



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

**Town Council Finance Subcommittee Meeting, Thursday, September 27, 2012 at 3:00 p.m. in Town Hall.**

**Hazardous Waste and Electronics Collection at Public Works for Town Residents September 28, 29, and 30, 2012. Drop off items at Surfside Beach Public Works Facility, 740 Sandy Lane from 9 a.m. to 1 p.m. For more information, call 843.913.6360**

# **TOWN COUNCIL REGULAR MEETING COUNCIL CHAMBERS TUESDAY, SEPTEMBER 25, 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 Marty Parker, Glens Bay Baptist Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** –
  - A. Regular Meeting September 10, 2012
  - B. Special Meeting August 31, 2012
  - C. Special Meeting September 12, 2012
  - D. Special Meeting September 18, 2012
5. **PUBLIC COMMENTS** – 3-minutes per speaker
6. **COMMUNICATIONS**
  - A. Employee Recognition - Chris Bolster, 5-Year Service Award
  - B. Proclamation #12-76, World Day of Bullying Prevention, Patrick Kohlmann, Teen Ambassador
  - C. Department Reports
    - i. Finance
    - ii. Recreation
    - iii. Public Works
  - D. Administrator's Report – Update on Current Events

7. **BUSINESS**

- A. Second Reading Ordinance No. 12-0726, Amend §4-20.2 Classification and Rates, One-Time Project by Out of Town Contractors
- B. Second Reading Ordinance No. 12-0728, Amend Chapter 3, §§302 & 032.4 International Property Maintenance Codes – Maximum Weed Heights
- C. Recreation/Special Events Committee Appointment (1) (Deferred until after Executive Session)

8. **DISCUSSION**

- A. Resolution #00-012, Supporting Greater Burgess Community Association, Mayor Pro Tem Mabry, and Councilmembers Smith and Stevens
- B. Resolution #12-112, Request Status of Southern Evacuation Lifeline, Councilmember Smith
- C. Establish a Town Policy to address Tasking and Communication with the New Town Attorney on all Legal Matters, Councilmember Stevens
- D. Any matters of concern or information to be discussed by Town Council.

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

10. **COUNCIL COMMENTS**

11. **EXECUTIVE SESSION**

Pursuant to FOIA §30-4-70(a)(1) to consider an appointment to the Recreation/Special Events Committee. Volunteers are Pat Barnett and Mariann Croll.

12. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
SEPTEMBER 25, 2012 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

1  
2  
3  
4  
5  
6  
7 **1. CALL TO ORDER.**

8  
9 Mayor Samples called the meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore  
10 Mabry, and Councilmembers Dodge, Kohlmann, Smith, and Stevens were in attendance. Mayor  
11 Samples said that Councilmember Johnson was absent on a well-deserved vacation. A quorum was  
12 present. Staff present: Town Administrator Fellner; Public Works Director Adair, and Treasurer Hursey.  
13 Also present: Town Attorney Moss, and Town Clerk Herrmann.

14  
15 Mayor Samples reminded everyone that District 5 Horry Councilmember Paul Price was holding a  
16 town hall meeting at the South Strand Recreation Center on Scipio Lane on October 1<sup>st</sup> at 6:30 p.m. The  
17 Fall Family Festival is Saturday, October 6, on Surfside Drive between 10:00 a.m. to 4:00 p.m.

18  
19 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

20  
21 Pastor Marty Parker, Glens Bay Baptist Church, gave the invocation. Mayor Samples led the  
22 Pledge of Allegiance.

23  
24 **3. AGENDA APPROVAL.**

25  
26 Mr. Smith moved to approve the agenda as presented. Ms. Dodge seconded. **All voted in**  
27 **favor. MOTION CARRIED.**

28  
29 **4. MINUTES APPROVAL.**

30  
31 Ms. Mabry moved to approve minutes for the September 10, 2012 regular meeting, August 31,  
32 2012 special meeting, September 12, 2012 special meeting, and September 18, 2012 special meeting as  
33 presented. Ms. Dodge seconded. Mr. Smith said that scrivener's errors were already corrected on the  
34 September 10<sup>th</sup> and 12<sup>th</sup> meeting minutes. All voted in favor. **MOTION CARRIED.**

35  
36 **5. PUBLIC COMMENTS – AGENDA ITEMS.**

37  
38 There were no public comments.

