



**SURFSIDE BEACH TOWN COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 24, 2015 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Mayor Samples called the regular meeting to order at 6:30 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; Fire Chief Fox; Public Works Director Adair, and Recreation Supervisor Ellis.

Mayor Samples said that long-time resident and former election commission member, Ms. Evelyn Cockey, had passed. Her service will be Saturday, February 28th at 12 noon at the Surfside United Methodist Church.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Pastor Michael King, South Strand Community Church, gave the invocation.

B. Pledge of Allegiance: Mayor Samples lead the Pledge.

3. AGENDA APPROVAL. Mr. Magliette moved to adopt the agenda as presented. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL. **Regular Meeting February 10, 2015.** Mr. Stevens moved to adopt the February 10, 2015 regular meeting minutes as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED**

5. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker) There were no public comments on agenda items.

6. COMMUNICATIONS

A. Proclamation #15-97 American Red Cross Month March 2015, Mr. Dennis James, accepting on behalf of the American Red Cross. Mayor Samples asked the clerk to read the proclamation, after which it was presented to Mr. James, who expressed gratitude and appreciation for the town's support. He said every dollar was important to the Red Cross. The Taste of Surfside Beach, from which passport sales will benefit the Red Cross, will be March 21st through 28th. Various town businesses are participating and will offer discounts to passport holders. (Applause.)

B. Department Reports.

i. Finance. Director King presented the departmental report, a copy of which is attached to these minutes and made a part hereof by reference. There was no parking report for February; parking fees resume in March. Ms. King said funding mechanisms were needed for the underground utility project and weir. Beach renourishment funds were all transferred to capital projects, except the one-half amount from the accommodations tax fund that Town Council agreed to leave in the accommodations tax fund until reimbursement was received for the May events. Horry County paid its 70-percent portion of the weir expense today.

Mayor Samples asked if the additional \$150,000 to be transferred was from the general fund. Ms. King said yes; that amount was budgeted, but not yet transferred to capital projects. She suggested that councilmembers consider whether the millage designated for capital projects be allocated entirely to stormwater or split among the various project funds. At this time, all millage and interest have been

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57 placed in stormwater. Town Council must approve any expropriation. Mayor Samples asked how the
58 town looked for the year. Ms. King said based on current information, the town's finances are good.
59

60 **ii. Public Works.** Director Adair presented the departmental report, a copy of which is attached
61 to these minutes and made a part hereof by reference. Mr. Adair said that he served on the Solid Waste
62 Authority Technical Advisory Committee. He would appreciate Town Council's favorable consideration of
63 the resolution of support.
64

65 Mr. Childs asked if the sanitation foreman was aware that the Town Code included language that
66 additional trash containers could be added if there was a need. Mr. Adair said yes, staff was aware of
67 that and regularly added containers to various locations. A home was just recently added to the winter
68 roll out service, because the container was consistently overflowing. It was a health issue. Mr. Childs did
69 not believe property owners realized how much trash was generated by their guests. Mr. Adair said
70 almost all of the 172 65-gallon blue recycle cans, which will help alleviate much of the problem along
71 Ocean Boulevard. Problems in residential areas are documented with photographs; the homeowner is
72 notified, and the second event is when another can is added. The customer is charged for each can.
73

74 Mr. Stevens saw the no parking signs on the east side of Ocean Boulevard, and the permit only
75 parking on the west side. He asked if steps would be taken to delineate the parking spaces. Mr. Adair
76 said that was not in the council's directive, but he would be glad to comply with council direction.
77

78 Mr. Childs said everyone knew that a yellow line meant no parking. Other members agreed.
79 After much council discussion, Mr. Adair was asked about painting yellow lines any place where parking
80 was prohibited. Mr. Adair explained the yellow line must be on the outside of the traffic lane; some places
81 may not be suitable for painting.
82

83 Mayor Samples asked Mr. Childs, liaison to the parking committee, to meet with the committee
84 and bring recommendations for council's consideration.
85

86 Mr. Magliette thanked Mr. Adair for installing the two exercise stations in the passive park. The
87 park is a beautiful example of how the town serves its residents and visitors through amenities. There
88 was no match for the Town. Mr. Adair said six picnic tables were built to place in the passive park to
89 provide additional seating for the Sunday Serenades.
90

91 Mr. Johnson said the goal was to install two showers per season and asked where they would be
92 placed this year. Mr. Adair said one shower was budgeted this year. The shower will be placed at one of
93 the newly built, large crossovers; most likely 12th Avenue North or 16th Avenue South. Ten more 12 x 12-
94 foot crossovers are being permitted that probably will be built next winter.
95

