - Effective date.

This chapter shall become effective upon adoption.

Secs. 14-33—14-45. - Reserved.

Decision Paper

Written By: Sabrina Morris, Director of Planning, Building & Zoning

10/28/14

1. **SUBJECT:** Ordinance Number 14-0789
2. **FOR:** Establishing a Beach Renourishment Reserve
3. **PURPOSE:** To establish a reserve fund strictly for beach renourishment to ensure beach renourishment funds are available approximately every 10 years for the engineered renourishment, if necessary.
4. **ASSUMPTIONS:** By establishing this reserve, it will ensure funds will be available when needed for renourishment.
5. **FACTS:**
 - a. Beaches save lives and reduce infrastructure, environmental and property damage during severe storms and hurricanes by dissipating wave energy. They reduce the amount of damage and insurance costs in our town. This is the number one reason to maintain the beach adequately.
 - b. The primary function of our beach is to be a physical barrier to protect lives and the upland infrastructure, environment and property during major storms or hurricanes. The beach deflects the wave energy and reduces destruction on land. They turn destruction into damage and reduce the cost to rebuild or repair.
 - c. The beach is part of our infrastructure. It provides economic benefits and revenue while serving residents. Like roads and bridges, they wear out with time and need to be maintained.
 - d. By protecting the upland land and environment the beach prevents more severe storm and hurricane damage. In addition, beaches provide nesting areas for sea turtles and shore birds and they are home to crabs and seashell life.
 - e. The town's beach is a very important economic asset. The beach contributes to the tax revenue from tourist and residents alike.
 - f. Town Council at the regularly scheduled meeting unanimously approved the proposed Beach Renourishment Ordinance (as amended).
6. **IMPACT OF SUCCESS OR FAILURE:** Not establishing an ordinance that allows for the cost of renourishment to come out of the budget at a lower scale value impacts citizens of the town by requiring a large amount of funding be placed on the property owners all at once when the need to re-nourish arrives.
7. **RECOMMENDATION:** Approve ordinance as amended at the first reading, adding "at a minimum" under #4 of the ordinance.
8. **RATIONALE FOR RECOMMENDATION:** Storm protection, tourism, and environmental advantages are among the highest reasons for recommending the ordinance pass. By establishing a fund that collects a set amount will help prevent a large burden be placed on the property owners all at once when the need to re-nourish arrives.

CONFLICT OF LAW. Whenever the requirements or provisions of this ordinance are in conflict with the requirements or provisions of any other lawfully adopted Town of Surfside Beach ordinance, the more restrictive shall apply.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___ day of _____ 2014.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