39  
40 **6. COMMUNICATIONS.**

41  
42 A. Employee Appreciation – Chris Bolster, 5 Years of Service. Mayor Samples thanked Mr.  
43 Bolster *in absentia* for his five years of service to the town and its citizens. Mr. Adair accepted the service  
44 plaque, anniversary pin, and service award check on Mr. Bolster's behalf.

45  
46 B. Proclamation #12-76, World Day of Bullying Prevention, Patrick Kohlmann Teen Ambassador.  
47 Mayor Samples presented the proclamation to Mr. Kohlmann and thanked him for his efforts to eliminate  
48 bullying.

49  
50 C. Department Reports

51  
52 i. Finance. Ms. Hursey presented the finance report, a copy of which is on file. Mayor Samples  
53 asked when the audit would be completed. Ms. Hursey said as long as the auditor does not have any  
54 delays, draft statements should be received within a few weeks, and a final presentation made during a  
55 meeting in November. Once the final is received, it can immediately be published on the website. Mayor

56 Samples asked what the \$80,000 expenditure in recreation funds was last year. Ms. Hursey explained  
57 that was the fire station land purchase that was subsequently transferred to the fire department.  
58

59 ii. Recreation. Ms. Fellner presented the recreation report for Ms. Ellis who was absent due to  
60 illness. A copy of the report is on file. Bonnie Phipps of Horry County Parks and Recreation checked  
61 with several different athletic associations and found there is no interest in purchasing the scoreboard.  
62 The Surfside Beach Youth Sports Association (the association,) the town's new booster club, expressed  
63 interest in installing the scoreboard at Martin Field to be used with possible future programs. Staff  
64 recommends allowing Pruitt Electric, the lowest bidder on previous similar jobs, to install the scoreboard  
65 at Martin Field at a cost of about \$2,400 using athletics funds. A 2-year warranty remains on the  
66 scoreboard. Costs include purchasing two steel poles to mount the scoreboard and will include new  
67 wiring to operate the board. Mayor Samples believed that would be the best use of the equipment at this  
68 time. Ms. Kohlmann did not believe that Martin Field would be utilized that often. Ms. Fellner reiterated  
69 that the association expressed interest in holding more programs there.  
70

71 Ms. Fellner said the booster club will be officially named the "Surfside Beach Youth Sports  
72 Association." The incorporation process has begun. The principals are waiting for a review by the town  
73 attorney of the bylaws; have already received a Federal identification number, and have opened a  
74 checking account. The association will operate the concession stand for the fall leagues with a limited  
75 menu. Mr. Seman, president of the association, said the group had been busy. Chick-Fil-A of Surfside  
76 and Donato's are helping with concession products. The parents are all very excited about the  
77 association and are making positive comments. This month the association will focus on coach's ethics  
78 to insure the coaches are accountable for their actions on the field, and how they conduct themselves  
79 with the children. Official scores are not kept for the t-ball, but he believed the association could use  
80 Martin Field to hold tournaments for adult leagues and travel teams that would use the scoreboard.  
81 Eventually the association would like to host a Dixie Youth tournament, which would require using all the  
82 town's fields. Mr. Seman said the incorporation documents must include language that is in the bylaws,  
83 and the association is anxious to get the attorney's review completed. Mayor Samples asked if Mr.  
84 Seman was authorized to speak for the group as its president. Mr. Seman said he was. Mayor Samples  
85 asked Mr. Moss to let the administrator know if there were issues that council needs to address, and to  
86 coordinate with Mr. Seman as soon as possible to complete the bylaws. Mr. Moss said he should be able  
87 to complete the bylaws for presentation at the October 9<sup>th</sup> meeting.  
88

89 Ms. Dodge asked whether staff could install the scoreboard. Mr. Adair said there is no electrician  
90 on staff. He found that the poles and concrete for the foundation cost \$1,800 when he was asked to price  
91 the job. If Pruitt only performs the electrical work, the price is \$1,000, so the \$2,400 quoted by Pruitt  
92 Electric to do the entire job is very good. Ms. Kohlmann wanted to know how prevalent vandalism is in  
93 that area. Mayor Samples asked council to defer the decision until the next meeting so Ms. Kohlmann's  
94 question can be answered, and the legal review will be completed on the bylaws. **COUNCIL**  
95 **CONCURRED.**  
96

