



TOWN OF SURFSIDE BEACH  
115 US Highway 17 North, Surfside Beach, SC 29575  
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## **PUBLIC NOTICE**

Town Council will hold a workshop at 6:00 p.m. on Tuesday, August 14<sup>th</sup>, 2012 for the purpose of reviewing updated conceptual drawings for the pier expansion and to hear public input on the same.

# **TOWN COUNCIL REGULAR MEETING COUNCIL CHAMBERS TUESDAY, AUGUST 14, 2012 ♦ 6:30 P.M.**

## **A G E N D A**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**  
Pastor Preston Shealy, Trinity Presbyterian Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL**
  - A. Regular Meeting July 24, 2012
  - B. Pier Committee of the Whole Workshop July 17, 2012
  - C. Workshop July 24, 2012
5. **CERTIFICATION OF ELECTION**  
Resolution #12-123 Declaration of Results – Special Election August 7, 2012
6. **ELECTED OFFICIAL INAUGURATION**  
Town Councilmembers-Elect Elizabeth A. “Beth” Kohlmann Oath of Office  
Charge by Mr. Harry Kohlmann
7. **PUBLIC COMMENTS** – 3-minutes per speaker
8. **COMMUNICATIONS**
  - A. Volunteer Recognition
    - i. Evelyn Cockey, Election Commission 2004 to 2012
    - ii. Lynn W. Livesay, BZA & P&Z 2004 to 2012
    - iii. Bob Hanson, BZA 2002 to 2008, P&Z 2008 to 2012
    - iv. Charles Seibold, GSWA Advisor 2006-2010, P&Z 2008-2012
  - B. Dennis Townsend, South Carolina Department of Transportation Q&A with Town Council regarding Business Item 9.G.
  - C. Department Reports
    - i. Building & Zoning

- ii. Police
- iii. Fire

D. Administrator's Report – Update on Current Events

9. **BUSINESS**

- A. Second Reading Ordinance #12-0721 §17-726 Protected/Specimen Tree Removal
- B. Second Reading Ordinance #12-0722 §12-29(b) Outdoor Café Permit Fees
- C. Second Reading Ordinance #12-0723 §4-2 repeal Board of Fee Appeals and §4-11 Amend to direct Appeals to Town Council
- D. Second Reading Ordinance #12-0724 §2-113 Town Administrator Duties
- E. Resolution #12-120 to allow Surf Diner to place off-site signage on Surfside Pier
- F. Resolution #12-121 to establish Surfside Beach Historical Board
- G. Resolution #12-122 to participate in FY2013 Federal Match Program through South Carolina Department of Transportation
- H. Appointments – (Action Deferred until after Executive Session)
  - i. Myrtle Beach Regional Economic Development Corporation - Appoint Town Councilmember to serve on Board of Directors
  - ii. *Ad hoc* Parking Committee Appointments-Volunteers Everett Goff, John Ard, Ron Saunders, Ralph Vint, Steve Shore
  - iii. Council Organizational Committee Appointments

10. **DISCUSSION** –

- A. *ad hoc* Senior Citizens Advisory Committee, Councilmember Stevens
- B. Any matters of concern or information to be discussed by Town Council.

11. **PUBLIC COMMENTS** – 5-minutes per speaker

12. **COUNCIL COMMENTS**

13. **EXECUTIVE SESSION** - Pursuant to FOIA §30-4-70(a)(1) to discuss the Interim Administrator's Employment Contract, and Volunteers to Serve on the *ad hoc* Parking Committee, and Councilmember Appointments to the Myrtle Beach Regional Economic Development Corporation, and to the Council Organizational Committee

14. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
AUGUST 14, 2012 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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8     **1. CALL TO ORDER.**  
9

10           Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore  
11 Mabry, and Councilmembers Dodge, Johnson, Smith, and Stevens were in attendance; a quorum was  
12 present. Staff present: Interim Administrator Fellner; Police Chief Frederick; Public Works Director Adair,  
13 and Planning Director Morris. Also present: Councilmember-elect Kohlmann, Town Attorney Moss and  
14 Town Clerk Herrmann.  
15

16           Mayor Samples announced that food is being collected from August 15<sup>th</sup> to 24<sup>th</sup> to benefit South  
17 Strand Helping Hand. The Terry B. Cooper Recreation Complex grand opening event is Thursday,  
18 August 16<sup>th</sup> on Scipio Lane. The public is invited. Volunteers are still being sought to serve on the  
19 business committee and the recreation/special events committee.  
20

21           **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**  
22

23           Pastor Preston Shealy, Trinity Presbyterian Church gave the invocation. Mayor Samples led the  
24 Pledge of Allegiance.  
25

26           **3. AGENDA APPROVAL.**  
27

28           Mayor Samples noted a scrivener's error on the agenda: Mr. Harry Kohlmann should have been  
29 included as a volunteer for the parking committee. Mr. Smith moved to approve the agenda. Ms. Mabry  
30 seconded. **All voted in favor. MOTION CARRIED.**  
31

32           **4. MINUTES APPROVAL.**  
33

34           A. Ms. Dodge moved to approve the July 24, 2012 regular meeting minutes as presented. Mr.  
35 Stevens seconded. All voted in favor. **MOTION CARRIED.**  
36

37           B. Ms. Dodge moved to approved the July 17, 2012 Pier Committee of the Whole workshop  
38 minutes as presented. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**  
39

40           C. Ms. Dodge moved to approve the July 24, 2012 workshop minutes as presented. Mr.  
41 Johnson seconded. All voted in favor. **MOTION CARRIED.**  
42

43           **5. CERFICATION OF ELECTION.**  
44

45           Resolution #12-123 Declaration of Results, Special Election August 7<sup>th</sup>, 2012. Mr. Stevens  
46 moved to approve Resolution #12-123 as presented. Ms. Dodge seconded. All voted in favor. **MOTION**  
47 **CARRIED.** A recorded, clocked-in copy of the resolution is attached hereto and made a part hereof.  
48

49           **6. ELECTED OFFICIAL INAUGURATION**  
50

51           Town Councilmember-elect Elizabeth A. Kohlmann, Oath of Office; charge by Mr. Harry  
52 Kohlmann. Ms. Kohlmann received the charge from Mr. Kohlmann as her sons, Patrick and Ryan, stood  
53 with her. The oath of office was signed in duplicate originals, one of which is attached hereto and made a  
54 part hereof.  
55

56 **5. PUBLIC COMMENTS – AGENDA ITEMS.**

57  
58 "Thank you. So, I'll make this quick. Patty Magliette, 104 Harbor Lights. I love your town. I  
59 would like to see a committee for senior citizens, however, because it would be good to have clearing  
60 house of information for people 55 and over. We have a great library, and we have a senior citizens  
61 center on one side of town that's Horry County senior citizens, but when you get to be 55 and older  
62 whether you drive or not, it would be good to have one clearing house of information so that you can plan  
63 your week and for your elderly loved ones and in closing, I would like to say that this is a good idea for the  
64 older people in town, because one, they pay taxes all their life, two, they've raised good children here,  
65 and three, it's a good sign of respect to make their information gathering easier for them. So, if we can go  
66 ahead with some sort of senior citizens committee for informational purposes that would be a win-win for  
67 this town. Thank you very much."  
68

