



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
JULY 24, 2012 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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7 **1. CALL TO ORDER.**

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9 Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore
10 Mabry, and Councilmembers Dodge, Johnson, Smith, and Stevens were in attendance; a quorum was
11 present. Staff present: Interim Administrator Fellner; Police Chief Frederick; Public Works Director Adair;
12 Treasurer Hursey, and Recreation Supervisor Ellis. Also present: Town Attorney Moss and Town Clerk
13 Herrmann.

14
15 Mayor Samples said that the town would hold a Special Election on August 7th to fill the open
16 council seat. The new member will be inaugurated at the next regular council meeting on August 14th.
17 He asked candidates Beth Kohlmann and Vicki Blair to stand for introductions. Ms. Kohlmann stood and
18 greeted the audience. Ms. Blair was absent. Mayor Samples said polls are open from 7:00 a.m. to 7:00
19 p.m., and he encouraged everyone to vote.

20
21 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

22
23 Reverend Ronald Greiser, Episcopal Church of the Resurrection, gave the invocation. Mayor
24 Samples led the Pledge of Allegiance.

25
26 **3. AGENDA APPROVAL.**

27
28 Mr. Smith moved to approve the agenda as presented. Mr. Johnson seconded. **All voted in**
29 **favor. MOTION CARRIED.**

30
31 **4. MINUTES APPROVAL.**

32
33 Ms. Mabry moved to approve the July 10, 2012 regular meeting minutes with an amendment to
34 line 618 to correctly state "Committee: Dan Flood, Gene Maruca, Beth Kohlmann, Anita Crone, Lynn
35 Parker, Betty Holston, and Ron Meadows." Mr. Stevens seconded. Ms. Dodge noted a scrivener's error
36 on line 69, "78-year old me" should be "7- to 8-year old children." All voted in favor. **MOTION CARRIED.**

37
38 Mr. Smith moved to approved the July 10, 2012 workshop minutes as presented. Mr. Johnson
39 seconded. All voted in favor. **MOTION CARRIED.**

40
41 **5. PUBLIC COMMENTS – AGENDA ITEMS.**

42
43 "Carrie Johnson, 9th Avenue South. I'm talking about the tree ordinance and, of course, I'm
44 talking about the specimen trees, not pine trees. It looks like the way the ordinance reads now that where
45 it says trees located within ten feet of a foundation of a structure can really be cut down for no reason,
46 and if you've ever ridden around town and seen how many trees there are within ten feet of structures,
47 there's quite a few of them, and that one of the things that distinguishes Surfside Beach from other places
48 along the Grand Strand is our trees, and there are plenty of places to move, if you don't like the trees,
49 because there are plenty of subdivisions that have gone in there and shaved everything down and built
50 the houses and there's very little trees at all. If a tree within ten feet of a structure was causing damage
51 to the structure, or it is diseased and can't be saved, by all means you know, then it should be removed.
52 But with that being said, I really don't feel like the staff is the ones that needs to be making that decision.
53 An arborist has training to recognize a tree that is diseased or damaged. They can tell if it can be saved.
54 To have the staff doing it, I'm sure they're very good at what they do, but that would be like having a
55 plumber come out and tell what's wrong with your car, or a mechanic come out and tell you what's wrong

56 with your plumbing. I mean they're not trained in this area. So I really hope that before passing the
57 second reading of this ordinance that you will consider making two changes, and one is that the tree has
58 to be damaged, diseased, or causing damage to the structure and be within ten feet of the structure
59 before being removed and it must be determined by someone that is an expert in this area. If not,
60 Surfside Beach will soon look like all the other subdivisions where the trees were shaved and we have no
61 foliage at all. Thank you."

62
63 "Mayor Pro Tem Mabry and Chief Frederick have an item on for golf carts this evening, and I
64 would just like to..." Ms. Herrmann, "Mr. Mayor, name and address, please." Mayor Samples, "Name
65 and address, please." "Well, I knew that! (*laughter*) Ron Gaskins, 315 13th Avenue North. I would like to
66 see that we add low speed vehicles to that as well, because they, while they look like golf carts they really
67 aren't. They are a different breed, and there's a totally separate set of rules and regulations that cover
68 them at the state level. So if we move forward with the golf carts as they are, if we could also make sure
69 we include the low speed vehicles that would be a positive thing, I think, and I applaud the fact that it's on
70 the agenda." Ms. Dodge, "Mr. Mayor, if I may ask Mr. Gaskins, what is a low speed vehicle; I have no
71 idea what that is." Mr. Gaskins, "I'm sorry, I just wasn't going to... Ron Gaskins, 315 13th Avenue
72 (*laughter*)... a low speed vehicle is, it really does it looks like a golf cart, but they go over to 20-miles an
73 hour. They can be driven by state law after dark, and any distance from your home. They have to be
74 registered. They have to have a tag; a license tag just like an automobile, and you know, that's just a few
75 of the things that differentiate it, but again, you really can't tell the difference unless you get right up on
76 them and see the license tag." Ms. Dodge, "I appreciate that." Mr. Gaskins, "Yes, ma'am."