97 iii. Public Works. Mr. Adair presented the public works report, a copy of which is on file. Ms.  
98 Kohlmann asked if the Moby carts at the rental units could be placed in rear yards, or underneath the  
99 houses. She believed leaving them in the front yard tilted-up created visual clutter and was a clue to  
100 burglars that the houses were vacant. She also asked why winter roll-out service only included the areas  
101 from 3<sup>rd</sup> Avenue North to 3<sup>rd</sup> Avenue South, Seaside, Ocean Boulevard, Yaupon and Dogwood Drives.  
102 Mr. Adair said there are about 200 winter roll-out accounts; he would bring more information to the town  
103 administrator for the next meeting. He said carts are left on the front lawns when there are cars in the  
104 garages. In the past claims were made that staff scratched vehicles when replacing Moby carts and the  
105 town was liable. Mayor Samples had seen yellow striping along Ocean Boulevard and asked if the 3<sup>rd</sup>  
106 Avenue South to 3<sup>rd</sup> Avenue North corners would be painted once the underground wiring work and  
107 repaving is completed. Mr. Adair said yes. Mayor Samples asked what could be done to improve the 6<sup>th</sup>  
108 Avenue South pond. Mr. Adair said the pond is too shallow to do much. Mayor Samples suggested that  
109 options be discussed at the budget retreat.  
110

111 C. Administrator's Report – Update on Current Events. Ms. Fellner presented the written report,  
112 a copy of which is on file. Mr. Smith asked how much had been spent to capture the coyotes. Ms.  
113 Fellner said about \$200 so far; however, no baiting fees have been paid yet. Mayor Samples asked if  
114 snares were used. Ms. Fellner said no; the liability is high, because pets and/or children might be  
115 accidentally snared. Mayor Samples said police officers have spotted the coyotes. Ms. Fellner said that  
116 was correct; it is believed that there are two adults and two youth. Mayor Samples believed the town has  
117 an obligation to remove the animals. Ms. Fellner understood and said it was a serious problem that  
118 would be dealt with. Mr. Fred Nash, 4<sup>th</sup> Avenue South, said a neighbor told him he watched a coyote  
119 jump over his fence to attack one of his dogs. It sounded cruel to remove the coyotes, but pets and  
120 children must be protected. Mayor Samples said the Department of Natural Resources had identified  
121 coyotes as a nuisance animal and instructed the administrator to spend the money previously authorized  
122 to get them removed. Mr. Stevens suggested using an archery club, if all other efforts fail. Mayor  
123 Samples said he would be willing to consider that option, if all else fails.

124  
125 Ms. Lynn Parker, vice chairman of the recreation/special events committee presented the  
126 following recommendations:

127  
128 1. Change 2012 Christmas parade route to line up on Melody Lane, travel north on Ocean  
129 Boulevard, turn west on Surfside Drive, turn south on Poplar Drive and disband at the Grand Theatre  
130 parking lot on 3<sup>rd</sup> Avenue South. After much deliberation, it was agreed that the lineup should be done on  
131 16<sup>th</sup> Avenue South, and the remainder of the route would be routed as presented. **COUNCIL**  
132 **CONCURRED.**

133  
134 2. Relocate the Huckabee marquee to the pier parking lot planter to help publicize town events,  
135 because residents and tourists frequent the area. Mayor Samples preferred asking the administrator to  
136 bring permanent signage recommendations up to \$20,000 for the pier area that council could consider.  
137 Several members agreed that the sign should be electronic. **COUNCIL CONCURRED.**

138  
139 3. Allow event banners to be hung on the lower portion of the town welcome signs. After  
140 deliberation, it was agreed that event banners could be hung over the lower portion of the town entrance  
141 welcome signs temporarily covering the Storm Ready Community and other designation signs.  
142 **COUNCIL CONCURRED.**

143  
144 4. Grant permission to close one-half of the pier parking lot for town events other than the July 4<sup>th</sup>  
145 celebration, specifically the Rotary race, Turkey Trot, Beach Music party, car show and End of Summer  
146 Celebration. Letters were sent to the five businesses adjacent to the pier parking lot asking if the parking  
147 lot closing would adversely affect their businesses; each one responded that they welcomed the events  
148 and actually saw increases in revenue during events. After deliberation, **COUNCIL CONCURRED.**

149  
150 Ms. Parker reported that the next recreation/special events committee meeting would be on  
151 October 11<sup>th</sup>, and the committee would love for the public to attend.