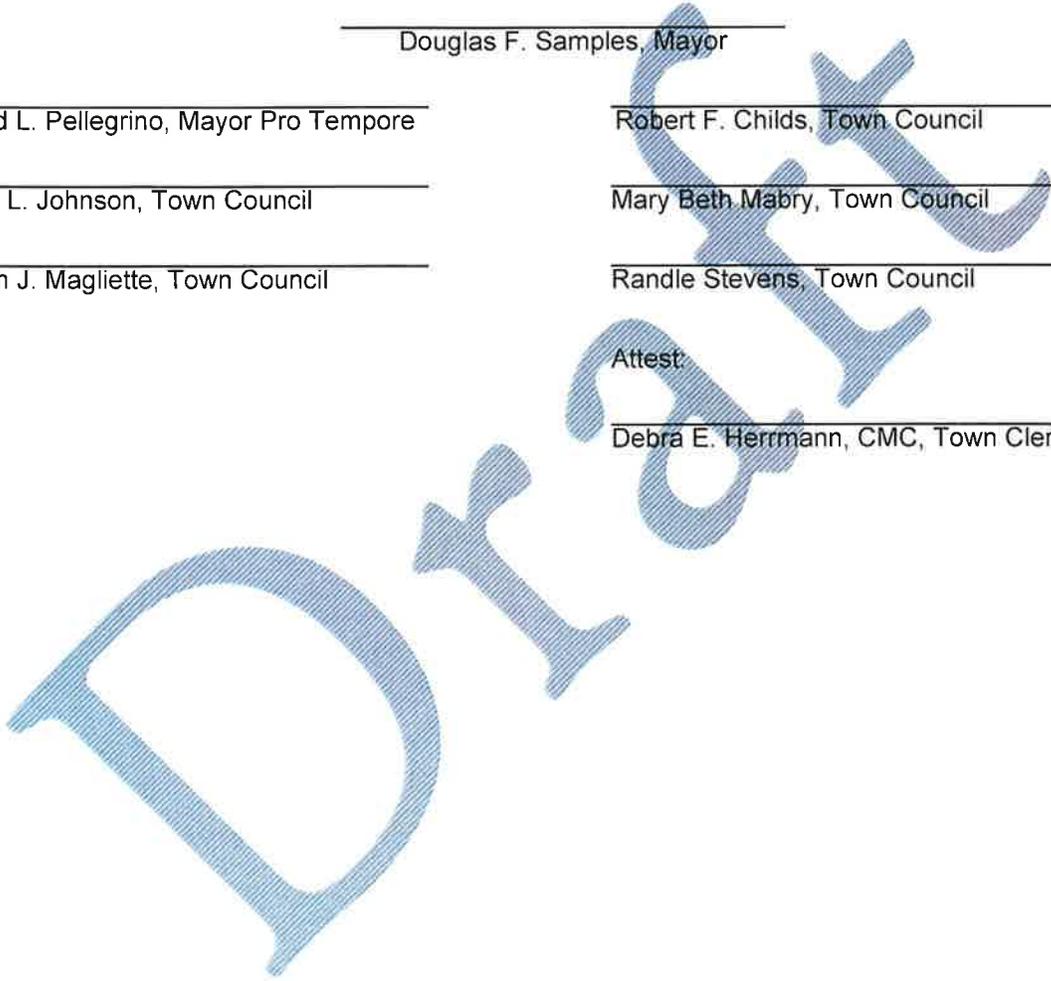
Mary Beth Mabry, Town Council

Ralph J. Magliette, Town Council

Randle Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk



Decision Paper

Written By: Diana King, Micki Fellner and Debra Herrmann

1. **SUBJECT:** To amend Sec. 2-186 of town code by replacing an “or” with an “and” deleting the last sentence.
2. **PURPOSE:** To amend Sec. 2-186 to agree with current check signing protocol and to eliminate old terminology with respect to “pay vouchers”.
3. **ASSUMPTIONS:**
 - a. The town wishes to be in compliance with its own ordinance.
 - b. The town wishes to keep its ordinance meaningful and current.
4. **FACTS:**
 - a. Town Council adopted first reading at the October 14th regular meeting
 - b. Section 2-186 Deposits and Withdrawals states that, “All monies of the town shall be deposited in a bank or depository selected by the town council and monies shall be drawn therefrom upon the signature of the finance officer or his designee, the mayor, the mayor *pro tempore*, or the town administrator. All pay vouchers shall be signed by the finance officer or his designee and either the mayor, the mayor *pro tempore*, or the town administrator.”
 - c. Pay vouchers are no longer required to be signed as payroll funds are now directly deposited in employee’s bank accounts.
 - d. All manual checks require two signatures from any of the following persons: the finance officer, the mayor, the mayor *pro tempore* or the town administrator.
5. **IMPACT OF SUCCESS OR FAILURE:**
 - a. Failure to amend Sec. 2-186 of town code will allow ambiguity to exist for check signing protocol and will leave outdated terminology in the ordinance.
 - b. Amending Sec. 2-186 of town code will ensure the ordinance is in agreement with current check signing protocol and will eliminate obsolete terminology.
6. **RECOMMENDATION:** To amend Sec. 2-186 of town code by replacing the first “or” in the first sentence with the word “and” placing a period after the words “Town Council” in the first sentence and deleting the rest of that sentence; by adding the sentence, “All manual checks shall require a signature from any two of the following persons: the town administrator, the finance director, the mayor, or the mayor *pro tempore*”; and by deleting the next sentence in its entirety.
7. **RATIONALE FOR RECOMMENDATION:** As things change over time, code must be periodically updated. These are housekeeping items to ensure our ordinance is in agreement with our current check signing protocol and also to eliminate old terminology with respect to “pay vouchers”.