96 Mr. Stevens asked if property owners could build a driveway on a right-of-way. Mr. Adair said an
97 encroachment permit was required, but yes, the driveway could be built. He explained that if the property
98 was on a state road, a state encroachment permit was required. Mr. Adair said one-third of the town
99 roads were state roads.
100

101 Ms. Mabry thanked Mr. Adair for upgrading the public restroom in town hall. It was very nice.
102

103 **iii. Special Events and Recreation.** Supervisor Ellis presented the departmental report, a copy
104 of which is attached to these minutes and made a part hereof by reference.
105

106 Mr. Johnson asked if passport holders would have to buy insurance to have the insurance
107 companies donate \$5 to the Red Cross. Ms. Ellis said no; just show the passport.
108

109 Mr. Stevens said there were overnight guest gifts from every hotel in town, except one. Many
110 other companies have also made donations for the raffle, and several other businesses will be contacted
111 to participate.
112

113 **C. Administrator's Report.** Ms. Fellner reported:
114

115 Updates:
116

- 117 • *Bike Week.* She and Police Chief Keziah will attend another meeting of the Bike Fest Task Force
118 on Thursday. Captain Miller was assigned to the Communications Task Force in her place,
119 because he will be handling the social media outreach during the Bike Week event. The Bike
120 Week page is now up on the town's website. <http://www.surfsidebeach.org/bikeweeks2015.html>
121 is the link to the page or choose "[View 2015 Bike Rally Information](#)" on the homepage on the
122 upper right side. Links were added this week to the Myrtle Beach Area Chamber of Commerce
123 (Chamber) Bike Rally Facebook and Twitter pages.
- 124 • *Gifted Property and Parking Lot Lease.* The attorney is still working on the vacant lot lease and
125 the quit claim deed for the gifted property at the pier. A survey was required for the deed, which
126 was just received in his office. He anticipates finalizing both by the end of the week. Mayor
127 Samples asked if council wished to hold a special meeting or handle the business at the next
128 meeting. **Council CONCURRED to address it at the next meeting.**
- 129 • *Pier Pass Discount Program.* The Holiday Inn declined to participate, because they did not
130 believe it was a good fit for them. The staff was appreciative that they were given the opportunity.
- 131 • *Internet Service Interruption.* Last Friday there was an interruption lasting about 10 hours for both
132 the email and the website. Apologies were extended to the public for any inconvenience. The
133 Town Council agenda and supporting documents were published on the web Friday night at
134 eleven o'clock. There were no complaints from the public.
- 135 • *Personal Computer Issues.* Over the past few weeks there were numerous computer issues.
136 Many appear to be related to the Windows XP machines that use Internet Explorer as the
137 browser. Because Microsoft no longer supports XP, the browsers on these machines are easily
138 hijacked and subject to viruses and redirects. After repairing a few such instances of this, which
139 takes a considerable amount of time to clean up, the contractor was asked to replace Internet
140 Explorer with Mozilla Firefox and Chrome on all town computers still running XP. That seems to
141 have temporarily alleviated the problem. The plan is to replace all computers using XP over the
142 next two years, so the oldest operating system would be Windows 2007.
- 143 • *Pay Plan.* Staff has gathered enough information on the pay plan overhaul. It will be placed in
144 spreadsheet format over the next few weeks. Once that is completed, it will be presented to the
145 [organizational] subcommittee for discussion.
- 146 • *Horry Telephone (HTC.)* HTC is still looking for a solution to provide wireless service at the pier;
147 some equipment may have to be placed on the water tower. The representative's superior was
148 contacted. She was very responsive. Ms. Fellner believed she would move the process forward.
149 The terms in the remote backup contract for electronic data has finally been agreed to. The
150 contract should be executed within the next few days.
- 151 • *FY2015-2016 Budget.* Ms. Fellner met with all department directors last week to discuss their
152 budgets. The finance director and she continue to work on the budget. She commended the
153 finance department staff for their dedication to the budget. They have worked very hard on it.
154 Ms. Fellner will start working on charts, graphs and narratives over the coming weeks.