152  
153 **7. BUSINESS.**

154  
155 A. Second Reading Ordinance No. 12-0726, Amend §4-20.2 Classification and Rates, One-Time  
156 Project by Out of Town Contractors. Ms. Dodge moved to adopt second reading of Ordinance Number  
157 12-0726 as presented. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

158  
159 B. Second Reading Ordinance No. 12-0728, Amend Chapter 3, §302 & §302.4, International  
160 Property Maintenance Codes – Maximum Weed Heights. Ms. Dodge moved to adopt second reading of  
161 Ordinance Number 12-0728 as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

162  
163 C. Recreation/Special Events Committee Appointment (1) (Deferred until after Executive  
164 Session.)



167           **8. DISCUSSION.**  
168

169           A. Resolution #00-012, Supporting Greater Burgess Community Association, Mayor Pro Tem  
170 Mabry, and Councilmembers Smith and Stevens, **and** B. Resolution #12-112, Request Status of  
171 Southern Evacuation Lifeline, Councilmember Smith. Mr. Smith said council adopted a resolution in 2000  
172 supporting the Burgess Community's effort to get the process started for a southern evacuation route. In  
173 2007 council adopted another resolution supporting the effort. Now it is 2012; the link still has not been  
174 constructed. Mr. Thompson spoke to council a few meetings back, and he believed it would be  
175 appropriate for the town to make a strong statement that the road is needed. In 1954 Hurricane Hazel hit  
176 the town and then in 1989 Hurricane Hugo hit. That is 25-years between events; based on that history he  
177 believed the town should expect another big hurricane event in 2014. The road needs to be built so there  
178 is a safe way to evacuate. No one has been able to explain to him why the road has not been started.  
179 He suggested that a resolution be adopted to call on Horry County Council to send a representative to the  
180 town to explain the road status. Mr. Stevens agreed with Mr. Smith and said this issue needs to be  
181 resolved. He believed that the southern route was needed by the town, and it would be helpful to hear  
182 what county officials have to say about it, whether the delay was environmental or legal issues, so the  
183 town can plan for the future. Ms. Mabry said the south strand has begged for roads for 30 years and it  
184 seems that it is the last place roads are constructed. The answer would not be simple; funds were not  
185 readily available, but at the same time this was a real need. She believed council should begin asking  
186 questions; 25 years might pass before any roads are built, but the fact is that unless the council asks,  
187 nothing will happen. Mayor Samples shared the concern and believed there were well-funded sources  
188 that opposed that specific road. He suggested that the members posing the discussion work together to  
189 submit an updated resolution that will speak for the council to consider at the next meeting.  
190 Councilmembers and the public were again encouraged to attend the town hall meeting scheduled  
191 October 1<sup>st</sup>.  
192

193           C. Establish a Town Policy to address Tasking and Communication with the New Town Attorney  
194 on all Legal Matters, Councilmember Stevens. Mr. Stevens said attorneys charge by the hour in 15-  
195 minute increments, with scale payment for various staff. He believed it was to the best benefit of the  
196 taxpayers for town council to be good financial stewards by appointing the town administrator as the sole  
197 authorized staff member to contact the new law firm. If council needs legal advice, it should collectively  
198 meet to submit questions to the administrator and single written legal opinion be sent by the attorney with  
199 copies sent to councilmembers. When legal advice is needed during an executive session, he suggested  
200 holding executive session prior to the meeting so the attorney would only attend the executive session  
201 and not be required to sit through an entire meeting. When contracts are negotiated, a single copy  
202 should be submitted to the administrator who would distribute copies to the councilmembers, saving  
203 \$87.50 per event. Mr. Stevens believed a monthly log of all attorney or respective staff contacts should  
204 be kept. Ms. Dodge applauded Mr. Stevens' effort, which would save the town money. She believed the  
205 law firm would also appreciate the control and she supported his recommendations. Ms. Mabry said in  
206 principle the recommendations were great ideas; but, she did not believe it would be practical. It is time  
207 consuming to keep logs. Listing a five minute telephone conversation does not give an indication of the  
208 final costs, because staff does not know how long it will take the attorney to develop an opinion. She  
209 wondered if Ms. Fellner would have a better suggestion about how this should be handled with her staff.  
210 Mr. Smith believed Mr. Stevens has some good ideas, and suggested that the administrator develop a  
211 policy to insure records are kept and costs are controlled. Ms. Kohlmann agreed with Mr. Smith, saying  
212 that the monthly log is a guide and that the administrator might have recommendations that would work  
213 well for her. Mayor Samples also agreed with Mr. Smith. He appreciated Mr. Stevens' efforts in  
214 identifying a number of approaches. Council wants to be good stewards of financial resources, and a  
215 practical solution was needed. Council and staff need legal support to execute the laws adopted.  
216 Efficient, effective ways need to be identified to systematically enforce issues.  
217