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
COUNTY OF Horry) TO AMEND §2-186 DEPOSITS AND WITHDRAWALS
TOWN OF SURFSIDE BEACH)

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to amend Section 2-186 of the Town Code of Ordinances; and

WHEREAS, pay vouchers are no longer required to be signed as payroll funds are now directly deposited in employee's bank accounts; and

WHEREAS, all manual checks require two signatures from any of the following persons: the finance officer, the mayor, the mayor pro tempore or the town administrator.

NOW, THEREFORE, Section 2-186 of the Code of Ordinances of the Town of Surfside Beach, South Carolina, is hereby amended to:

SECTION 2-186. Deposits and Withdrawals

All monies of the town shall be deposited in a bank or depository selected by the Town Council. **All manual checks shall require a signature from any two of the following persons: the town administrator, the finance director, the mayor, or the mayor pro tempore.** and monies shall be drawn therefrom upon the signature of the finance officer or his designee, the mayor, the mayor *pro tem*, or the town administrator. All pay vouchers shall be signed by the finance officer or his designee and either the mayor, the mayor *pro tem*, of the town administrator.

All other portions of Chapter 2 are unchanged and shall remain in full force and effect.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect

immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 28th day of October 2014.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary Beth Mabry, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Draft

Decision Paper

Written by: Debra Herrmann

1. SUBJECT: First Reading Ordinance #14-0787 to amend Section 9-9 Charges to increase pier parking to \$1.50 per hour; to allow nonresident property owners two (2) free parking decals; to add a trial season for selling 100 nonresident parking permits at \$100 each, and to codify that participants in the Guy Daniels Surfiff shall be issued permits for free parking.

2. PURPOSE: To implement recommendations by the Parking Committee that were concurred to and subsequently voted on during a regular meeting by Town Council.

3. ASSUMPTIONS;

(a) Town Council desires to increase the parking rate at the pier parking lot only from \$1.25 per hour to \$1.50 per hour

(b) Town Council desires to maintain the current rate of \$1.25 per hour in all other parking lots, meters and pay stations.

(c) Town Council desires to issue two parking decals to nonresident property owners

(d) Town Council desires a trial season to be conducted for selling up to 100 nonresident parking permits at the cost of \$100 each

(e) Town Council desires to show support for the Guy Daniels Memorial Foundation by codifying its past practice of allowing free parking for event participants, only

4. FACTS:

(a) At the October 21, 2014 Town Council Workshop, Town Council reviewed the draft ordinance and concurred with its content and directed staff to present it at this meeting.

(b) At the September 23, 2014 Town Council Regular Meeting, Town Council directed staff to take action on the parking committee recommendations. Town Council also concurred to staff's recommendation for increased rates at the pier parking lot only and directed staff to prepare an ordinance for consideration.

(c) At the September 8, 2014 meeting, Town Council heard and concurred to most of the recommendations from the Parking Committee.

5. IMPACT OF SUCCESS OR FAILURE:

(a) Failure to adopt the ordinance will result in the status quo being maintained insofar as parking rates, and issuance of nonresident property owners parking decals; there would be no trial sale of parking permits to nonresidents, and Town Council would continue to address free parking each year for Surfiff participants.

(b) Success will be achieved by codifying the proposed changes to increase the parking fee in the pier lot only; nonresident property owners would receive two parking permits; the 2015 would be the trial period for nonresident parking permit sales, and free parking would be allowed for Surfiff participants.