77
78 **6. COMMUNICATIONS.**

79
80 **A. Department Reports**

81
82 i. Finance. Ms. Hursey presented the finance report, a copy of which is on file. Mayor Samples
83 said when this upcoming year is completed the town would not be 6- to 8-hundred thousand dollars in the
84 red in the general fund. He was certain that councilmembers shared that view. Only an act of God that is
85 beyond town council's control would cause the fund balance to be in the red.

86
87 ii. Recreation. Ms. Ellis presented the recreation report, a copy of which is on file.
88 Congratulations to Dixie Ponytails, Dixie Minors, Dixie Majors, and Dixie Boys who all received runner-up
89 trophies in the district tournaments! Ms. Ellis thanked the coaches and parents for their support.

90
91 Ms. Ellis explained that a coaches meeting was held in regards to forming a booster club for the
92 town's athletic programs asked whether council would concur for the proposed Surfside Beach Booster
93 Club to move forward. Mayor Samples said there were questions that needed to be addressed, such as
94 insuring that annual audits were performed and reported to town council. Before the group moves
95 forward, he believed town council should decide whether it would support a volunteer organization that
96 operated under the auspices of the town and its regulations. A group is very interested in forming a
97 booster club, which would have a transition period during the fall and spring that would raise money to
98 support the programs, particularly since 85-percent of the participants live outside the town limits. That
99 being said, Mayor Samples support forming a booster club and asked for other council comments.

100
101 Mr. Smith thought it was a good idea. During the past he personally participated in booster clubs.
102 He believed that town council should have an opportunity to review the bylaws, and he was concerned
103 that the booster club would provide proper financial reports. Ms. Ellis said town council would have
104 approval authority over the booster club, and she would act as the town liaison.

105
106 Ms. Dodge asked whether the booster club would be self-sustaining. Ms. Ellis said hopefully so
107 in the near future. The fall baseball league will be funded by the town with the booster club working with
108 the town staff to learn how to manage the event process. The booster club hopes to assume operation of
109 the concession stand this fall, even if it is a basic menu.

111 Mayor Samples said the town will probably cap its contribution levels at or near current
112 expenditures, with the intent that as the program expands that the booster club will assume responsibility
113 to solicit funds and sponsorships to build a program owned by the club. The town will continue to
114 maintain the grounds as it owns the fields. He was certain that town residents would continue to receive
115 discounted registration fees, but creating the booster club to manage sporting events will free staff to
116 concentrate on special events and building other recreational opportunities inside the town. Mayor
117 Samples assured everyone that this is not a step away from athletics. Historically, cities provided
118 recreation because counties were not densely populated and not in a position to do so. The town has
119 provided opportunities to the local community, and the town will continue to support the younger children.
120 Creating the booster club will encourage more volunteers to help build the community. If the booster club
121 proves to be a failure, staff can take over. Florence and Georgetown Counties have very successful
122 booster clubs that the town's club could be modeled after.

123
124 **COUNCIL CONCURRED** to support a booster club.
125

126 Ms. Ellis asked council whether Mutiny Soccer could hold a 3-day soccer tournament on the
127 beach between the pier and 3rd Avenue South from Friday to Sunday, July 19, 20, and 21, 2013, and
128 proceeded to detail how the event would work and how staff would be involved. After discussion, Mayor
129 Samples suggested that a smaller event that be scheduled sometime before then to determine whether
130 the larger event would be worthwhile. Ms. Mabry said the location would interfere with Surfside Beach
131 Resort's guests and other visitors around the pier. Ms. Ellis said Mutiny would contact Surfside Beach
132 Resort to see if this would cause problems for its guests. Mr. Johnson said this area of the beach
133 appears to be wider than other areas, and it may be the only place it could be held. He was concerned
134 how much other space would be necessary for spectators, equipment, etc. Mr. Smith asked if staff had
135 walked the area. Ms. Ellis said no, they are waiting until council determines whether there is interest.
136 Mutiny also wants to produce a 10K and 5K race in town during October. Ms. Bullard was told this would
137 be a separate event and town council would have to give formal approval. There is no other information
138 about the race event, but the town has already approved the 5K race on October 27th; the Turkey Trot at
139 Thanksgiving, and the Rotary race in March. Mayor Samples believes the benefit of any event was
140 diluted when there are too many. He believed more information should be provided for the soccer event
141 for council to consider before another event is presented. Mr. Johnson's point about extra area needed is
142 valid, and suggested if Surfside Resort agreed to the event, council might be amenable.
143