218           D. Any matters of concern or information to be discussed by Town Council. Mr. Stevens said a  
219 citizen approached him about allowing participants at the senior center to visit the pier free of charge, and  
220 allowing its van to park free of charge. Mayor Samples believed that was a great recommendation and  
221 suggested that someone speak with the manager at the senior center to arrange the event. He said that  
222 every senior center in the county has a manager whose first priority is to ensure that nutritional needs are

223 met. Between transporting seniors to various appointments, van driver deliver meals to homebound  
224 seniors. If negative feedback was received at the center, Mr. Fontaine could be contacted. He wanted to  
225 see the senior citizen committee set up and then hear real recommendations from it.  
226

227 **9. PUBLIC COMMENTS.**  
228

229 "Glen Curtis, 257 Palladium. A hop, jump, and a skip over Sand [sic] Lane. In '79 I started the  
230 Vietnam Veterans of America on Staten Island. We built memorials. I went to a lot of committees, and I  
231 want to tell you that with you guys up there, with this new board, and the new Mayor, the way you get  
232 together, answer questions, and help your town, we appreciate it. Thank you." (applause)  
233

234 "Fred Nash, 618 4<sup>th</sup> Avenue South, Surfside. Mr. Mayor and Council. I have a question for public  
235 works. I want to know if there's gone a be any more sidewalks put in?" Mr. Adair said there is no money  
236 budgeted for sidewalks this year. Mr. Nash, "Also, I know my street is a state street, and I was told they  
237 would not put sidewalks in it and I would like to know why that's not possible." Mayor Samples said it was  
238 possible, but would require a different method, possibly through a Grand Strand Area Transportation  
239 Study type project. Mr. Nash, "Well, most of the streets south end right in my area have sidewalks."  
240 Mayor Samples said he was lucky. Mr. Nash, "(\*\*)" 4<sup>th</sup> Avenue don't." Mayor Samples said it sounded like  
241 a winter project and asked if that was how it used to be done. Mr. Nash, "Yes, sir. But I want to get it out  
242 now." Mayor Samples thanked him for his comment and said council would consider his question. Mr.  
243 Nash, "Well, I appreciate it and thank y'all very much."  
244

245 "Ron Ott, 7<sup>th</sup> Avenue North. It's a great idea to bring Surfside to the 21<sup>st</sup> Century, put an  
246 electronic sign up there. The one in Myrtle Beach looks terrific and we can do a lot of things with that,  
247 have words that change electronically, do everything you want. One of the signs I've been noticing, there  
248 seems to be new on the whole Grand Strand all the way from Little River up and down are the tractor  
249 trailer signs and a panel truck signs, is there a fight going on with them? (\*\*)" all over the place. Maybe  
250 we can just buy ourselves a tractor trailer and paint on there what we want instead of, but it's getting a  
251 little tacky. I think it is having these panel trucks up there, it's something you might see more of up there  
252 than down here. The next thing is, oh, yeah, the a public works director, he's, he's a cheapskate. He is.  
253 I know he is, he, he, he squeezes his budget. I know he does. I've been fighting these mosquitoes and  
254 know staff and stuff. Last year they were bad and this year they're even worse, and I called Ms. Saleem  
255 up and asked her when they spray and I've been waiting and looking for this person that sprays. Finally  
256 seen him come by last Friday and boy is he speeding by. I mean he ain't killing nothing unless he's after  
257 the coyotes. Cause he's not killing any of those. I'm gone ask Mr. Adair to, 7<sup>th</sup> Avenue Mr. Adair, make  
258 them go up and down. I can't take those mosquitoes anymore and maybe we should look into maybe not  
259 diluting it so much next year so I don't have to suffer through those mosquitoes, please. Thank you."  
260