6. RECOMMENDATION;

(a) Approve as presented.

(b) **RATIONALE FOR RECOMMENDATION:** Town Council has discussed the proposed ordinance changes in many meetings. Adopting these amendments and additions to the ordinance would implement positive changes for the town's residents, area neighbors, and visitors.

#	Items Considered	9/8/2014	9/23/2014	10/21/2014
1	Recommendation for 2 free stickers per non-residential property owner	Consensus	Motion Carried	Consensus
2	Recommendation to remove all east side meters which totals 41	Consensus	Motion Carried	Consensus
3	Prohibit all parking on the east side of Ocean Blvd	Not Considered	Motion Carried	Consensus
4	Recommendation to remove 24 meters from west side of Ocean Blvd at the corners of the intersections	Consensus	Motion Carried	Consensus
5	Remove all meters on Ocean Blvd. except those between 16 th and 17 th Avenues and to allow parking	Not Considered	Motion Carried	Consensus
6	Allow permit parking only on Ocean Blvd.	Not Considered	Not Considered	Consensus
7	Recommendation for a 1 year trial of 100 passes @\$100.00 each	Consensus	Motion Carried	Consensus
8	Recommendation to designate 7 premium beach accesses to be metered	Consensus	Motion Failed	Failed
9	Recommendation for signs on Dogwood south between 6 th and 7 th and for asking SCDOT to place additional signs on south side of Melody extending from Ocean Boulevard to Hollywood	Consensus	Motion Carried	Consensus
10	Recommendation to issue parking permits for free parking at meters for participants only in the Guy Daniels Surfoff and all other parking rules remain in effect and are to be enforced	Consensus	Motion Carried	Consensus
11	Raise parking rate to \$1.50 per hour in pier parking lot only	Consensus	Motion Carried	Consensus
12	Consider adjusting the daily and weekly rates in the pier parking lot	Not Considered	Not Considered	Failed
13	Consider removing the parking wayfinding signs on Highway 17	Not Considered	Not Considered	Consensus
14	Remove meters on Seaside Drive and allow free parking	Not Considered	Not Considered	Consensus
15	Place signage in all parking lots that states where additional parking is located	Not Considered	Not Considered	Consensus
16	Residents continue to receive free parking stickers	Not Considered	Not Considered	Consensus
17	Reduce rates to 1\$ per hour in 13th Ave. South and 16th-17th Ave. North parking lots	Not Considered	Not Considered	Failed

100STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE
BEACH)
COUNTY OF HORRY)
TOWN OF SURFSIDE BEACH) TO AMEND PARKING §9-16(a)(2) TO ALLOW 2 PARKING
DECALS FOR NONRESIDENT OWNERS; TO ADD §9-16(a)(5)
TO IMPLEMENT ONE YEAR TRIAL PARKING DECAL SALES
TO NONRESIDENTS; TO ADD §9-16(a)(6) GUY DANIELS
SURFOFF EVENT PARTICIPANTS SHALL BE ISSUED
PERMITS TO PARK FREE, AND TO AMEND §9-9 TO
INCREASE THE METER CHARGE AT THE PIER TO \$1.50
PER HOUR

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to amend Sections 9-9 and 9-16(2) and add Sections 9-16(5) and 9-16(6) as stated in the caption herein of the Town Code of Ordinances; and

WHEREAS, Town Council held a workshop on September 8, 2014 to hear recommendations from the Parking Committee and concurred that specific recommendation be presented for action at the September 23, 2014 regular meeting; and

WHEREAS, Town Council considered said recommendations at the September 23, 2014 regular meeting and directed staff to bring an ordinance to codify the approved recommendations and that staff complete the approved directives.