144 Ms. Dodge thanked Ms. Ellis for the advertising banner for the serenades. There were more
145 people attending now, and listening to talented artists sing and play was a very good way to spend a
146 Sunday afternoon. She believed the town had a scoreboard that was never put up, and believed it should
147 be used, especially since other teams rent the field. Ms. Ellis said there is a scoreboard that has not
148 been installed, and it can be, but the controller would have to be stored nightly. Teams that rent the fields
149 are not allowed to use scoreboards, because they destroy the press boxes and equipment. The town
150 teams that play in Martin Field are younger children where the emphasis is on playing well and skill
151 building, not scores. Mayor Samples asked if there is a plan for the scoreboard; it was senseless to have
152 an asset and not utilize it. If staff determines that it should not be used, it should be sold.
153

154 Mr. Johnson said the overall July 4th celebration was wonderful, but personally believed that
155 some of the entertainment was not so family-focused. He asked Ms. Ellis to insure that entertainers
156 understand that Surfside Beach is the Family Beach.
157

158 Ms. Dodge said she and her family really enjoyed the fireworks. She believes this is the best they
159 have ever been.
160

161 Mayor Samples said the town has Kiwi shades. The children's animal location signs for the
162 beach crossovers should be refurbished and used.
163

164 iii. Public Works. Mr. Adair presented the public works report, a copy of which is on file. Mr.
165 Adair said the many of the children's location signs were destroyed, but could be replaced, if council so
166 desires. Mr. Smith said the signs should be placed closer to the ground so children can see them. Mr.

167 Adair said they were hung to be visible from the strand so children could see them when they were
168 looking from the strand. Mayor Samples asked if they could be placed on both sides. Mr. Adair believed
169 the signs were two-sided. **COUNCIL CONCURRED.**

170
171 Mr. Smith asked if public works was fully staffed with addition of the five new employees. Mr.
172 Adair said the department was now fully staffed.

173
174 Ms. Dodge said thank you for the work on the yellow stripes at intersections along Ocean
175 Boulevard. She also thanked Ms. Saleem, the public works executive assistant, who was always helpful
176 and friendly.

177
178 Mr. Johnson asked if the sanitation crews monitored the cigarette butt receptacles at the pier and
179 on the beach. Mr. Adair said the crew cleans the ones at the beach access points, but Pier Outfitters
180 monitors the ones on the pier. Mr. Johnson said the pier receptacles are regularly overflowing. The
181 beach receptacles appear that the bottoms are being opened to allow refuse to spill onto the sand. Mr.
182 Adair said he would ask staff to check them.

183
184 Ms. Dodge said receptacles on the beach and at Martin Field are full and spilling over during
185 special events and on weekends. She asked if there was more that could be done to control them,
186 particularly on weekends. Mr. Adair said the beach receptacles are picked up on Saturdays and Sundays
187 during the morning; Martin Field recently had a trash and recycle pod placed there. If that is insufficient,
188 more will be added or additional pick-ups scheduled.

189
190 Mayor Samples thanked Mr. Adair for the effort that he and his staff have put forth. It is obvious
191 to him that more attention is being paid to the streets. That effort says a lot about the town to its visitors,
192 especially when compared to the county areas.

193
194 C. Administrator's Report – Update on Current Events. Ms. Fellner reported on five topics:

195
196 1. The pier pylon wrap repair project was not a budgeted item. She asked permission from town
197 council to award the job to the lowest bidder who is Cape Romain at a cost of \$82,500. Mr. Smith asked
198 if funds were available in the pier enterprise fund. Mayor Samples said yes. The pier fund balance would
199 be addressed in more detail as repairs to meet the Americans with Disabilities standards are considered.
200 **COUNCIL CONCURRED.**

201
202 2. An emergency expenditure was reported for parking equipment. On July 3rd two new main
203 boards and two new graphic displays were ordered at a cost of \$5,084.28, which included shipping and
204 taxes. Only \$3,000 was budgeted for this purchase, but the purchase was necessary to keep the parking
205 meters operable in two lots during the big holiday weeks. There have been many mechanical failures;
206 because equipment has been cannibalized, she asked permission from council to move \$5,000 from the
207 capital equipment purchase line that shows \$30,000 for the purchase of two new pay stations to be used
208 for other repairs that might occur before the end of this parking season and to fund the extra \$2,084.28
209 for the emergency purchase. **COUNCIL CONCURRED.** Mayor Samples asked when the new pay
210 stations would be purchased. Ms. Fellner said sometime during the winter to avoid having to break down
211 new machines for storage. Mayor Samples asked if the new units would be cannibalized. Ms. Fellner
212 said more research is necessary before she can answer. Mayor Samples asked that a report be made
213 during "very early fall."