69 Ms. Joyce Parker (\*\*.) Ms. Parker's comments were made from the floor during which she  
70 thanked the town for its care and concern during her recent illness, particularly the police department and  
71 its officers who helped her with a beach wheel chair.  
72

73 **6. COMMUNICATIONS.**

74 A. Volunteer Recognition.

75  
76 Mayor Samples presented each volunteer with a recognition award and thanked them for their  
77 respective years of service on behalf of the town:  
78

79  
80 i. Evelyn Cockey, Election Commission 2004 to 2012.  
81

82 ii. Lynn W. Livesay, Board of Zoning Appeals 2002 to 2008 and Planning & Zoning Commission  
83 2008 to 20012.  
84

85 iii. Bob Hanson, Board of Zoning Appeals 2002 to 2008, and Planning & Zoning Commission  
86 2008 to 2012. Mr. Hanson commented that just after he was appointed to the planning commission, the  
87 committee was charged to review and recommend changes to Chapter 17, which is 100 pages, single  
88 spaced, and covers things like undesirable businesses, trees, setbacks, etc. It took the commission two  
89 years to complete the job! It was his pleasure to serve and to work on that project.  
90

91 iv. Charles Seibold, Grand Strand Water & Sewer Authority Advisor 2006 to 2010 and Planning  
92 and Zoning Commission 2008 to 2012.  
93

94 B. Dennis Townsend, South Carolina Department of Transportation (SCDOT) Q&A with Town  
95 Council regarding Business Item 9.G.  
96

97 Mayor Samples said this was an opportunity for council to ask questions of Mr. Townsend in  
98 relation to the expected \$24 million dollar federal grant SCDOT expects to receive that is to be used for  
99 matching grants for repaving and maintenance of federal highways. The program requires local  
100 governments to match dollar for dollar. He attended a meeting in June to determine that the town had an  
101 eligible project. Mayor Samples understood that the funds would be allocated between the counties  
102 based on a formula of federal lane highway miles. He asked and was told that municipalities are also  
103 eligible for grant funds. County officials were contacted to determine whether they would participate. He  
104 was told that the county would not participate, because they have so many unpaved roads.  
105

106 Mayor Samples said after working with staff, Mr. Townsend and his staff, and some others at  
107 SCDOT in Columbia, it was determined that the estimate to repave the 2.1 miles of Highway 17 inside the  
108 town's limit is \$1.3 million. He believed the town should apply for funding, even though there is no  
109 guarantee it will be awarded. The town currently has funds available in the budget of over \$500,000 for  
110 road projects. Repaving is step one to show the decision makers, Grand Strand Area Transportation  
111 Study (GSATS) Policy Committee, for example, and other responsible parties that the town is serious

112 about improving Business Highway 17. Mayor Samples said there is "no better way to prove that you're  
113 serious in government business, than putting your own money in the pot." Before council is asked to vote  
114 on making a \$650,000 commitment, Mayor Samples wanted to allow members to ask questions of Mr.  
115 Townsend.

116  
117 Ms. Dodge asked if the paving could include closing some of the dangerous crossovers and also  
118 the medians. Mr. Townsend said the traffic officer would need to review traffic flow before answering. If  
119 the changes are approved, they can be included in the scope of work.

120  
121 Mayor Samples said contract administration would be handled by SCDOT. He asked what the  
122 schedule might be. Mr. Townsend said a good contractor could pave one mile a day on a straight road.  
123 Factors that might delay work are weather, traffic, seasonal tourists, etc. Once started, work should be  
124 done within two to three weeks.

125  
126 Mr. Stevens asked if this would address the issue with frontage roads and widening Highway 17  
127 to three lanes on each side. Mr. Townsend said no.

128  
129 Mayor Samples said the town participates in GSATS which allocates other federal monies. There  
130 are three intersection projects of about one-half million dollars each that are approved through GSATS.  
131 He believed the SCDOT commissioners were reviewing the revised state plan to carry work through 2016  
132 or 2018. The town is included in that plan for work on the frontage road, which was approved by the local  
133 GSATS committee. The town is actively engaged to get improvements done to the frontage roads.

134  
135 Mr. Johnson said the application deadline is September 14<sup>th</sup>, and asked when funds would be  
136 allocated. Mr. Townsend said there is a formula used where the committee would review information for  
137 projects requested state-wide. It would probably be two to three months before a decision is made, and  
138 he anticipated fall 2013 as a work start date, if funds were approved.

139  
140 Mayor Samples said there are several intersections that could be marked more clearly,  
141 particularly those used by tourists, which could be improved when repaving is done.

142  
143 C. Department Reports

144  
145 i. Building, Planning & Zoning. Ms. Morris presented the report, a copy of which is on file. She  
146 noted that the planning commission would review the final elements of the Comprehensive Plan at its  
147 next meeting. As soon as preliminary maps are received, they will be sent to council for comments. Mr.  
148 Stevens asked if the certified flood management course reduces insurance premiums. Ms. Morris said it  
149 does reduce flood insurance rates.

150  
151 ii. Police. Chief Frederick presented the report, a copy of which is on file. He noted that the  
152 proposed golf cart stickers do not conflict with existing state law or other ordinances and if council  
153 desires, an ordinance would be presented. **COUNCIL CONCURRED.**

154  
155 Chief Frederick is collecting accident data for the Highway 17 Corridor and a report should be  
156 ready for council consideration within the next two weeks. Mayor Samples said the town is trying to  
157 document traffic injuries and fatalities along the Highway 17 corridor to impress upon the responsible  
158 departments the need for improvements on that roadway.

159  
160 Chief Frederick said laser pointers are being dealt with under disorderly conduct ordinances.  
161 While it is almost impossible to catch laser light users, the department is working to stop their use. Any  
162 laser light pointed at a face or vehicle is considered an assault, because light particles are physical  
163 objects, and are treated as serious incidents. Most incidents involve 30-50 year old individuals and  
164 alcohol. He explained that a fireworks stop takes about 30-seconds, but it takes between 5 and 15  
165 minutes to find the source of a laser light. Chief Frederick said the current ordinances are working for  
166 enforcement right now, and he did not anticipate any requests for specific ordinances.

167



168 Ms. Dodge asked why it seemed that illegal parking near intersections along Ocean Boulevard  
169 was never ticketed. Chief Frederick said between 100 to 150 tickets were written every season. Vehicles  
170 may only be towed when they block a fire hydrant or are parked within the site triangle. When a  
171 decision is made to tow a vehicle, the officer must remain with it. Wrecker services have 45 minutes to  
172 respond per ordinance. Painting stripes along the intersections should help eliminate the problem,  
173 because it is difficult to feign innocence when there is a bright yellow line on the road.

174  
175 Ms. Kohlmann asked if the parking ticket officers could issue tickets along Ocean Boulevard.  
176 Chief Frederick said those officers have a particular route they follow, and they have been told to be on  
177 the lookout for violations. Ms. Kohlmann asked if their activities were included in the report. Chief  
178 Frederick said there is not a separate report for the parking officers, but one could be prepared as a  
179 season-end report. Ms. Kohlmann asked where in the report she would find the types of crimes  
180 committed in town instead of "calls for service." Chief Frederick said all agencies in the county use the  
181 same system that the town uses. Most calls for service are 90- 95-percent accurate; there are occasions  
182 when the nature of the call might change, because officers arrive on scene so quickly. For example, a  
183 dispatch might receive an "unknown disturbance" call; the officer arrives and finds two people fighting,  
184 which results in the call being identified as an "assault times two."