NOW, THEREFORE Sections 9-9 and 9-16(2) are hereby amended and Sections 9-16(5) and 9-16(6) are hereby added to the Code of Ordinances of the Town of Surfside Beach, South Carolina to state:

Sec. 9-9. Charges.

(A) Pier Parking Pay Stations. Hourly charges are hereby established at the rate of one dollar and fifty cents (\$1.50) per hour, plus various transaction fees and said charges are subject to annual review by town council.

(B) All Other Parking Lots Meters and Pay Stations. Hourly charges are hereby established at the rate of one dollar and twenty-five cents (\$1.25) per hour, plus various transaction fees, **except for the pier parking lot as stated in Paragraph (A) above.** Said charges are subject to annual review by town council.

(C) Daily charges are hereby established at the rate of eight dollars (\$8.00) per day. Expiration of daily rates is 7:00 p.m. on the day of issue.

(D) Weekly charges are hereby established at the rate of forty dollars (\$40.00) per week, which expires at midnight on the 7th day from issue counting the issue day

(i.e., Saturday to Friday midnight; Sunday to Saturday midnight; Monday to Sunday midnight, etc.)

Sec. 9-16. Decals and exemptions.

(a) *Parking decals.* In this paragraph (a), the word vehicle includes golf carts.

(2) *Non-resident residential property owner vehicles including golf carts.* All non-resident residential property owners within the corporate limits of the town shall be entitled to ~~one (1)~~ **two (2)** free decals for ~~one (1)~~ **two (2)** vehicles per property, to be issued by the town, only upon verification of proof of property ownership. A name on the vehicle registration must be the same as a name on the property tax record to show proof of property ownership. Additional decals may be purchased for the sum of forty dollars (\$40.00) for each additional vehicle upon verification of proof of property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.

(5) Nonresident Parking Passes. A trial period of nonresident parking decal sales will be held for the 2015 parking season. Up to 100 nonresident parking decals may be sold during this period at the cost of one hundred (\$100) dollars each. Town Council shall reassess the sales program after the end of the 2015 parking season.

(6) Annual Guy Daniels Surfoff Event. Parking permits for free parking at metered spaces and/or in parking lots shall be issued to participants in the event. All other parking rules shall remain in effect and are subject to enforcement.

All other portions of Chapter 9 are unchanged and shall remain in full force and effect.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ____ day of _____ 2014.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Mary Beth Mabry, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk



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

Resolution #14-152

To Promote Work Place Safety

Whereas, the Mayor and Town Council recognize that the prevention of accidents and promotion of work place safety affect employees, property, and the public and that promoting work place safety will enhance the operating efficiency of Town government; and

Whereas, a proactive safety emphasis posture requires that safety training be provided for employees, and that sound procedures are in place to protect employees and equipment is of primary consideration and takes precedence over expediency in all operations.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Surfside Beach will endeavor to provide a safe work environment that is free of recognized hazards through the establishment and implementation of safety policies and procedures, with subsequent amendments and additions, designed to provide protection to Town employees, its citizens, public and private property, and the general public.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town of Surfside Beach will support compliance with all Federal and State safety regulations; provide and require the use of personal protective equipment by all employees; and ensure that all employees are advised of and understand their safety responsibilities in the performance of their work.

BE IT SO RESOLVED. Signed, sealed and dated this 28th day of October 2014.

 Douglas F. Samples, Mayor

 David L. Pellegrino, Mayor Pro Tempore

 Robert F. Childs, Town Council

 Mark L. Johnson, Town Council

 Mary M. Mabry, Town Council

 Ralph J. Magliette, Town Council

 Randle M. Stevens, Town Council

Attest:

 Debra E. Herrmann, CMC
 Town Clerk

Written by: John Adair

1. SUBJECT: The Town of Surfside Beach has earmarked 3.5 million dollars in the Transportation Improvement Plan, for Highway 17 improvements (administered by GSATS). One million dollars of this is dedicated to two intersection improvements (traffic lights). The Infrastructure Committee met on 9/10/14, and again on 9/22/14 to conceptualize the needed work, and to develop the town's vision moving forward.