214
215 3. Information was included in the council packages regarding the Myrtle Beach Regional
216 Economic Development Corporation (MBREDC) who would like for the town to formally partner with it. All
217 other area cities, except Briarcliffe Acres and Atlantic Beach, have done so and have representatives
218 sitting on its board of directors. The town's dues would be \$2,118, but sufficient funds are not available in
219 the budget to fund the dues. Should council agree to partner with MBREDC, a mid-year budget
220 amendment would be necessary as would any other approved expenditure that exceeds or was not
221 included in the approved budget. Mayor Samples asked for concurrence to partner with MBREDC,

222 whose purpose is to recruit new businesses to help diversify the economy. Mr. Smith asked where funds
223 would be taken from. Ms. Fellner said general fund. **COUNCIL CONCURRED.**

224
225 4. The Surf Diner received its final certificate of occupancy last week. They would like to place
226 one sign on either side of the pier near the current signs. Under the current ordinance they are
227 technically considered off-site signs and not allowed. Since the business is leased from the town, council
228 could by resolution choose to allow the signs on the both sides of the pier where they would be visible
229 from the beach. She asked for consensus as to whether or not to prepare a resolution for the next
230 agenda. **COUNCIL CONCURRED** to consider a resolution at the next regular meeting.

231
232 5. Mr. Cramer from Pier Outfitters and she met with the chief executive officer, president, and
233 vice president of Plantation Resort regarding the bus routes. After discussing congestion at the pier,
234 safety, and possible changes, agreements were made that would not disrupt the town, the busses, nor
235 the pier businesses, including that the busses would travel down Surfside Drive, turn left on Ocean
236 Boulevard, turn right on 1st Avenue North, right on Seaside Drive, and unload just short of the pier parking
237 lot. The public works staff will need to clean up the right-of-way at that intersection, and to reposition
238 some of the newspaper and advertisement stands. Plantation Resort has agreed to instruct its bus
239 drivers to communicate by radio so that only one bus at the time would be on Seaside Drive or in the pier
240 parking lot at any time. Staff would need to monitor these changes to determine the effectiveness or
241 whether an alternative plan is required. Ms. Dodge was in the area frequently, and this solution did not
242 address the congestion in the parking lot. The best place for the busses is in the Yaupon parking lot near
243 the golf cart parking. There are businesses on that side of the road that would benefit from passengers
244 walking past them. Ms. Dodge strenuously objected to the busses loading and unloading passengers
245 anywhere near the pier parking lot. Ms. Fellner said that was discussed. The overwhelming feeling of
246 Plantation Resort staff is that this is a safety issue because passengers are hauling various beach related
247 accoutrements. This is the same issued raised by the town's police chief in the past. Ms. Dodge was
248 aware of the problem crossing the street, but even carrying items, adults can use the crosswalks and
249 traffic is supposed to stop to allow safe passage. She reiterated that busses should not park in the pier
250 parking lot. Ms. Mabry liked the idea that the busses would not be in the area at the same time. If the
251 busses can stay 15- to 20-minutes apart, that would do a lot to relieve congestion. Mr. Johnson
252 suggested that the plan be used to see how it works. Mr. Smith agreed with Mr. Johnson and said the
253 administrator's recommendation should be given a trial. Mr. Stevens said to allow a trial; if it does not
254 work, the issue can be evaluated again. Mayor Samples said **COUNCIL CONCURRED** to allow a trial of
255 the recommended route. Ms. Dodge stated for the record that she absolutely objected.

256
257 7. **BUSINESS.**

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

260
261 Mr. Smith moved to adopt second reading as presented. Ms. Mabry seconded.

262
263 Mr. Johnson said this is the third or fourth time this ordinance has been addressed over the past
264 eight or ten years. He was concerned about "tree removal essential for development." Mr. Johnson
265 moved to amend to delete "for trees whose removal essential for development." Mr. Smith seconded.

266
267 Mr. Stevens said without this stipulation, his home would have had to be redesigned, because a
268 beautiful tree was cut to make room for his bedroom.

269
270 Ms. Dodge agreed with Mr. Stevens, saying that most homeowners wanted trees in their yards.
271 The requirement to hire an arborist was onerous for homeowners, and she could not support the
272 ordinance as written.

273
274 Mr. Johnson believed there were other ordinances that allowed the board of zoning appeals to
275 approve variances for trees. Mayor Samples said there were, and the discussion was the motion to
276 amend to delete "tree removal essential for development." Ms. Fellner confirmed that the ordinance
277 currently allows tree removal within a footprint.