155
156 Consensus Items:
157

- 158 • *Taste of Surfside Beach Advertising.* Mr. Stevens asked in email communications between
159 councilmembers that the clerk include the Taste of Surfside Beach advertisements in the town's
160 email blasts, and also place them on all town websites, including the police. The event
161 information is already on the website and the calendar. The police Facebook page is only for
162 police related business. **Council CONCURRED.**
- 163 • *Town Website Design.* Three sample homepages were shown to Town Council in regard to the
164 website design. Printed copies were distributed. Once the design was chosen, it will be about six
165 weeks before it could be tested live. Councilmembers were asked to contact Ms. Fellner by email
166 with comments. Mayor Samples said since Ms. Mabry, Mr. Johnson, and Mr. Stevens spoke with
167 VC3 at the recent association meeting, they should work with Ms. Fellner to advise VC3. Ms.

Fellner said once comments were received, VC3, the designer, could incorporate the suggestions, so councilmembers could choose a design. **Council CONCURRED.**

Public Comment Responses:

Comment: Interest in the Myrtle Beach's upcoming country music festival, specifically the date and thought that the town should look creating activities that would bring some event participants to Surfside Beach.

Response: The event name is "The Carolina Country Music Festival." Event dates are June 5th through 7th. It will be held on the boardwalk at 8th Avenue North in Myrtle Beach. It will host over 35 country music stars, including national recording artists Eric Church, Lady Antebellum, Big and Rich, Sam Hunt, Hunter Hayes, Rascal Flatts, and many others. Tickets for remaining seats in viewing areas range from \$189 for general admission. Tickets for the two VIP levels are \$229 to \$999. Both the Chamber and the festival website are driving the accommodations and hospitality public relations. The town is linked on the Chamber site.

Comment: The town was in the black financially speaking, because of a \$2.75 sanitation fee increase, cancelling the scheduled sunset of the 5 mil stormwater tax, and the 6 mil tax increase.

Response: Technically, there was no question in the comment. There was innuendo that something was not done properly, which simply was not the case. The two increases were both vetted in public hearings. The town attorney reviewed these items and gave guidance on the stormwater millage issue. Certainly, no one wishes to pay more taxes, but there is a direct correlation between revenues collected and the quality of services delivered. These decisions were not made lightly and were only arrived at after public input was sought and many hours of careful deliberation by Town Council.

Comment: A citizen asked after the meeting if town residents could use the Solid Waste facility on Scipio Lane to dispose of materials.

Response: Town residents are not allowed to use the facility, because county residents pay a tax to support the facility, and town residents do not.

7. BUSINESS

A. First Reading Ordinance#15-0795 addition of \$6-7, Service Fees to Nonresidents for Emergency Services, Fire Chief Fox. Chief Fox presented the decision paper and ordinance, a copy of which is on file.

Mr. Stevens moved to adopt first reading of Ordinance #15-0795 to collect emergency service fees for services from nonresidents. Mr. Childs seconded.

Mr. Johnson had many questions. He was very concerned about the impact of this ordinance and also how the process worked. Chief Fox explained the contract with InnovaPad was initiated prior to his employment. He spoke with the InnovaPad representative and was familiar with the system. The City of Georgetown is considering the service, and his former employer, West Florence Fire Department, uses a similar service that was successful recovering costs. InnovaPad is an application on the web on which accident information can be submitted for cost reimbursement. Once submitted, there was no other action required by staff. Mr. Johnson asked if InnovaPad had a contract with the insurance company. Chief Fox did not know. Mr. Johnson said Town Council had approved the InnovaPad contract, but he wanted to know how the funds would be collected and whether it would be worthwhile. Ms. Fellner explained that the contract states InnovaPad would receive 25-percent of all reimbursements as its fee. The town would receive 75-percent. Mr. Johnson wanted an InnovaPad representative to attend a meeting to explain the process and provide documentation of how the system works in other municipalities. Ms. Fellner asked if that could be done at the public hearing.

Mayor Samples said Mr. Johnson's points were certainly valid. He also would like to hear from a municipality that had used the system for a while, more so than from InnovaPad.

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224 Ms. Mabry said that the InnovaPad website has a list of every municipality it represents. The site
225 also explains the process. She originally did not support the contract, but after viewing the website, it
226 changed her mind.

227
228 Mr. Johnson said the ordinance was “discombobulated,” and the fees were “crazy.” Chief Fox
229 explained that various services were coded into the National Incident Fire Reports (NIFR) that were
230 submitted to NIFR. That same report would be submitted to InnovaPad, so it would file for
231 reimbursement. Mr. Johnson reiterated that Town Council needed more information about InnovaPad’s
232 system, and the charges that would be made for emergency services provided to nonresidents.
233

234 Mr. Stevens asked how the town was reimbursed for emergency services prior to this contract.
235 Chief Fox said there was no reimbursement. Mr. Stevens said the taxpayers bore the cost, unless those
236 involved in the wreck submitted the bills to their insurance company. Chief Fox said that was correct.
237 Mr. Stevens said if this was adopted, then those involved in the accident would pay the bills, and the
238 taxpayers would be relieved of that cost. It was a win-win situation for the taxpayers.
239