2. PURPOSES: To receive Town Council's direction for implementing the GSATS recommendations.

3. ASSUMPTIONS: The Town of Surfside Beach desires to improve functionality and aesthetics along the busiest road in Town. The conditions on this main artery reflect Surfside Beach as a whole to tourists, residents, retail customers, and the traveling public. If the town cannot present a unified vision on these improvements, we could have significant delays in design and implementation, and even the potential reprogramming of this money to other jurisdictions.

4. FACTS:

The Infrastructure Committee of Council has met and recommends the following suggestions be presented to SCDOT:

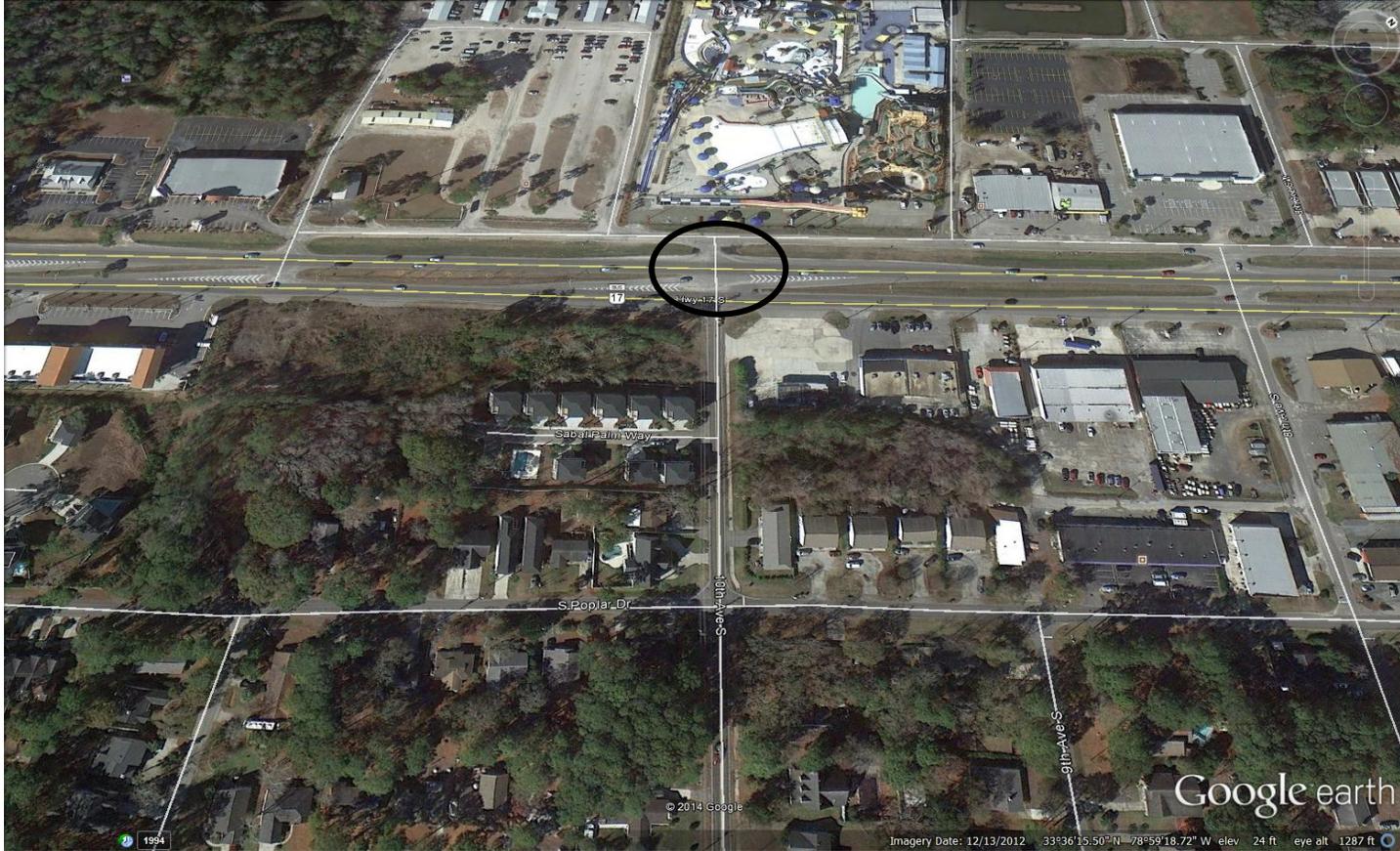
- Install a traffic light at 10th Avenue South
- Install a traffic light at 11th Avenue North or 16th Avenue North (**Council consensus needed**)
- Eliminate center median breaks (7) on the main bed at:
 - 17th Avenue North, 10th Ave North, Between 10th and 5th Avenue North (2), Between 5th and 2nd North, 3rd South, Between 10th and 14th South
 - Eliminate frontage road median break between 10th and 5th North
 - Extend turning lanes at:
 - 10th South (north and southbound), 4th South (southbound),
 - 11th North (north and southbound- contingent on light)
 - 16th North (north and southbound- contingent on light)
 - Wrap all center medians with radius curb, with chutes for drainage)
 - Re-surface entire project length