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Mr. Johnson withdrew his motion to amend, and moved to defer second reading until the next regular meeting. Mr. Smith withdrew his main motion. Seconds were properly withdrawn. All voted in favor to defer. **MOTION CARRIED.**

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

Mr. Smith moved to adopt first reading of Ordinance #12-0722. Mr. Stevens seconded. Mr. Smith explained that this ordinance modifies the permit fee costs for sidewalk cafés. The current fee is \$300 for less than 150-square feet; the new fee is \$25. Square footage over 150-feet is currently \$500; the new fee is \$50. Only one permit was issued last year, and he believed this would encourage businesses to participate. Ms. Mabry said a separation screen, often at a cost of several hundred dollars, is required to separate the diners from the public. Reducing fees would enable small business owners to purchase the screen without the added expense of a high permit fee. All voted in favor. **MOTION CARRIED.**

C. First Reading of Ordinance #12-0723 §4-2 Repeal Board of Fee Appeals and §4-11 Amend to Direct Appeals to Town Council.

Mr. Smith moved to adopt first reading of Ordinance #12-0723. Mr. Johnson seconded. Mayor Samples said no appeals have been made since the board was established in 2009. All voted in favor. **MOTION CARRIED.**

D. First Reading Ordinance #12-0724 §2-113 Town Administrator Duties.

Mayor Samples said the town has a council form of government, which in his opinion is the most democratic form. The current code stipulates the administrator's duties, which very closely match a city manager's duties. In his opinion, the proposed changes more accurately reflect the council form of government. Town council hires an administrator to run the town and to keep councilmembers informed.

Mr. Stevens moved to adopt first reading of Ordinance #12-0724. Ms. Mabry seconded.

Mr. Johnson asked if counsel had reviewed the ordinance. Mr. Moss said the amendment setting forth the duties was completely consistent with the council form of government. Town council has the ability and power to remove duties as it deems appropriate.

Mr. Smith said paragraph (d) is very similar to Section 2-112. Paragraph (d) says the administrator shall serve at the pleasure of the town council. He said paragraph (d) duplicated of Section 2-112. Mr. Smith said paragraph (c) duplicates Section 2-111 that states the town council shall appoint an administrator and fix his compensation. He suggested the current format be reviewed to eliminate duplications. Mr. Smith asked for an explanation of "general government branch" as referred to in paragraph (e.) Mayor Samples said it was a general statement of the town government; everything that town council does is government. The town administrator is not over the legislature. Mr. Moss said there are also other factions the administrator does not manage, i.e. the court system that is managed through court administration, and some police and fire functions that are managed at the state level. The administrator would oversee employee matters like hiring, vacations, etc. Mr. Smith asked whether the terminology was proper. Mr. Moss said he was not confused by the language when he read it.

Mayor Samples said as long as town council and the administrator understood the relationship it would benefit the town. Mayor Samples had no problem with a detailed job description, but believed it should be separate from the ordinance. The ordinance is so specific in its present form that it may have confused past councils and administrators. In his opinion, the first duty of an administrator is to insure that the elected officials are fully informed with each member receiving the same information. Over the past two administrators that has not happened, in his opinion. Mayor Samples suggested that members who desired changes meet with the clerk before second reading to offer their recommendations.

334 Mr. Smith said the current ordinance states that the town administrator appoints and removes
335 department heads for cause with approval of town council. He asked Mr. Moss if these changes included
336 that the administrator required council approval prior to removing a department head. Mayor Samples
337 said it would be imprudent for an administrator to take such a drastic action as hiring or firing a
338 department director unless it was because of moral outrage or similar circumstance that was
339 documented. In the past, department directors were not hired nor terminated without council approval.
340 Department directors are critical to the town function. Mr. Moss said in his opinion, the authority to hire
341 and fire department heads is not in the proposed ordinance; that authority is in the current ordinance.
342 Adopting the amendment would remove that authority from the administrator. Mr. Smith asked if
343 designating the administrator "the chief administrator of the town" gave him the authority. Mr. Moss said
344 there was no express authority in the draft ordinance, so in his opinion, it did not.

345
346 Mayor Samples, Mayor Pro Tem Mabry, and Councilmembers Dodge, Johnson, and Stevens
347 voted in favor. Councilmember Smith voted against. **MOTION CARRIED.** Mr. Smith said for the record
348 that he voted against because paragraphs (c) and (d) should be reworded to support Sections 2-111 and
349 2-112 or eliminated to avoid duplication.

350
351 E. Resolution #12-118 to Establish Surfside Beach Business Committee.

352
353 Mr. Stevens moved to adopt Resolution #12-118. Ms. Dodge seconded. All voted in favor.
354 **MOTION CARRIED.**

355
356 F. Accommodations Tax Grant Funding Request – Guy Daniels Foundation, Inc.

357
358 Mayor Samples said this recommendation was from a committee to be considered. All voted in
359 favor. **MOTION CARRIED.**

360
361 G. Renewal Appointment – Associate Judge/Clerk of Court and Associate Judge/Assistant Clerk
362 of Court.