185  
186 Mr. Stevens asked if the item named "Other" with 96 calls could be identified. Chief Frederick  
187 said there are dozens of calls that defy description and do not fit into a category, i.e. elderly person fell  
188 and needs assistance; mediating a Family Court dispute that has nothing to do with the town, etc. Mayor  
189 Samples suggested that Mr. Stevens visit the police department for more information. In his opinion, the  
190 police report is comprehensive and it would be a waste of staff time to expand it.

191  
192 iii. Fire. Ms. Fellner presented the report, because Chief Packard was on medical leave. A copy  
193 of which is on file.

194  
195 C. Administrator's Report – Update on Current Events.

196  
197 Ms. Fellner said there were seven items to present:

198  
199 1. Bids were discussed for the PW12-001 Side loading Collection Truck for which \$275,000 was  
200 budgeted. A copy of the summary is in file. Mr. Adair recommended accepting the bid for the 2013  
201 Mack/Labrie in the amount of \$259,742.22 plus \$950 for extra optional 33 yard body, for a total cost of  
202 \$260,692.22. This truck was recommended because it is the same brand currently owned, and the  
203 software is interchangeable. Ms. Kohlmann asked if there was any maintenance history. Mr. Adair said  
204 the town's International brand truck has 90-percent of the problems, which is why the bid package  
205 specifically requested "Mack" chassis. **COUNCIL CONCURRED.**

206  
207 2. The "lost children" symbol location signs have been posted at the beach accesses, and they  
208 will be refurbished during the off season.

209  
210 3. Council was asked for concurrence to hold a town-sponsored food drive to benefit South  
211 Strand Helping Hand from August 15<sup>th</sup> to 24<sup>th</sup>. Collection boxes will be placed at town hall and the fire  
212 station. The plan is to stock the shelves before the holidays. Helping Hand volunteers will collect all  
213 donations. Mr. Stevens suggested boxes at the police station and public works, because those  
214 employees might contribute. Ms. Fellner did not believe the police lobby was a good choice, because of  
215 disturbances and the type traffic there. The fire house and town hall are both easily accessible from the  
216 police station. Posters will be placed in both departments. Ms. Kohlmann suggested posting flyers at  
217 Piggly Wiggly and Bi-Lo, because many shoppers would donate. Ms. Fellner said Helping Hand could  
218 request that. Ms. Mabry said council consensus was needed before the grocery stores were contacted.  
219 She will deliver flyers to town businesses. **COUNCIL CONCURRED.**

220  
221 4. The annual employee health fair is Friday, October 19<sup>th</sup> at the civic center from 7:00 a.m. to  
222 10:00 a.m. If council has no objections, staff would like to open the fair as a public service to residents  
223 providing that they preregister with Ms. Ellis and pay for the cost of the flu shot and/or other tests that

224 they choose to have performed. The benefit is that the resident would receive the town rate, which is  
225 lower than retail, and the convenience of having the testing done in the civic center. Other tests include  
226 hearing, blood pressure screening, and some other free tests, and information will be disseminated. Mr.  
227 Moss said the liability is on the service providers. This is simply an opportunity to allow residents to  
228 benefit from the town's pricing. Ms. Fellner said the event would be publicized. Mayor Samples said it  
229 could be published in the newsletter. Mr. Smith asked what type testing would be offered. Ms. Fellner  
230 said flu shots, cardiac risk assessment, diabetes test, chemistry panel, a complete blood count, thyroid  
231 screening, PSA for men, and other tests. **COUNCIL CONCURRED.**  
232

233 5. The clerk has early training on September 12<sup>th</sup> in Columbia, and asked if council would  
234 consider moving the meeting to Monday, September 10<sup>th</sup> so she could travel during daylight hours on the  
235 11<sup>th</sup>. Ms. Fellner said the clerk preferred this to having another staff member fill in. **COUNCIL**  
236 **CONCURRED.** Mr. Smith said he was happy to move the meeting, because he did not believe the clerk  
237 should be driving to Columbia late at night.  
238

239 6. Council concurrence was requested to allow the electric underground utility work along Ocean  
240 Boulevard to begin the day after Labor Day. Since the conduit was completed, this would involve mainly  
241 sidewalk work to make connections to individual buildings and residences. Mayor Samples believed Lee  
242 Electrical is the primary contractor. Ms. Fellner said that was correct. Mr. Smith believed it was important  
243 to have an ending date so work would stop before the summer season. Ms. Fellner said she would get an  
244 ending date. Mr. Adair said once an acceptable date is determined, a scoping meeting would be held to  
245 determine a timeline. Mayor Samples asked Mr. Adair to invite the infrastructure committee.  
246

247 7. The United States Geological Survey (USGS) has requested an encroachment permit to place  
248 a hurricane storm surge sensor and barometric sensor mounting bracket to the Surfside Beach pier just  
249 above the high water mark, most likely on the side of a piling. The bracket is made of aluminum or  
250 galvanized steel and the unit, including the placard, is about 12-inches high. There are five other sites in  
251 Horry County being used as collection sources, and the USGS would like to add three more, one of which  
252 is the town's pier. Ms. Dodge asked if the upcoming piling work would interfere with the unit. Ms. Fellner  
253 said the data collection unit is a quick and easy installation and will not interfere. Mr. Stevens asked if  
254 there was any cost to the taxpayers. Ms. Fellner said no. **COUNCIL CONCURRED.**  
255

256 **9. BUSINESS.**

257  
258 A. Second Reading Ordinance #12-0721 §17-726 Protected/Specimen Tree Removal.  
259

260 Mr. Smith moved to adopt second reading of Ordinance #12-0721, Section 27-726. Ms. Mabry  
261 seconded.  
262

263 Mr. Stevens asked if an arborist would have to be consulted if an oak tree was located in the  
264 middle of a house footprint. Ms. Morris said no, when a tree is in the buildable area it can be removed.  
265 Mr. Stevens believed most residents would do everything possible to save trees.  
266

267 Mr. Johnson said second reading was postponed at the last meeting because he was concerned  
268 with the wording based on the history of development. This ordinance was been rewritten multiple times;  
269 13 times in the recent past. In his opinion, any tree within ten feet of the foundation of a structure can be  
270 removed regardless of damage. Ms. Morris said the ordinance states "when there is clear evidence that  
271 a protected tree or specimen tree poses a hazard." When staff observes a tree within ten feet of a  
272 structure and the root system is moving the foundation, or the limbs are large and need to be trimmed  
273 away from the roof, then if approved, this ordinance would authorize staff to make the authority to remove  
274 or trim the tree based on evidence of a hazard. When a tree is three feet from a structure and there is no  
275 evidence of damage or hazard, then an arborist would be required. Ms. Morris said over the past few  
276 months there have been several requests for tree removal. There is one case where the tree is only one  
277 foot from the house, but there is no evidence of damage or hazard, so an arborist will have to be  
278 consulted. Mr. Johnson asked if staff made the decision to request an arborist. Ms. Morris said yes.  
279

280 Ms. Dodge believed the requirement to hire an arborist put undue expense on property owners,  
281 which concerned her very much. Owners should be able to do what they want or need to do with their  
282 property. She said some type mitigation should be allowed to replace trees instead of requiring an  
283 arborist, which might cost as much as \$400.  
284