240 Mayor Samples encouraged all members to read the ordinance thoroughly, because he thought
241 Mr. Johnson’s point about the various charges was well made, and there might be some large fees for
242 what could be a minor accident that ties up staff time during the summertime.
243

244 Mayor Samples said that an InnovaPad representative would be invited to attend a meeting and
245 that second reading could be deferred until Town Council hears the presentation.
246

247 Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Mabry, Magliette
248 and Stevens voted in favor. Councilmember Johnson voted against. **MOTION CARRIED.**
249

250 **B. First Reading of Ordinance #15-0796 to add §9-18, Pay Only Parking Lots,**
251 **Administrator Fellner.** Ms. Fellner presented the decision paper, a copy of which is on file. A
252 councilmember suggested that Section 9-18 have the word “leased” inserted after the words “The town’s.”
253

254 Ms. Mabry asked for an explanation why this ordinance was necessary. Ms. Fellner said the
255 leased lots were cooperative efforts with private individuals who contracted to generate revenue, which
256 would be split between the owner and town. Revenue has to be maximized for the lot lessor (owner.)
257 Mayor Samples said if everyone parked free with decals, the town would have to use general funds
258 revenue to adhere to the lease agreement terms.
259

260 Mr. Childs asked if the pier and Yaupon parking lots were exempt from this section. Ms. Fellner
261 said all other parking lots will remain the same. This section only applies to the newly leased lots.
262

263 Mr. Pellegrino said this section applies to new lots that have yet to be developed. Nothing
264 changes for the existing parking lot.
265

266 Ms. Mabry said with a private/public partnership, the town could not reduce the part of profit the
267 private owner would make, which is why the leased lots must be pay only. The leased lots will be clearly
268 marked that they are “pay only” stations. Parking was provided on the west side of Ocean Boulevard for
269 vehicles with decals, so this should not affect those individuals.
270

271 Mr. Magliette asked if a 50-percent use rate was necessary to avoid liability for the town. Ms.
272 Fellner said that was correct. The town’s liability varies from lot to lot for the cost of cleaning and
273 maintaining, and the cost of the contract terms, which also vary from contract to contract. Mr. Magliette
274 suggested an education campaign to promote the lots. Ms. Fellner said the lots will be listed in the
275 parking brochure. She would be happy to implement council’s direction for other advertising. Mr.
276 Magliette said to wait until data was available for a couple of months to see what the utilization rate was.
277 The town was committed for five years, whether the lots were successful or not.
278

279 Mr. Pellegrino said the risk was worth taking, because parking was eliminated on the east side of
280 Ocean Boulevard and spaces were lost on Seaside Drive. Tourists will need to park somewhere and the
281 leased lots will supply spaces for those eliminated. The risk to develop and maintain parking spaces on
282 these lots is not a huge amount of money. Ms. Fellner said depending on the lot, the cost was \$2,500 to
283 \$3,000 per lot.

284
285 Mayor Samples said that was a nominal amount and hopefully, it would avoid real parking
286 problems.

287
288 Mr. Stevens asked if the lots were in the pier area. Ms. Fellner said the one under contract was
289 at 4th Avenue North on the west side of Ocean Boulevard. The other lots are also in very close proximity.
290 Mr. Stevens understood Mr. Magliette's concern, but believed that these lots would be in good locations
291 and should generate revenue. Visitors like to be close to the pier, which is evidenced by the funds
292 generated by the pier and Yaupon lots.

293
294 Mr. Johnson said since rules had not been suspended as they should have been, he would
295 proceed with a motion. Mr. Johnson moved to approve first reading of Ordinance #15-0796. Mr. Childs
296 seconded. All voted in favor. **MOTION CARRIED.**

297
298 Mayor Samples introduced Mr. Dan Gray, the town's representative on the Solid Waste Authority
299 Board, and said if there were no objections, Resolution #15-154 would be addressed next, because of the
300 late hour. **There were no objections.**

301
302 **E. Resolution #15-154 to Support Horry County Solid Waste Authority 2015 Management**
303 **Plan, Administrator Fellner.**

304
305 Mayor Samples asked the clerk to read the resolution. Mayor Samples said the town was well
306 represented on the Solid Waste Advisory Board by Mr. Adair, and he and other mayors attended a
307 discussion of the plan last month.