363
364 Mayor Samples explained that court administration requires the town to actually renew its
365 appointments for its associate judges, clerks and assistant clerks of court. Mr. Stevens moved to appoint
366 Valerie Wentz as Associate Judge/Clerk of Court and Valerie Riley as Associate Judge/Assistant Clerk of
367 Court for four-year terms. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.**

368
369 H. Council Organizational Committee, Mayor Samples.

370
371 Mayor Samples said this committee would be responsible for reviewing organizational matters,
372 including personnel policies, compensation plans, classification charts, and acting as an advisory
373 committee to town council. He believed that together with the other council committees formed, that
374 every task could be assigned. Ms. Dodge moved to establish the organizational committee. Mr. Stevens
375 seconded. All voted in favor. **MOTION CARRIED.**

376
377 I. Northern South Carolina Eastern Surfing Association District, Lee McDade, District Co-
378 Director.

379
380 Mr. McDade asked permission to hold a surfing tournament on the beach the weekend of July
381 28th at 6th Avenue South in Surfside Beach. Mr. McDade was unable to provide insurance information at
382 the meeting. Mayor Samples urged him to meet with staff and to submit information in advance in the
383 future. The town could not approve an event until the appropriate insurance was provided to protect the
384 town.

385
386 8. **DISCUSSION.**

387
388 A. Historical Committee, Mayor Pro Tem Mabry.

390 Ms. Mabry said the town is approaching its 50th anniversary. There is no corporate effort to
391 document the town's history, and the purpose of the historical board is be to collect and preserve the
392 history of the Town of Surfside Beach through records, documents, photographs, artifacts and other
393 means and to promote and provide access to the history for current and future generations. Membership
394 is open to all residents who share in the interest and the mission of the board. The board should have
395 five directors appointed by town council whom shall direct the affairs of the board upon approval by the
396 general membership. In the event of dissolution, which should never happen, all assets shall become the
397 property of the town for placement in its archives. Ms. Mabry said there are many residents that have
398 stories from before the town was incorporated that are being lost as they age. Ms. Dodge commended
399 Ms. Mabry for taking steps to form a historical board saying it was a great idea, and she wished it had
400 been done in the past. She strongly supported the effort. Mayor Samples agreed, and mentioned that
401 Mr. Steve Strickland recently completed a history of the Murrells Inlet community. Mayor Samples
402 suggested the topic be placed on the next meeting business agenda.
403

404 B. Golf Cart Rules and Regulations, Mayor Pro Tem Mabry.
405

406 Ms. Mabry had worked with Chief Frederick to identify ways in which under-age golf cart drivers
407 and night driving could be stopped. Chief Frederick previously presented a paper requesting that a
408 placard be required on commercial and rental golf carts that clearly sets out the rules. Ms. Mabry said
409 many visitors that use golf carts while on vacation do not know the rules as they are not customarily used
410 in their home communities. She believed as much education as possible was necessary.
411

412 Chief Frederick agreed saying the primary issue when Mr. Johnson requested the white paper at
413 the beginning of last summer was the transient nature of the golf cart users. Issuing multiple tickets is not
414 the answer. The town doesn't have the man power nor would issuing multiple tickets establish the kind of
415 image and atmosphere the town wants. Placing placards the scorecard area on commercial and rental
416 golf carts would provide instant education and serve as a warning to the weekly visitors that use those
417 golf carts. Very few individuals that receive warnings repeat the offense; when they do, tickets are
418 written.
419

420 Ms. Dodge asked what was done about very young children in the community who drive golf
421 carts. Chief Frederick said the department does enforcement; drivers are escorted home, parents are
422 called as appropriate, and residents receive tickets when the warnings are not heeded. Many times,
423 especially with local children, the children have taken the golf carts without their parents' permission.
424 Unless an officer is on a Level 1 call, he will always stop a golf cart that is driven by children. Parents are
425 called with a very short time in which to collect their children and golf cart or the children are taken home
426 and the golf cart is towed. When there are repeat offenses, parents are ticketed for allowing unauthorized
427 use and the golf carts are towed. Chief Frederick believes a warning placard on golf carts will help
428 eliminate many of the problems, much like adding the yellow striping on Ocean Boulevard will help stop
429 people from parking too close to intersections. The placards can be made available to local residents
430 that want them.
431

432 Ms. Mabry said the placard would also state that fines could be up to \$470 for violations, which
433 she believes will get the drivers' attention. Mayor Samples agreed. Mr. Stevens said there are many
434 people that own homes in town that do not live here who often rent their property. He believed a placard
435 should be required on all golf carts. In his opinion, educating the public about the law is the best
436 deterrent. Ms. Mabry said residents register their golf carts with the police department, rules are
437 distributed. Whether the residents choose to obey them is up to the individual.
438

439 Mayor Samples asked whether this would require an ordinance amendment. Chief Frederick said
440 there is no provision in the current code to require anything other than the registration that is offered now
441 for residents; he deferred to the attorney for an opinion. Mr. Moss said the only way to require a placard
442 is to include it in the ordinances. Mr. Smith suggested that residents who register golf carts are also
443 required to use the placards. Chief Frederick said that is a policy decision that council would make; it
444 would require no extra effort on staff's part to do so. Mr. Smith preferred the red-letter format and

445 suggested using the town logo on the placard. Mayor Samples asked staff to prepare an ordinance for
446 town council consideration.