285 Mr. Johnson clarified that he agreed arborists should not be required as is currently done. He is  
286 aware that 99.9-percent of residents are pro-trees. But there are some people that will hire attorneys to  
287 fight an ordinance to get their way, which is his only concern.  
288

289 Mayor Samples, Mayor Pro Tem Mabry, and Councilmembers Kohlmann, Smith, and Stevens  
290 voted in favor. Councilmembers Dodge and Johnson voted no. **MOTION CARRIED.**  
291

292 B. Second Reading Ordinance #12-0722 §12-29(b) Outdoor Café Permit Fees.  
293

294 Mr. Smith moved to adopt second reading of Ordinance #12-0722. Ms. Mabry seconded. All  
295 voted in favor. **MOTION CARRIED.**  
296

297 C. Second Reading Ordinance #12-0723 §4-2 repeal Board of Fee Appeals and §4-11 Amend to  
298 Direct Appeals to Town Council.  
299

300 Mr. Smith moved to adopt second reading of Ordinance #12-0723. Mr. Stevens seconded. All  
301 voted in favor. **MOTION CARRIED.**  
302

303 D. Second Reading Ordinance #12-0724 §2-113 Town Administrator Duties.  
304

305 Mayor Samples explained that amendments were made pursuant to Mr. Smith's comments at first  
306 reading that eliminated some redundant language.  
307

308 Mr. Smith moved to adopt second reading of Ordinance #12-0724 as amended. Mr. Stevens  
309 seconded. All voted in favor. **MOTION CARRIED.**  
310

311 E. Resolution #12-120 to allow Surf Diner to place off-site signage on Surfside Pier.  
312

313 Mr. Smith moved approve with an amendment to the resolution by changing "without prior notice"  
314 to "30-day notice. Mr. Stevens seconded. Mr. Stevens supported the motion. Ms. Mabry asked these  
315 were conforming signs. Ms. Morris said they are offsite signs and are not conforming, which is why the  
316 resolution was presented. The town owns the property and may grant an exception for this specific  
317 restaurant. Mayor Samples said this was part of the "new transparency" effort. He believed this was a  
318 good idea, and understood the need for advertising on the beach. Because it is a deviation from  
319 ordinance, the matter was being addressed in public. Mayor Samples, Mayor Pro Tem Mabry, and  
320 Councilmembers Johnson, Kohlmann, Smith, and Stevens voted in favor. Councilmember Dodge voted  
321 against. **MOTION CARRIED.** Ms. Dodge explained that she voted no, because there is a place at the  
322 pilings on Ocean Boulevard where the restaurant could place a large sign, which in her opinion was  
323 preferable to posting two signs.  
324

325 F. Resolution #12-121 to establish Surfside Beach Historical Board.  
326

327 Ms. Dodge moved to adopt Resolution #12-121. Ms. Mabry seconded. Ms. Dodge believed an  
328 historical board would be a valuable asset for the town's upcoming 50<sup>th</sup> anniversary celebration. All voted  
329 in favor. **MOTION CARRIED.**  
330

331 G. Resolution #12-122 to participate in FY2013 Federal Match Program through South Carolina  
332 Department of Transportation.  
333

334 Ms. Dodge moved to adopt Resolution #12-122. Mr. Stevens seconded. Ms. Dodge said the  
335 improvement is well over-due.



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Ms. Mabry supported the resolution even though the town would have to contribute funds. The fact there is no guarantee that the state would ever pay 100-percent of the cost to pave the Highway 17 corridor, nor she did not expect that would ever happen. She has lived in Surfside Beach 35-years; Highway 17 is the town's entry and main roadway, which needs work now and will continue to need work. She hoped funding was granted.

Mr. Stevens believed that a nice highway would encourage people to shop in the town's businesses, and believed this was step in the right direction.

Mayor Samples said once the town commits its funds, it would be interesting to see whether the county and other municipalities would participate to improve the entire Highway 17 corridor. All voted in favor. **MOTION CARRIED.**

H. Appointments – (Action Deferred until after Executive Session)

i. Myrtle Beach Regional Economic Development Corporation – Appoint town Councilmember to serve on Board of Directors.

ii. *Ad hoc* Parking Committee Appointments – Volunteers Everett Goff, John Ard, Ron Saunders, Ralph Vint, Steve Shore, and Harry Kohlmann.

iii. Council Organizational Committee Appointments.

10. **DISCUSSION.**

A. *ad hoc* Senior Citizens Advisory Committee, Councilmember Stevens.

Mr. Stevens said several people had contacted him about forming a senior citizens advisory committee. The town's population is made up of almost entirely of senior citizens. When senior citizens move here, they need to know what is going on. This committee is to provide a forum for senior citizens to communicate with city government. This will be accomplished through workshops, and participation with city officials to address the needs and concerns of seniors. Mr. Stevens guaranteed that there were many seniors who could tell council what the needs and concerns are. The committee will work to improve the quality, accessibility, and affordability of senior services, and in conjunction with other city and county government organizations to generate a senior city citizens directory of programs and services. Mr. Stevens showed an example of the City of Charleston's 37-page brochure. He said there were many seniors that could help improve services, and it wouldn't cost anything. The committee is to advise council and work with the county and other governments. He said, "this is definitely a good thing to have."

Ms. Mabry thanked Mr. Stevens for recognizing the senior population. However, at this time she did not believe a special committee was necessary, because seniors were well represented on every town committee. The median age in town is 53 years. She was concerned about how the town could encourage younger people to serve on committees. She supported an information resource for senior services, which she believed could be accomplished through the recreation/special events committee, and by having a senior liaison to work with the county to provide information to the Council on Aging, setting up health fairs through local hospitals, providing seminars with estate planning, and a host of other topics that might be beneficial. She reiterated that creating an additional committee was redundant. Ms. Mabry said she fully supported senior activities, information, and events for the town's senior population, which she believed could be accomplished using the existing committees.

Mr. Dodged agreed that there are many senior citizens who have many ideas to share. She agreed that seniors serve on many existing committees, but believed this committee would allow every senior citizen in town to get involved.

392 Ms. Kohlmann supported committees in general, but did not want to see a duplication of services.  
393 She asked whether this would cost the town money, and suggested the committee be allowed an  
394 opportunity to function to prove its worth. Worst case scenario is that the committee disbands if it has no  
395 value. The possibility of changing one person's life would be worth the effort.

396  
397 Mr. Smith supported the senior citizens advisory committee, and believed it would show a  
398 commitment from the town to its seniors.

399  
400 Mr. Stevens believed failure to vote for the committee expressed a lack of feelings for senior  
401 citizens who provide much to the town. He said, "Believe me, I support them. I just turned 62 and I'm  
402 gone a support senior citizens to the day I die."

403  
404 Mayor Samples said to set up a feel good committee is an easy thing to do. Obviously, a majority  
405 of council supports the committee. He believed that before establishing the committee that council hear  
406 from Mr. Fontaine, executive director of the Horry County Council on Aging. He will be invited to speak at  
407 the next meeting to talk about the services offered and provided in the county. Mayor Samples said he  
408 supported committees so long as they serve a genuine function. If committees are established for every  
409 group, the value of the committees will be undermined. County residents voted not too many years ago  
410 to dedicate millage to the Council on Aging so it would not have to seek funds from political bodies to  
411 provide services. Every property owner in Horry County pays a dedicated millage to Horry County  
412 Council on Aging. He asked whether anyone had contacted the Council on Aging to ask for a resource  
413 directory that is available to citizens for free. Mayor Samples said "let's set up a committee for the  
414 disabled, let's set up a committee for single parents, underprivileged fathers, let's set up a committee for  
415 every special group!" The fact of the matter is that senior citizens are the ones who vote in this town, and  
416 he believes they are well represented. He had no problem setting up another committee of senior  
417 citizens, but wondered what the mission for the committee would be that it could effectively bring to town  
418 council with an expectation that town council would act on it. Mayor Samples did not want to waste  
419 anyone's time.