1. Recommendation

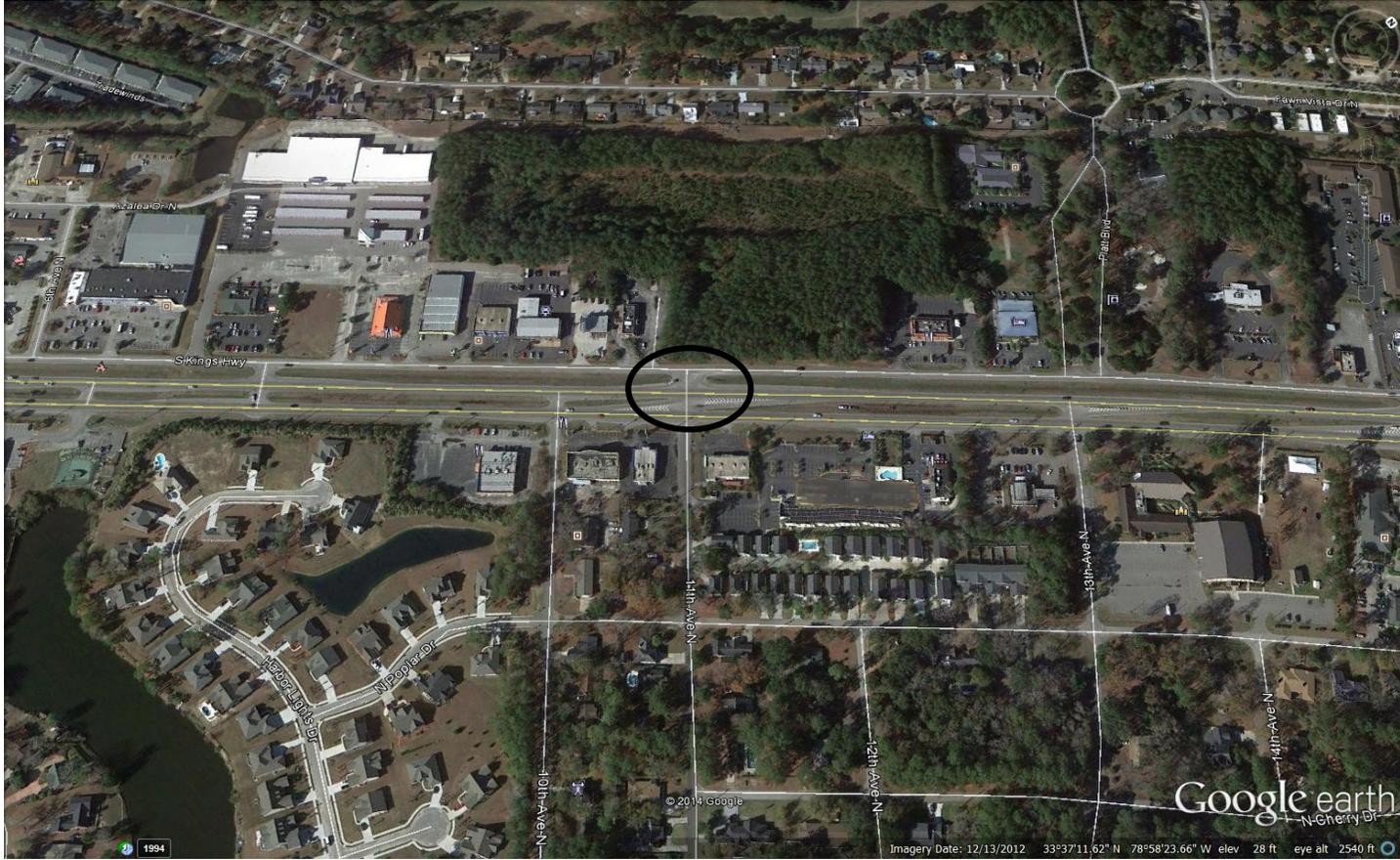
These recommendations will represent the Town's position moving forward into the design and engineering stage with SCDOT and GSATS. They will increase safety, improve the roadway, and improve aesthetics significantly. Staff supports all of these items moving forward.