447
448 C. Other matters of concern or information to be discussed by Town Council.
449

450 Mayor Samples said the chief is eligible for retirement after serving 28-years. Under the recent
451 changes to the South Carolina Retirement System, effective January 2, 2013 employees who retire and
452 return to work are penalized by limiting the amount of income. Chief Frederick has asked that he be
453 allowed to retire and then return to work after a few weeks in the same position at the same pay rate.
454

455 Mayor Samples said for the record, "The intent would be to allow Chief to retire, collect his
456 pension, take the appropriate break, and then return to his current position at the same pay, and I think
457 that is certainly a reasonable thing to do. I think that, frankly, I think that our police do an outstanding job.
458 I think that we have a much better organized, higher morale department than we've had in the many
459 administrations that I've served with. Nothing is ever perfect. There's always room for improvement, but I
460 think we've, we've got a, a great team in place. So, I want to ask for consensus of council. I don't want
461 this done behind closed doors. I don't want it done in a non-transparent way. I don't want to hear
462 rumors. I want to do it right out here in public, and because the man has to make a decision, okay."
463

464 Mr. Smith asked if the dates had been selected. Mayor Samples said probably sometime in
465 August, but before January 1st, 2013, because that is when the changes go into effect.
466

467 Ms. Dodge said no offense to the chief, but this type action precludes other officers from
468 advancing in the department who might be just as qualified to move up to the chief position. She believed
469 this would be detrimental to morale, because it would bother her personally.
470

471 Mr. Smith supported retirement and rehiring.
472

473 Mr. Johnson said the chief is not the first employee to do this; it is a common practice in
474 municipalities throughout the state. He supported retirement and rehiring.
475

476 Ms. Mabry also supported retirement and rehiring. She was glad that he wanted to continue
477 serving the town.
478

479 Mr. Stevens wanted more information. Mayor Samples asked if there was a specific question.
480 Mr. Stevens reiterated that he wanted more information; he wanted "something concrete, more in writing."
481 Mayor Samples said during the recent Municipal Association Conference in Hilton Head, which every
482 councilmember attended, information with respect to the changes to the retirement system was made
483 available and presented in the lobby, where everyone was encouraged to pick up the material to learn
484 about the upcoming changes. He did not believe there were any questions over the facts as related to
485 changes in the retirement system. Mayor Samples asked Mr. Stevens to be more specific in terms of
486 information he was seeking. Did he want to hear personal comments from the chief, or something else?
487 Mr. Stevens did not respond.
488

489 Mr. Moss said that first reading of Ordinance #12-0724 redefines the administrator's duties; under
490 the current ordinance the administrator can hire the chief, and what you are proposing could potentially
491 council be premature if council passes the amended ordinance.
492

493 Mayor Samples said usually decisions like this that are not made transparently create
494 unnecessary hard feelings. There may be hard feelings as a result of discussing it openly, but that is the
495 best that he believes that town council can do. The fact of the matter is that four members have stated
496 support for the retirement and rehiring. Mayor Samples said for the record, "I ask those that are against
497 it, to a, to a, be identified and we can move on."
498

499 Ms. Dodge said for the reasons that she stated previously, she was against the retirement and
500 rehiring. She did not believe this would be good for morale. Somebody else younger maybe would be

501 better qualified at that point and that opportunity has been taken away by agreeing to rehire a retired
502 employee.

503
504 Mr. Stevens said he needs more information.

505
506 Mayor Samples said there was consensus to move forward and wished Chief Frederick good
507 luck, and told him to proceed as he deemed appropriate.

508
509 **9. PUBLIC COMMENTS.**

510
511 "Wow! Tom Dodge, 15th Avenue North. I am totally against the TERI (Teachers and Employee
512 Retirement Incentive) program. It's a morale killer. Why do you think we get so many officers from Myrtle
513 Beach? They have so many people retire and come back to work that no one moves up the line, so they
514 come to Surfside Beach and work. I think it was terrible that we did not do something with the bus
515 situation down in the parking lot. We paid for a \$230,000 plus Taj Mahal parking lot that we expect
516 people to park in. Those people apparently we don't care if they have to walk across the street to go to
517 the beach. Why is Plantation Resort so important that we don't want those people to walk across the
518 street? I can't believe that you continue to let this bus, one at a time, come into our parking lot down
519 there and disrupt things. My other real hard beef is Mr. Cramer; not a resident of town. In my
520 recollection, for the last four or five years he's come to two council meetings. One was to get drinking on
521 the pier, which the past council passed. Now, he comes in and all of a sudden someone died and he was
522 made king. He's not here tonight. He wasn't at the last meeting. Who is he to have this much power to
523 not live in town? Thank you, that's all."