420  
421 Mr. Stevens understood the mayor's comments, but said he would not be recommending many  
422 other committees. He believed the town actually needed this committee, because senior citizens are the  
423 main voting block of this town. They deserve every opportunity to discuss their needs, have those needs  
424 brought before council and the county. The committee can set up a liaison with the Council on Aging.  
425 This will be a Surfside Beach liaison, and that is a good thing for the senior citizens in this town.

426  
427 Mayor Samples said this would be added to the next regular meeting agenda, and Mr. Fontaine  
428 will address council about the services available through the Horry County Council on Aging. Ms.  
429 Herrmann asked if Mr. Stevens would assist her writing the resolution.

430  
431 B. Any matters of concern or information to be discussed by Town Council.

432  
433 Mayor Samples said green lasers were discussed during the police report. Council could defer  
434 any action until additional information was received.

435  
436 Ms. Dodge believed the senior citizens committee was to just hear ideas from senior citizens, not  
437 to go into the services that are provided for them. She believes seniors are well aware of services  
438 provided. The town has all types of committees to collect ideas and present them to the town. Some  
439 may cost money, but most of them do not. Anything that makes the town better for senior citizens, for  
440 young people, or for anybody is a good idea.

441  
442 Ms. Mabry said to make it clear, she really does care about "us" (senior citizens.) The reason she  
443 said no to the committee is that she feels almost all events are managed through the recreation/special  
444 events committee and the recreation department. In her opinion, it was logical to appoint an advocate for  
445 seniors on the recreation/special events committee.

446

447 Ms. Kohlmann said everyone was entitled to their own opinion, but she believed the discussion  
448 tone was somewhat heated over a committee.  
449

450 Mayor Samples understood Ms. Kohlmann's comment and explained that all of the committees  
451 involve a certain amount of staff time and work. The reality is that council wants to run a "lean"  
452 organization. He was involved in senior programs as director of aging for three counties, and worked with  
453 other senior organizations. Mayor Samples said one of the most common problems is that one segment  
454 of the senior population is very old and frail who need many services, including transportation. The town  
455 is not in a position to address those needs, unless taxes are raised. Mayor Samples said many seniors  
456 are affluent in relation to many who are genuinely in need. It disturbed him to think the town would  
457 establish a 'feel good' committee that genuinely doesn't achieve something. He hoped he was wrong.  
458

459 Ms. Kohlmann said the clerk spends a lot of time on the committees and asked if the meeting  
460 minute template could be used by all committees. Mayor Samples said all ad hoc committees are  
461 responsible for taking their meeting minutes use the template. He appreciated Ms. Kohlmann's point, but  
462 because the committees are governmental public bodies, and as such they are subject to all of the legal  
463 requirements of any other government public body. The minutes have to be published on line and made  
464 available to the public; the town will adhere to the law. Mayor Samples said his question initially was  
465 "what is the goal?" There needs to be a focus; without a focus it wastes staff time, the volunteers' time,  
466 and the council's time.  
467

468 Mr. Stevens said he would make sure the senior advisory committee is focused.  
469

470 **11. PUBLIC COMMENTS.**  
471

472 "Tom Dodge, 15<sup>th</sup> Avenue North. I'm glad to hear the mayor and the mayor pro tem push this old  
473 codger off the cliff! (*laughter*) And very emphatically, I might say! And I am an old codger. I was down in  
474 Georgetown a couple of days ago, and, and going with our 50<sup>th</sup> anniversary and wanting to bring things to  
475 council to put in that trophy case, I found two items that I think are perfect for the first items to go into that  
476 case, and I would like to present them to the mayor at this time. One is a can that says golf carts and one  
477 is a can that says parking, and, and these have been kicked down the road. I've lived in town for over 20  
478 years and I would like to present these to the mayor as a token for the historical society. (*laughter and*  
479 *applause*) And I did have something else, but being old, dad-gum, well, I guess I'll have to leave it at that.  
480 Thank you very much."  
481

482 "Gene Maruca, 7<sup>th</sup> Ave. South. Mr. Mayor, we spoke somewhat about the pier and the signage at  
483 the pier. I understand the need for an off-premise sign, but there is more than one business at the pier.  
484 In the future there may be more than two, plus since the pier is on the boulevard, and the boulevard is  
485 basically the main drag for our tourists, I think it would be to the town's benefit to establish a sign having  
486 the individual business pay for their own slot, but also leaving enough room for anybody else at any other  
487 time. We can't just delegate x amount of space to one sign. What are we gone a do if next door wanted  
488 one, and why shouldn't the town have a message board at the pier for the tourists? Let's not rush in, you  
489 know, think about what you're gone a do down there, and then proceed. That's the first thing. The  
490 second, what I've seen regarding the layout of what's proposed is all well and good. The pier itself is a  
491 focal point of this town. Boy, there should be no reason why anybody has to pay to get on that pier. We  
492 never did in the past. We paid when it became a private pier. It's not private now. It's owned by the  
493 taxpayers. Our tourists pay dearly when they come here, and then we charge them a dollar, and if  
494 they've got children, three to four children, that walk out there, we're charging those kids, and we come  
495 here and we boast about how much we got from them...come on! Do we really have to? It's a focal  
496 point. We should be proud of it. We should be, want to show it off. We should do more out there than  
497 what's there now, and we can. But not by charging them. I, I think that's kind of chintzy. One more thing,  
498 I've mentioned many times, the light on Dogwood and 6<sup>th</sup>. I know it's being worked on. Can someone tell  
499 me where we're are?" Mayor Samples, "I'm sure that [Mr. Adair] will tell you where we are after the  
500 meeting, because I don't know where we are. But, I know [he] does." Mr. Maruca, "Okay, we're not gone  
501 a tell these folks. He'll tell me after the meeting." Mayor Samples, "You will at the next meeting; you'll  
502 tell." Mr. Maruca, "Thank you."