308
309 Mr. Gray said he is the South Strand representative. He appreciated the opportunity of
310 representing Surfside Beach. He said Mr. Adair served well. The management plan is required to be
311 reviewed every three years. This year added language that gave them greater authority to move into
312 waste conversion and into conversion through recycling, i.e. gasification, waste energy, and fuel
313 conversion among other types. The "first leg of the last part of our landfill was just started." That means
314 there is 25- to 30-years left to use this landfill. There will never be another landfill in Horry County or likely
315 in any surrounding counties. The tipping fee in Horry County is \$29 per ton compared to \$66 in
316 Charleston County; \$50+ in Brunswick County, and \$30+ in Georgetown County. The Solid Waste
317 Authority was in good financial condition. The upcoming year's budget was cut by \$2 million. The landfill
318 was solid, safe and secure. Mr. Gray said he was nearing the end of his 4-year term and would like to
319 continue serving for another term. Surfside Beach has always been a strong supporter of the Solid
320 Waste Authority and he appreciated that cooperation.

321
322 Mr. Stevens moved to adopt Resolution #15-154 as presented. Ms. Mabry seconded. All voted
323 in favor. **MOTION CARRIED.**

324
325 **C. Accommodations Tax Advisory Committee Recommendations Resolution, Director**
326 **King.** Ms. King presented the resolution, which is attached to these minutes and made a part hereof.
327 Mayor Samples asked the clerk to read the resolution.

328
329 Mr. Childs said he attended the accommodations tax advisory committee meeting and was sorry
330 that the Wildfire cameras were not approved. He was a big supporter of cameras and hoped that they
331 would be brought up again. Cameras were very useful anywhere they were installed.

332
333 Ms. Mabry asked for an explanation for the denial of grant request for pet waste stations. Ms.
334 King believed it was because the town already provides bags for pet owners to use at each beach access

335 and on Ocean Boulevard. Ms. Mabry said she also attended the meeting. The request was from a
336 private company that wanted to do a private waste station to provide bags and clean up. She asked if the
337 town would be reimbursed for the \$95,000 May Bike Events. Ms. King said hopefully, all of it would be
338 refunded. She explained that the town would be reimbursed for actual cost; if additional funds remained,
339 the town would have to pay the 30-percent portion to the Chamber. Ms. Mabry asked if the committee
340 mentioned taking some of those reimbursed funds and using it for the Wildfire cameras. Ms. King said
341 yes, the committee discussed that. Ms. Mabry said then the Wildfire camera funding was denied, but
342 would be addressed later.

343
344 Mayor Samples said that was good information, because cameras were very important in this day
345 and age.

346
347 Accommodations Tax Committee chairman Harrison said the pet waste grant request was from a
348 for-profit company. It was not appropriate to grant funds to a for-profit company. He said, "The \$35,000
349 that is in the budget here, that was presented to us, the word was placeholder used, just to have it there
350 in the system so next year we'll evaluate how this year went and, but we did not agree or approve
351 \$35,000 for next year or recommend \$35,000."

352
353 Mayor Samples said that was an important point to note, also. He thanked Mr. Harrison for
354 volunteering.

355
356 Mr. Stevens moved to adopt the Accommodations Tax Advisory Committees Recommendations
357 Resolution. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**

358
359 **D. First Reading Ordinance #15-0797 to amend Accommodations Tax, Capital Projects**
360 **and General Funds Budgets for FY2014-2015, Director King.** Ms. King presented the ordinance and
361 decision paper, copies of which are on file. She explained that this ordinance implemented the changes
362 just approved on the accommodations tax committee recommendations resolution. Ms. King gave a
363 detailed explanation about the various funds, expected revenue and expenditures, and why the
364 amendments were necessary.

365
366 Mayor Samples asked if the street improvement fund included fund balances set aside as
367 restricted. Ms. King explained that is exactly what the fund is; funds restricted for that particular purpose.
368 Mayor Samples asked with respect to road paving, if the \$580,000 in expenditures reflected any
369 allowable reimbursement. Ms. King said the reimbursement amount was shown in "Reimbursement from
370 CTC, \$280,710." That is the amount reimbursable on work completed thus far, and does not include any
371 future reimbursements for work that might be done. This ordinance is to address what has been
372 completed to this date. Mr. Adair said the spring paving should cost about \$211,000, and there should be
373 an approximate \$200,000 reimbursement. Ms. King said another amendment would be required for that
374 expenditure and reimbursement.

375
376 Mr. Pellegrino thanked Ms. King for "cleaning up the general fund," which was a concern of his
377 when he was first elected, because there were many items in the general fund that he did not think should
378 be included. Ms. King said the changes should make it easier to understand.