524
525 "John Ard, 612 Cypress Drive, Surfside. (**) Mr. Mayor and council, and the citizens of Surfside
526 Beach, I think there's a lot of people aware that this past Thursday a week ago that we had a very
527 unfortunate accident in my family. It involved my 14 year old grandson. As he was going down the
528 hallway of the house, we still don't know what happened yet; he either tripped and passed out, stuck his
529 head through a sheetrock wall and hit a stud. He's got the indenture of a stud right here (*pointed to head*)
530 in his head. Needless to say, cracked his neck and he crushed his C-7 vertebra and he messed his spine
531 up a little bit. They sent him right straight over to Charleston MUSC and we had to operate on that child
532 the next morning, and I'd like to thank all the members of council, and the mayor and the town for all of
533 your prayers and all of your thoughts during this period of time for us. It has meant a great deal to our
534 family. I can't say too much about some other things, but it was a very unfortunate situation that
535 occurred. I've been asked a lot of questions about it and I cannot respond to them, but the appropriate
536 action will be taken. It's gone be handled in a timely manner, and it's gone be handled in the right way,
537 cause I don't take nothing sitting down, as you well know, and I don't appreciate seeing my family
538 subjected to the humiliation they were subjected to, and that's just as far as I'm going with that tonight,
539 and a, thank all of y'all. We appreciate it very much for all of your concern and everything, and I don't let
540 matters lay. I don't play around, and I don't waste time and I'm not going to. Whatever happens will
541 happen. So, I do thank all of you very much."

542
543 **10. COUNCIL COMMENTS.**

544 Mr. Johnson, "Mr. Mayor, I have no comments."

545
546 Ms. Dodge, "I think I've said everything I was going to say. I don't have any comments. Thank
547 you."

548
549 Mr. Smith, "To speed it up, no comments."

550
551 Ms. Mabry, "Please get behind the historical board. We need you."

552
553 Mr. Stevens, "I want to thank all the folks for coming out tonight. It's good to see a good crowd.
554 I'm not gone tie you up any longer. You need to go home, just like I do. I got a, and I wanted to tell Mr.
555

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

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

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

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

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

572 **11. ADJOURNMENT.**

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

575 Respectfully submitted, /

576 _____
577 Debra E. Herrmann, CMC, Town Clerk

578 Approved: August 14, 2012

579 _____
580 Douglas F. Samples, Mayor

581 _____
582 Mary Beth Mabry, Mayor Pro Tempore

583 _____
584 Ann Dodge, Town Council

585 _____
586 Mark L. Johnson, Town Council

587 _____
588 Roderick E. Smith, Town Council

589 _____
590 Randle M. Stevens, Town Council

591 _____
592 Vacant Seat

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

State of South Carolina)
County of Horry)
Town of Surfside Beach) *Accommodations Tax Advisory Committee*

Resolution of the

Funding Request

WHEREAS, the Accommodations Tax Advisory Committee met on July 16, 2012; and

WHEREAS, the Accommodations Tax Advisory Committee after due deliberation approved by motion a recommendation to the Town Council of the Town of Surfside Beach, a funding request for Five Thousand and No/100 (\$5,000.00) Dollars to the Guy Daniels Foundation for the purpose advertising and promoting the upcoming Guy Daniels Memorial Surf-Off; and

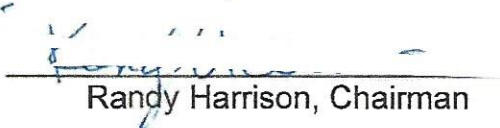
WHEREAS, the Guy Daniels Foundation agreed to prominently display the town's name and logo in its advertising for said event; and

WHEREAS, the Accommodations Tax Fund has a balance of approximately \$6,500 that is undesignated from which this request could be funded,

NOW, THEREFORE, BE IT RESOLVED, that the Accommodations Tax Committee for the Town of Surfside Beach in consideration of the stated considerations, hereby recommends to the Town Council of the Town of Surfside Beach to approve the funding of Five Thousand and no/100 (\$5,000.00) Dollars to the Guy Daniels Foundation to use for advertising the event.


BE IT SO RESOLVED.

Signed, sealed and adopted this 16th day of July, 2012.



Randy Harrison, Chairman

Attest:



Debra E. Herrmann, CMC, Town Clerk