503  
504 "Ralph Magliette, 104 Harbor Lights. I'm here to represent the Harbor Lights HOA. I'm a director  
505 at large, and I just want to put on the record that on Saturday, the 11<sup>th</sup> of August at approximately 5:00  
506 p.m. a portion of Harbor Lights Drive between house number 105 and 110 was completely flooded with  
507 stormwater. The stormwater drains on both sides of the street and stormwater drain located between the  
508 rear yards of 104 Harbor Lights Drive and 102 Chesterfield Court were completely backed up. There was  
509 a section of Harbor Lights Drive where Chesterfield Court or the cul-de-sac were affected, and a, I have  
510 pictures of the street, (\*\*) about 30-minutes after the rain event, it slowly drained away, and a, the HOA in  
511 particular is concerned that they will not be liable, that there may be a problem with property values if  
512 whatever the problem with the drainage is is not fixed. I thank Mr. Adair for coming over to our house.  
513 We had a meeting with Springfield Engineer (\*\*) to explain some of the problem. I talked to my HOA  
514 president and he is still very, very concerned about the problem and of the hopes that whatever  
515 remediation needs to be done could be done, you know, as quickly as possible. Thank you very much."  
516

517 "Good evening. My name's Sandra Elliott. I live at 5<sup>th</sup> North and Hollywood. On July 24<sup>th</sup> our  
518 administrator reported that they came to an agreement with Plantation Resort busses. I would like to  
519 know when are they gone a start their new route, because on 5<sup>th</sup>, they travel down 5<sup>th</sup> up Hollywood to  
520 make a left on Surfside, and they're not letting the people out at Seaside Drive, I think that's what it's  
521 called, and a, I need to know the status of it." Ms. Fellner, "We are waiting, they are waiting for us to clear  
522 away those, it's like they hold papers and all of that stuff, and that is on Mr. Adair's list. He is gone a  
523 have; that actually is coming up probably this week, probably this, this week if..." Ms. Elliott, "I sure hope  
524 so, cause it's been 15 working days since it's been reported."  
525

526 "Mary, 7<sup>th</sup> Avenue South, Mary Maruca. I have a couple of things. I think that Gene has been up  
527 here at least on two occasions requesting a water fountain in the passive park over by the library. I hope  
528 that we can get something for the exercisers or walkers and people that enjoying the passive park they'll  
529 be able to get a drink somewhere and not have to go into the dog park to get it. That would be absolutely  
530 wonderful." Mayor Samples, "How about the library?" Ms. Maruca, "The passive park right next to the  
531 library; in the library? What if it's Sunday or Saturday afternoon or evening or eight o'clock in the  
532 morning. We working people have to exercise prior to work or after work. But anyway, it's just a  
533 suggestion. That's fine. I, I'm gone a just do a little bit more about the, the proposed ramp for the pier. I  
534 would like just to see the town council get a couple of wheel chairs and go down to the Garden City pier  
535 and I would like to see you try to push up the Garden City pier a wheel chair, preferably I would like to  
536 see, you know, [Ms. Kohlmann] in the... you don't want her, let's get somebody like [Mr. Johnson] and  
537 let's have Mr. Smith try to push up on the ramp. That'll give you an idea of what other people are like, a  
538 ramp that is, it meets ADA approval, but I can tell you, I watched my mom and dad. Saw my dad trying to  
539 push my mom up ramps that you know, when you're 79, 80, 81, 82 years old you just can't do it. We can  
540 all joke that we're seniors, but (\*\*) we're going to be coming less agile, and can't stress enough the, the  
541 need for an elevator over a ramp. Please take the time and go down there and try to push, try to have an  
542 elder person push up another person. Thank you."  
543

544 "John Ard, 612 Cypress Drive, Surfside. Mr. Mayor, Council, seems like everybody's got a lot of  
545 things going, lot of good things going. Councilman, Councilwoman Kohlmann, I'd like to welcome you.  
546 We appreciate all the services you've done in the past and I know you're gone a do a great job now; so  
547 very much looking forward to it. I just have a few comments tonight. I was very surprised the other  
548 morning when I got up and looked on the computer. Something I hadn't seen in a long time on there, and  
549 I don't know when the last time that I have seen it in this town, and I've been in and out of this town for  
550 over 50 years. The headlines on there was four, four or either five prostitutes had been arrested in  
551 Surfside. Not from Surfside. They were called and a asked to come into Surfside at this point to deliver  
552 their services. They were set up, in my opinion. If you gone try and clean Myrtle Beach up, the best thing  
553 that you need to do is sweep around your own front door before you start sweeping around somebody  
554 else's. This was nothing but a low grade thing to get attention from the media. I've done been warned  
555 tonight, well before tonight, I've been warned that they'll probably be every cop in this town after me.  
556 Well, you know what, bring it on, brother. I ain't hard to find. I thought it was a crying shame when the  
557 police department has to resort to such tactics as this. You can go to any number of places right around  
558 here in Surfside and believe you me, if you think I'm lying, get out there and you can find out for your own



559 self, they exist right here in Surfside. That there has been one arrested (\*\*) anywhere else, and like I say,  
560 there's plenty right here in Surfside. So if you gone arrest somebody, do it in Surfside not Myrtle Beach.  
561 Don't call somebody else in. Don't try and clean they town up when you can't even take care of your  
562 own. I mean, here it is you call, you ask about something sometime and you get this response, 'oh, we  
563 too busy.' Too busy doing what? I took several occasions to sit right down here on Cypress Drive and  
564 Surfside Drive just to watch and see what was going on. On a busy Saturday afternoon, I sat there for  
565 three hours. You know how many police cars I seen come up there? One. One police car in three  
566 hours. I can't understand the point of that. I can't understand why. I went down here on this boulevard  
567 and sat and seen the same thing. But still yet, we're too busy. I'm not trying to pick on somebody on  
568 what kind, on account of what happened to me. Please believe you that. I have got out there and  
569 checked these situations out. I have looked at them. I've sat there and I was wondering why. But still yet,  
570 we don't get an answer asking why. They said they were too busy. I heard a, you know we got a lot of  
571 folks, good policeman here. I know a lot of them. We have a lot of real, real good policemen on this  
572 force, and I appreciate them very, very much. They do a great service to this town, and I know that they  
573 like they jobs. They take stock in the citizens." (time) Mayor Samples, "Thank you, sir." Mr. Ard, "Okay."  
574

575 "Harry Kohlmann, 1610 South Ocean Boulevard. Just want to talk about the pier. At first what I  
576 was told was it was possibly a lift, and I, I agree with you the lift wouldn't last, and Ms. Maruca came up  
577 with an elevator. Now there's an elevator at River City Café. There's numerous condos with lifts, with  
578 elevators, I'm sorry, they have elevators, professional commercial grade elevators. I don't know how  
579 much it cost. I don't know how much, I don't know if the council knows how much it cost. I just think  
580 you're locked into this ramp and I just hate to see you make the same mistake the other council did  
581 without finding out all the facts, finding out everything, all the costs. I was hearing this \$10,000 per piling,  
582 could be 14, could be 20, could be 30 pilings (\*\*) could be close to \$300,000 to do this or more to do this  
583 ramp/deck. You might be able to get a elevator for 50 grand. You can get six of them in the lifetime you  
584 pay in the time you pay for this ramp. I'm just saying I don't know what it all is, if you investigated this yet,  
585 but please make an educated decision. Use your heads. We had a beautiful old, lost a beautiful deck  
586 already out there. I'm just thinking in my head how many pilings were in that and how much we lost. Say  
587 it cost you \$70,000 for an elevator, you'd still be ahead of the game even if you had maintenance cost,  
588 and with a deck and a ramp there are maintenance costs. We all know that because the pier, we have to  
589 fix it, so just look at the big picture. Don't get locked into your decision without knowing all the facts.  
590 Thank you."  
591

592 "Glen Curtis, 257 Palladium, couple of feet from Surfside. I want to thank you very much and a  
593 lot of other people for a putting those picnic tables down there. There's a lot of seniors that sit at them  
594 while they're waiting for the busses or waiting for their cars to come from across the street parking and it  
595 helps them a lot. The other thing was, you talk about bringing in an arbor [sic] for a lot of kinds of different  
596 trees. What about sending one of our own young maintenance people to the arbor school and saving a  
597 lot of money and doing it ourselves and keeping the work in our own town? Thank you."  
598