379
380 Ms. Mabry also said thank you very much for the fund balance ordinance. While in Columbia,
381 mayors and councilmembers were very impressed with the town's ordinance. She expected that they
382 would be in touch for copies to adopt in their towns. Ms. King said it should serve the town well.

383
384 Ms. Mabry moved to adopt first reading of Ordinance #15-0797. Mr. Pellegrino seconded. All
385 voted in favor. **MOTION CARRIED.**

386
387 **E. Resolution #15-154 to Support Horry County Solid Waste Authority 2015 Management**
388 **Plan, Administrator Fellner.** Addressed after Business Item B, to accommodate Mr. Gray, because of
389 the late hour.

390

391 **F. Resolution #15-155 to Oppose South Carolina House Bills 3490, 3233, and 3337**
392 **regarding Business License Taxes, Administrator Fellner.** Mayor Samples asked the clerk to read
393 the resolution. Ms. Fellner explained that the resolution was to oppose the three House Bills that would
394 essentially prohibit the town from imposing business license taxes, which adversely affect revenue
395 receipts and ultimately services to businesses and town residents.

396 Mr. Childs moved to adopt Resolution #15-155 as presented. Mr. Stevens seconded.

397
398
399 Mayor Samples said that Congressman Tom Rice held a mayor's round table last week. There
400 was more discussion about the negative effects of these House Bills than they were in addressing any
401 federal issues with Congressman Rice. For many municipalities around the state, business license tax
402 represents 40-percent of their revenue. The resolution needed to be adopted to show solidarity with other
403 cities.

404
405 All voted in favor. **MOTION CARRIED.**

406
407 **G. Resolution #15-156 to Support the Taste of Surfside Beach, Councilmember Stevens.**
408 Mr. Stevens presented the resolution saying he believed the town should participate in the Taste of
409 Surfside Beach by offering two (\$2) dollars off any pier fishing passes sold during the week of March 21st
410 through 28th to anyone who purchased a Passport for \$10, proceeds of which went to the American Red
411 Cross. The clerk was asked to read the resolution.

412
413 Mr. Johnson moved to adopt the resolution as presented. Ms. Mabry seconded. All voted in
414 favor. **MOTION CARRIED.**

415
416 **H. Resolution #12-116 to amend the Keep Surfside Beach Beautiful Committee to set**
417 **membership at Town Council's discretion, Administrator Fellner.** Mayor Samples asked the clerk to
418 read the resolution. Ms. Fellner explained that the resolution was brought pursuant to Town Council's
419 direction at the February 10th meeting to strike out "not more than 11," and to allow "any number of
420 resident volunteers as deemed by Town Council to be appropriate."

421
422 Mr. Magliette moved to approve Resolution #12-116 as presented. Mr. Stevens seconded. All
423 voted in favor. **MOTION CARRIED.**

424
425 **I. Accommodations Tax Advisory Committee Appointments** (May be deferred until after
426 executive session.) Volunteers: Mr. Randy Harrison, Ms. Tabitha Mull, Mr. Mil Servant, and Mr. Sammy
427 Truett. This matter was deferred until after executive session pursuant to the Freedom of Information Act
428 (FOIA) §30-4-70(a)(1).

429 430 **8. TOWN COUNCIL DISCUSSION**

431
432 **A. Turbidity in Dogwood Lake, Councilmember Magliette.** Mr. Magliette said there was much
433 concern from people living around the two lakes because of the turbidity. He asked Mr. Adair to give a
434 brief summary of what happened so that there is clarity and 100-percent transparency about what was
435 going on. The town is trying to the best of its ability to resolve the issue, but it would take time. Mr. Adair
436 said that was correct. There are teams that test water quality at two outfall locations. There are several
437 "pollutants of concern" identified by the South Carolina Department of Health and Environmental Control
438 (DHEC). Number one was bacteria; water turbidity was another concern. Turbidity is the term used to
439 describe the suspended solids in the water that create cloudiness in water, and is measured by the ability
440 of light to pass through the water. Normal values for the Dogwood Lake outfall are between 5 and 10.
441 Over the past four-and-a-half years, there have been low numbers and clean water has gone into the
442 ocean. On January 27th, the volunteers found 36 NTU (Nephelometric Turbidity Units), which is an
443 extremely high value that created cloudy water. The Environmental Protection Agency standard for fresh
444 water is 50, so the town was well under the federal red flag level. However, the measurement was a
445 concern, because historically, the turbidity was much lower.