Highway 17 – current condition – needs curbing and resurfacing



Proposed 10th South Light Location



Proposed 11th North Light



Proposed 16th North Light

#	Items Considered	9/8/2014	9/23/2014	10/21/2014
1	Recommendation for 2 free stickers per non-residential property owner	Consensus	Motion Carried	Consensus
2	Recommendation to remove all east side meters which totals 41	Consensus	Motion Carried	Consensus
3	Prohibit all parking on the east side of Ocean Blvd	Not Considered	Motion Carried	Consensus
4	Recommendation to remove 24 meters from west side of Ocean Blvd at the corners of the intersections	Consensus	Motion Carried	Consensus
5	Remove all meters on Ocean Blvd. except those between 16 th and 17 th Avenues and to allow parking	Not Considered	Motion Carried	Consensus
6	Allow permit parking only on Ocean Blvd.	Not Considered	Not Considered	Consensus
7	Recommendation for a 1 year trial of 100 passes @\$100.00 each	Consensus	Motion Carried	Consensus
8	Recommendation to designate 7 premium beach accesses to be metered	Consensus	Motion Failed	Failed
9	Recommendation for signs on Dogwood south between 6 th and 7 th and for asking SCDOT to place additional signs on south side of Melody extending from Ocean Boulevard to Hollywood	Consensus	Motion Carried	Consensus
10	Recommendation to issue parking permits for free parking at meters for participants only in the Guy Daniels Surf off and all other parking rules remain in effect and are to be enforced	Consensus	Motion Carried	Consensus
11	Raise parking rate to \$1.50 per hour in pier parking lot only	Consensus	Motion Carried	Consensus
12	Consider adjusting the daily and weekly rates in the pier parking lot	Not Considered	Not Considered	Failed
13	Consider removing the parking wayfinding signs on Highway 17	Not Considered	Not Considered	Consensus
14	Remove meters on Seaside Drive and allow free parking	Not Considered	Not Considered	Consensus
15	Place signage in all parking lots that states where additional parking is located	Not Considered	Not Considered	Consensus
16	Residents continue to receive free parking stickers	Not Considered	Not Considered	Consensus
17	Reduce rates to 1\$ per hour in 13th Ave. South and 16th-17th Ave. North parking lots	Not Considered	Not Considered	Failed