599 **12. COUNCIL COMMENTS.**  
600

601 Ms. Kohlmann, "I am not a senior citizen, but I am tired, so I'm going to keep it very short and just  
602 say thank you all for coming out tonight, and hope that you have some patience with me if I ask some silly  
603 questions throughout the process, but I'm really looking forward to serving the town and their people. I  
604 look forward to you giving me a call anytime and set me straight."  
605

606 Mr. Stevens, "I want to thank all of you for coming out. Also want to thank Ms, Ms., Ms. Maruca  
607 and Harry Kohlmann for their comments. It is a good idea to leave no stone unturned. Perhaps we  
608 should look at that too, as well as the ramp. I do know the ramp that we're building is gone be 8-foot  
609 wide, so it will be accessible for wheelchair going up, wheelchair going down. I don't know how hard it is  
610 to push a wheelchair up a ramp. I can go get my daughter. She's got a broke leg, so I'm gone try  
611 tomorrow, and see if she'll go down to the little ramp that's not ADA compliant. I want to thank council  
612 support for our new committee. Hopefully we can get that thing going and the senior citizens can have a  
613 voice in this town and a one specifically for senior problems. Other than that, I think we've had a good

614 meeting and a thank you for coming out. We've got to go into executive session and be here a little while  
615 longer. Y'all can go on home, if you want to."

616  
617 Ms. Mabry, "First of all, I want to welcome Ms. Kohlmann to the council. It's an exciting time for  
618 her and for us, so I am thankful she's here and I want to welcome her sincerely. I also want to go over a  
619 statement I made about the senior citizen committee. I hope you understand that I do want it. I want it  
620 under recreation and events. When before I had another life, I worked for DSS in home health, and my  
621 job was to give information to disabled and senior citizens. I actually did the intake. We wanted to make  
622 sure that [the client] was qualified for meals on wheels or anything of that nature that I that I'm very  
623 familiar with, but I have not lost, but that was in another life. So I do know what it takes to get that  
624 information and I want the senior citizens here to have it. I want us all to have it, but I want to have it in a  
625 way that would actually be more beneficial. So, yes I want to make sure that's clear, and I really just, and  
626 as one citizen came up and said we were pushing him over a cliff, when he gets to be a senior citizen, a  
627 real one, then I'm gone a worry about him, because he's about the youngest man I know in town right  
628 now; the youngest one!" (*laughter*)

629  
630 Mr. Johnson, "Yes, sir, it's supper time. I have no more comments!"

631  
632 Ms. Dodge, "Well, I'm gone a talk, dog on it. I am so proud to have Ms. Kohlmann sitting up on  
633 this panel with us. You have no idea. She is an amazing person. She's a dynamo. She's gone a get a  
634 lot of stuff done. I'm making promises for her, but I have known her for a long time, and the good that she  
635 does in this community and the communities around us is incalculable. Also, I wanted to thank Mr. and  
636 Ms. Maruca, both of them came up here with really bright ideas, and I'm thinking no, we can't have an  
637 elevator down there, because sand will get in it, and it won't work. And then along comes Mr. Kohlmann  
638 saying there are elevators that may be able to be used there. Wouldn't that solve all the problems? I  
639 also am so proud of Ms. Cockey, Ms. Livesay, Mr. Hanson...Mr. Hanson, I worked on his committee when  
640 we first came to town, and got involved. He is a wonderful man. Mr. Seibold. They've all volunteered  
641 their services. They do make a difference. I also wanted to tell you, this isn't anything new, but we  
642 discovered it. There is a gazebo down on 14<sup>th</sup> Avenue North on the lake. That lake is so clear and it is so  
643 peaceful there. We keep going back there and just sitting there watching the turtles come up and that  
644 sort of thing. It is a beautiful spot in our beautiful town. You ought to go down there and check it out.  
645 And I think I'm gone a stop there. Thank you very much."

646  
647 Mr. Smith, "I'd like to congratulate Ms. Kohlmann on being elected and welcome to town  
648 council. I'd like to encourage the town administrator to get with the businesses on Surfside Drive and let  
649 them know that we've reduced the permit fee to \$25 and encourage them to apply now that it's been  
650 reduced; no excuses. And thank you Mayor for pursuing the Highway 17 repaving application. I think  
651 that's a big step forward, so thank you very much."

652  
653 Mayor Samples, "Tomorrow night if you want to come back, we're gone a do it again. But, we're  
654 gone a limit our discussion. It'll be a special meeting. We are gone a discuss the pier in much greater  
655 detail, and then we are gone a retire to executive session for a legal update on a wide range of matters."

656  
657 **13. EXECUTIVE SESSION.** Pursuant to FOIA §30-4-70(a)(1) to discuss the Interim  
658 Administrator's Employment Contract, and Volunteers to Serve on the *ad hoc* Parking Committee, and  
659 Councilmember Appointments to the Myrtle Beach Regional Economic Development Corporation, and to  
660 the Council Organizational Committee.

661  
662 Mr. Smith moved to enter executive session at 8:56 p.m. Ms. Mabry seconded. All voted in  
663 favor. **MOTION CARRIED.**

664  
665 Mr. Smith moved to reconvene regular session at 10:01 p.m. Mr. Stevens seconded. All voted in  
666 favor. **MOTION CARRIED.**

667  
668 Mayor Samples said that no action was taken during executive session.

669

556 Ard I hope your son gets better. I have a daughter that broke her leg and had steel pins, so I want done  
557 and back to her. Thanks for coming out.”  
558

559 **11. EXECUTIVE SESSION.**  
560

561 Pursuant to FOIA §30-4-70(a)(2) to discuss the engineering contracts for proposed work to be  
562 done on the Surfside Beach Pier.  
563

564 Prior to entering executive session, Earthworks Group and DDC Engineers were given the  
565 opportunity to present respective conceptual plans for the Surfside Beach pier Americans with Disabilities  
566 (ADA) compliant improvements. Renderings, copies of which are in file, were displayed and explanations  
567 offered for town council to consider.  
568

569 Mr. Smith moved to enter executive session at 9:10 p.m. Ms. Mabry seconded. All voted in  
570 favor. **MOTION CARRIED.**  
571

572 Mr. Smith moved to reconvene regular session at 9:52 p.m. Ms. Dodge seconded. All voted in  
573 favor. **MOTION CARRIED.**  
574

575 Mayor Samples said that no action was taken during executive session.  
576

577 **11. ADJOURNMENT.**  
578

579 Mr. Smith moved to adjourn the meeting at 9:52 p.m. Mr. Johnson seconded. All voted in favor.  
580 **MOTION CARRIED.**  
581

582 Respectfully submitted, /  
583

584 \_\_\_\_\_  
585 Debra E. Herrmann, CMC, Town Clerk  
586

587 Approved: August 14, 2012  
588

589 \_\_\_\_\_  
590 \_\_\_\_\_  
591 Douglas F. Samples, Mayor  
592

593 \_\_\_\_\_  
594 Mary Beth Mabry, Mayor Pro Tempore  
595

596 \_\_\_\_\_  
597 Ann Dodge, Town Council  
598

599 \_\_\_\_\_  
600 Mark L. Johnson, Town Council  
601

602 \_\_\_\_\_  
603 Roderick E. Smith, Town Council  
604

605 \_\_\_\_\_  
606 Randle M. Stevens, Town Council  
607

608 \_\_\_\_\_  
609 Vacant Seat  
610

602 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In  
603 accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. A complete list is on file in the clerk's  
604 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on  
605 the Town marquee. When (\*\*) is used a section of the transcription is inaudible. Public Comments and Council Comments are transcribed verbatim  
606 without grammar corrections. When used, staff members' given names are replaced with surnames.  
607





## TOWN OF SURFSIDE BEACH

# OATH OF OFFICE

Office of

# TOWN COUNCIL

I, *ELIZABETH A. KOHLMANN*, do solemnly swear that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of the State of South Carolina and of the United States.