447 Mr. Adair explained that he anticipated downstream impact from the construction on Glens Bay
448 Road, and also on Spanish Oak Drive where another Mallard Landing housing development was being
449 built. Dave Fuss, the Horry County watershed planner, confirmed that there were violations in Mallard
450 Landing's stormwater prevention pollution plan. Mallard Landing is subject to an NPDES (National
451 Pollutant Discharge Elimination System) permit for the construction activity. Since that inspection, the
452 developer installed some best management and filtration practices. The South Carolina Department of
453 Transportation (DOT) is doing the work on Glens Bay Road. DOT has its own MS4 permit. DOT has
454 implemented some additional measures to reduce downstream sedimentation. Mr. Adair believes the
455 contacts paid off, because the follow-up reading was 30 NTU on February 10th. The Dogwood outfall
456 tested at 18.4 NTU on February 17th; today it tested at 14.6 NTU. The turbidity is gradually reducing to its
457 original state, which tells him the measures taken upstream are working.
458

459 Mr. Adair forwarded an email message from Mr. Fuss today that enumerates the activities done
460 since he notified them of the situation. Mr. Fuss's explanation was very detailed; he would continue
461 monitoring the activities. Mr. Adair said the county had been a good partner for the town. Horry County
462 is concerned with the partnership, the watershed, and has similar goals. He expects the turbidity to
463 reduce to normal levels; the 14.6 reading was taken after the Dogwood outfall was opened for four or five
464 days to move the water. Had the outfall been closed, the reading may have been even lower.
465

466 Mr. Magliette asked if Mr. Adair was fairly confident the issues were addressed and that the trend
467 line is going back to the base line of 5 to 6 turbidity units. Mr. Adair said yes, and he planned to review
468 the upstream construction projects to see what measures they were using. There is a "whole tool box" of
469 best management practices that can be employed to contain pollutants upstream. Mr. Magliette was
470 concerned that the town had no control over the problem. The town controls the pipe on Business 17 that
471 comes into the headwaters of Lake Elizabeth, but that is from drainage through the entire basin out to 17
472 Bypass. He asked if Horry County planned to build more detention basins to slow the flow of water to the
473 ocean when there are heavy rains. Mr. Magliette said he asked this same question about two years ago,
474 because a 10-year history on Google Maps shows Glens Bay Road is almost completely developed with
475 housing. There are detention basins, but the water moves towards the ocean. Much of the construction
476 is impervious, so that moves the water even faster into town. He asked if there was an agreement with
477 the county five or six years ago to build additional detention ponds on the west side of Business 17 to
478 slow the water movement to reduce the amount of solids coming into Lake Elizabeth and Dogwood Lake.
479 Mr. Adair was not familiar with that agreement, but the current Glens Bay widening project will
480 incorporate four permanent ponds being built to address stormwater issues along that road. The new
481 Mallard Landing phase will be required to have its own stormwater pond. NPDES has post construction
482 discharge requirements. A property cannot discharge more stormwater than it did pre-development.
483

484 Mr. Magliette understood, but the town had not experienced a tropical storm in many, many
485 years; therefore, the town had not experienced any flooding. If there was a large rain of up to 10-inches
486 over a short time period, it would seem the town could use additional capacity for that event. Mr. Adair
487 said the town would never be prepared for such a storm. The municipal standard best management
488 practice is to design and prepare for storms based on 25-year flood events. From an engineering
489 standpoint, it was physically impossible to have enough capacity to accommodate a storm like Mr.
490 Magliette described. The lakes were dredged occasionally so they would hold a certain capacity. The
491 town is not in a danger zone now. A rain event like Mr. Magliette described would result in standing
492 water.
493

494 **B. Any matters of concern or information to be discussed.**
495

496 Mr. Stevens gave an update on the Taste of Surfside Beach. Forty businesses have confirmed
497 participation, and he expects many more will. Better Brands will make a cash donation; Santee Cooper
498 will give \$300 and allow the event to be published on its website and social media; Grand Strand Water &
499 Sewer will distribute a flyer in its next billing cycle; four places donated vacations, and there will be about
500 \$1,600 to \$1,800 worth of gifts for the raffle on the closing night. Piggly Wiggly is offering 10-percent off
501 the entire grocery bill during the week. The passport card is tax deductible.
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9. PUBLIC COMMENTS – General Comments. (5-minutes per speaker)

Mr. Tom Dodge, 15th Avenue North, thanked Chief Fox for bringing up the emergency service fees. Anytime the residents can save money, “we should jump at it.” At the last meeting, the mayor said he was going to lower the American Flag for a town citizen. While he had no problem with the citizen, he did have a problem with the mayor lowering the American Flag. Mr. Dodge went to Ms. Fellner after the meeting and told her that he did not think it was legal for the mayor to do so. According to the US Department of Veterans Affairs, Flying the American Flag at half-staff: When should the Flag be flown at half-staff? An easy way to remember when to fly the United States Flag at half-staff is to consider when the whole nation is in mourning. These periods of mourning are proclaimed either by the President of the United States for national remembrance, or the governor of a state or territory for local remembrance. Mr. Dodge continued saying in the vein of transparency, he wondered if at the next meeting a status report could be given on lawsuits against the town. Thank you very much.