As Councilmember of the Town of Surfside Beach, I will equally, fairly, and impartially to the best of my ability and skill, exercise the trust reposed in me and will use my best endeavors to preserve the peace and carry into effect according to law, the purposes for which I have been elected.

So help me, God.

Dated this 14<sup>th</sup> day of August 2012.

  
Elizabeth A. Kohlmann

Attest:

  
Debra E. Herrmann, CMC, Town Clerk  
Notary Public in and for SC  
My Commission Expires 03/30/2014





State of South Carolina )  
County of Horry )  
Town of Surfside Beach )

Resolution #12-123

HORRY COUNTY  
12 AUG 15 PM 2:18  
MELANIE HUGHES-WARD  
CLERK OF COURTS

*Declaration of Results*

**SPECIAL MUNICIPAL ELECTION - AUGUST 7, 2012**

WHEREAS, the Town Council of the Town of Surfside Beach held a Special Municipal Election on Tuesday, August 7, 2012 for the purpose of electing one town council member to serve an unexpired term ending May 13, 2014; and

WHEREAS, said election was duly and properly held; the returns of the election managers and the original poll list are on file in the town clerk's office, and the Certification of Election Commissioners for the Town of Surfside Beach is herewith presented to Town Council certifying that the total votes cast were:

Seat Sought	Candidate Name	Number of Votes	Successful Candidate
Town Council	Vicki Blair	130	No
Town Council	Elizabeth A. "Beth" Kohlmann	294	Yes
Write-Ins:	None		

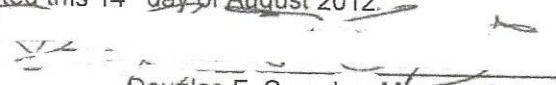
WHEREAS, Elizabeth A. "Beth" Kohlmann received a majority of votes cast that resulted favorably in her election to fill the unexpired term ending May 13, 2014; and

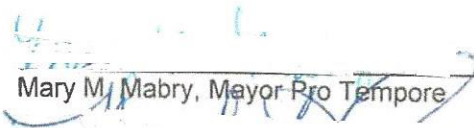
NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Surfside Beach that as is incident to the adoption of this Resolution, Town Council finds that the facts set forth in the recitals hereof and the statements herein made are true and correct; and

BE IT FURTHER RESOLVED, that the Elizabeth A. "Beth" Kohlmann shall be sworn to office during the regular town council meeting scheduled August 14, 2012 immediately after adoption of this resolution.


**BE IT SO RESOLVED.**

Signed, sealed and adopted this 14<sup>th</sup> day of August 2012.

  
Douglas F. Samples, Mayor

  
Mary M. Mabry, Mayor Pro Tempore

  
Ann Dodge, Town Council


  
Mark L. Johnson, Town Council

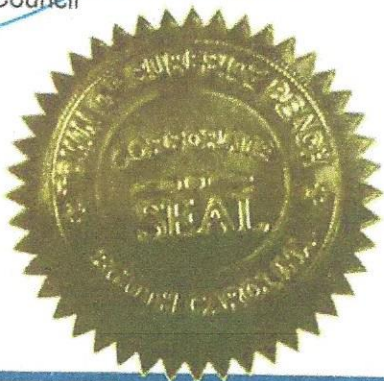
  
Roderick E. Smith, Town Council

  
Randle M. Stevens, Town Council

Vacant Seat

Attest:

  
Debra E. Herrmann, CMC, Town Clerk



STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )  
TOWN OF SURFSIDE BEACH )

CERTIFICATION OF  
SPECIAL MUNICIPAL ELECTION  
AUGUST 7, 2012

HORRY COUNTY  
12 AUG 15 PM 2:18  
HELEN HERRMANN-WARD  
CLERK OF COURT

We, the undersigned Commissioners of Election for the Town of Surfside Beach, do hereby certify:

1. That we are the duly appointed Managers of Election for the Town of Surfside Beach for the Special Municipal Election held on Tuesday, August 7, 2012, to elect one town councilmember to serve an unexpired term ending May 13, 2014.

2. That all persons so named as Managers of Election served.

3. That the Managers of Election so appointed or substituted conducted said election at the Town of Surfside Beach. Precincts Surfside #1, Surfside #2, and Surfside #4 delivered to the undersigned the respective Oath, Tally Sheet, and Return of Election forms, along with the Poll List, envelopes containing Ballot tapes, and a written Statement of the Election Results.

4. That the Oath, Tally Sheet, and Return of Managers of Election show the following total votes cast in said Election for the town council seat:

<u>Candidate Name</u>	<u># of Votes</u>	<u>Successful Candidate</u>
Vicki Blair	130	No
Elizabeth A. "Beth" Kohlmann	294	Yes
Write-In	None	

5. That the results of the Election established that **Elizabeth A. "Beth" Kohlmann** with **294** total votes was the successful candidate for the town council seat.


6. That said Election Returns of the August 7<sup>th</sup>, 2012 Special Election, after having been duly canvassed, along with this Certificate of Commissioners of Election are presented to the Town Council of the Town of Surfside Beach, South Carolina and due record made thereof.

7. Further, affiants saith naught.

Dated this 9<sup>th</sup> day of August 2012.

TOWN OF SURFSIDE BEACH  
MUNICIPAL ELECTION COMMISSION

  
Judy Tuttle, Commission Chairman

  
Peggy Inman, Commission Member

  
Judy Engelhard, Commission Member

Attest:

\_\_\_\_\_  
Debra E. Herrmann, CMC, Town Clerk  
Notary Public in and for SC  
My Commission Expires 03/30/2014



<b>Town Council</b>	Precinct #1	Precinct #2	Absentee	Failsafe & Challenged	TOTALS	SUCCESSFUL CANDIDATE
Blair, Vicki	51	77	2		130	No
Kohlmann, Beth	177	106	8	3	294	Yes
Write-In Candidates	None					
<b>TOTAL VOTES</b>	228	183	10	3	<b>424</b>	

TOTAL # VOTES: **424**

TOTAL VOTERS SIGNED IN: **418**

% VOTED IN THIS ELECTION -- Total Ballots Cast ÷ # Registered Voters = **14.47%**

Registered Voters: **2,972** (per Horry County 08/08/2012)

**Ballots Cast:**

Precinct #1	<b>230</b>
Precinct #2	<b>187</b>
Precinct #4	<b>-0-</b>
Absentee	<b>10</b>
Failsafe	<b><u>3</u></b>
<b>Total</b>	<b><u>430</u></b>

The candidate with the highest number of votes is the successful candidate. There is no runoff election, because there are only two candidates for one seat.

Certified to be true and correct this 9th day of August 2012.

\_\_\_\_\_  
 Debra E. Herrmann, CMC, Town Clerk  
 Notary Public in and for SC  
 My Commission Expires 03/30/2014