10. TOWN COUNCIL COMMENTS

Mr. Johnson thanked everyone for attending. God bless you; have a good week. Stay warm.

Mr. Pellegrino thanked everyone for attending and staying at this long meeting. Thanks again to the Business Committee and Mr. Stevens. He thinks the Taste of Surfside Beach will be a great event. Go buy your passports! Have a good night.

Mr. Magliette thanked everyone for attending. Thank you to all the volunteers in town. There are many people who want to remain anonymous. Water testing was started in Surfside Beach about four-and-a-half years ago. During that time 116 samples were tested at no cost to the town. Those volunteers took training to be certified water testers, which came to fruition when they caught the high turbidity in the lakes, because of the construction on the west side of Highway 17 Business. Mr. Magliette specifically thanked the water quality testers because of their diligence: Ken Harth, Carol Harth, Jerry Strange, and Al Beck. There were some others that he did not know, and apologized for omissions. Volunteers are what make the town so wonderful. The free income tax assistance continues at the library on Mondays ten o'clock to two o'clock and Thursdays from one o'clock to five o'clock by AARP; Tuesdays from three o'clock to six o'clock by VITA. The tax preparation volunteers are people who live in Surfside Beach. Mr. Magliette said he finally figured out his theme: “What a wonderful town this is!” This town is a little gem. We have the best people. We’re going to have the Taste of Surfside to help the American Red Cross. I just want to say, it’s a pleasure and an honor not only to serve here, but also to interact with all the wonderful people who decided to make Surfside Beach their home. God bless you all.

Mr. Childs thanked everyone for attending.

Mr. Stevens thanked everyone for attending. Don’t forget to buy your passport card to support Taste of [Surfside Beach] and all the businesses in town. Once again, to echo Mr. Magliette, thank you to all the people who volunteer. No matter what it might be, volunteers really help the town. Have a good week, and hopefully, have a pleasant weekend, as well.

Ms. Mabry thanked everyone for attending. It has been awfully cold and we do appreciate every one of you. Thank you again.

Mayor Samples said you are never too old to learn something. He appreciated everyone attending tonight.

11. EXECUTIVE SESSION

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

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February 24, 2015

559 **B. Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation,**
560 **promotion, demotion, discipline, or release of an employee. Councilmembers Childs, Mabry,**
561 **Magliette, and Stevens.**

562
563 **C. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements.**
564

565 Mr. Johnson moved to enter executive session at 9:03 p.m. Ms. Mabry seconded. All voted in
566 favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 10:25 p.m. Mr. Stevens
567 seconded. All voted in favor. **MOTION CARRIED.**
568

569 Mayor Samples said that no action was taken during executive session.
570

571 Mr. Johnson moved to appoint Mr. Mil Servant, Mr. Randy Harrison, and Mr. Sammy Truett to the
572 accommodations tax advisory committee. Mr. Stevens seconded. All voted in favor. **MOTION**
573 **CARRIED.**
574

575 Mr. Johnson moved to proceed with the contract as discussed in executive session. Mr.
576 Magliette seconded. All voted in favor. **MOTION CARRIED.**
577

578 **12. ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 10:26 p.m. Mr. Magliette
579 seconded. All voted in favor. **MOTION CARRIED.**
580

581 Prepared and submitted by,

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584 _____
Debra E. Herrmann, CMC, Town Clerk

585 Approved: March 10, 2015

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587 _____
588 Douglas F. Samples, Mayor
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591 _____
David L. Pellegrino, Mayor Pro Tempore

592 _____
Robert F. Childs, Town Council

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594 _____
Mark L. Johnson, Town Council

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Mary Beth Mabry, Town Council

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Ralph J. Magliette, Town Council

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Randle M. Stevens, Town Council

599 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.
600 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In
601 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and
602 subscribers on the town's Email Updates list. The agenda was posted on the town website, the entry door
603 at Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
604 Town marquee.