261 "Okay. Wanda Burgess, 311 15<sup>th</sup> Avenue South. I don't have a sidewalk either, but that's okay.  
262 I've two things I want to bring up. Tourist season's over. Thank God their gone, most of them anyway,  
263 but we need to do a better job of informing the tourists that come down of the ordinances and the facilities  
264 that are available here. They don't know about the parks. They don't know where they're at. They don't  
265 know that they have playground equipment for their children. They don't know you can't smoke on the  
266 beach. I've probably told a dozen of them myself this year, hey, you know, it don't both me, but if you see  
267 a cop coming, get rid of it, okay. They need to know this stuff. They need to know about there's no fire  
268 works within the Town of Surfside Beach. My neighbor, who's owned their townhouse probably ten  
269 years, just found out this summer that you couldn't shoot off fireworks within the city limits, and that's only  
270 because I got tired of their nephews blowing firecrackers up in the parking lot. So we need to get this  
271 information out to rental agencies, the hotels, I mean we don't have but two hotels, and realtors.  
272 Whenever people are buying a property here in Surfside they need to know these rules so that, you know,  
273 people can comply. It's aggravating, you know when you've got one house down their blowing up  
274 fireworks in the middle of the night and you're trying to sleep. It's aggravating, and I'm not saying it's  
275 because they're trying just to be aggravating. But, if they don't know the rules, then I don't think they  
276 should be held accountable, but if they know the rules, then hold them accountable. Second thing, I've  
277 been hearing good comments about usage of the pier. Have any of you ever taken the time to go to  
278 Tybee Island, Georgia? You like their pier down there? I would love to suggest that town council and the

279 Mayor take a day trip to Tybee Island. Now if you want to make revenue in this town, and these are lousy  
280 pictures (*passed out pictures to councilmembers*), okay, because I printed them on regular paper on a dot  
281 matrix printer. It is a concrete pier (\*\*) picnic tables. It's got covered areas at the end of the pier, (\*\*)  
282 concessions revenue, (\*\*) gain from that plus they can look at Garden City pier. Stick a band out there on  
283 Friday and Saturday nights. We make some, we make some revenue on beer and mixed drink sales. I  
284 think we can quit charging people to go out on the pier. I mean it's a great thing for families to know  
285 about this stuff too when they come down. If we had something like that, and again those are lousy  
286 pictures, if I can get an email address, I'll email them to you. We could have a great facility for families,  
287 not just tourists, but families that are here all the time and would love to go there. You got an email, I'll  
288 email you the pictures or the town or whatever. I could email you the pictures." Mayor Samples gave his  
289 personal email address, and asked if the pier was entirely constructed of concrete. Ms. Burgess, "Yes,  
290 it's fantastic. Take a day trip. The whole town council should take a day trip and go there and see what  
291 they have to offer, and not just on the pier. I mean you've got swings set up, you know, on both sides of  
292 the pier. It would, I know it would cost a fortune." Mayor Samples, "It does, but I agree with you in the  
293 long run." Ms. Burgess, "In the long run..." (\*\*two speaking at once) Mayor Samples, "It would be nice if  
294 the town would position itself for when the next time that thing blows away, which it will, well, don't laugh.  
295 Don't laugh. Y'all know that's gone a happen, and to be in a position to put something out there, a  
296 permanent structure, In Clearwater, I'll just mention they have a lot of individual vendors, crafts, (\*\*) very  
297 entertaining, attracts a lot of people, very, very nice." Ms. Burgess, "You'll get the email tomorrow."  
298

299 "Tom Dodge, 14<sup>th</sup> Ave., 15<sup>th</sup> Avenue North. I forgot where I lived. Thank you for the scoreboard,  
300 almost. I'm gone a do something I'm not supposed to do, but I'm gone a do it anyhow, because people  
301 that know me know I'm a rebel, and I, my wife and I moved here in April of 1992. We have since  
302 purchased five houses in town. Each of our daughters and our son have purchased a house in town.  
303 That would be a total of eight, which means an awful lot of Surfside Beach taxes over 45 years between  
304 all of us. Five for our son, ten for each of our daughters and 20-plus for myself and myself, and my wife  
305 and myself. I guess that is where I come from when I suggest that our town department heads, most of  
306 whom do not live in the town, do not contribute one cent to the town coffers. Yet these same people as  
307 department heads spend our tax money as they wish. Therefore, I feel that because of those tax  
308 payments by me and my family over the last 45 years, I should be able to state my feelings in council  
309 meetings. What may be seen as negative to you may be constructive criticism to others. After our last  
310 council meeting, I expressed my thoughts to Mr. Adair and he completely agreed with me. No negativity  
311 there. Everything I say is fact. You (\*\*), you people may not want to hear it, but it is true nonetheless.  
312 After our last council meeting, our Mayor, who my family and I worked hard to get elected, called my wife  
313 into his office about my speaking at council meetings. This was like my school principal calling my  
314 mommy to his office and telling her to spank me for saying something he does not like. This is shameful.  
315 Thank you."  
316

317 "John Ard, 612 Cypress Drive, Surfside. On the business committee, I'd like to speak a little bit  
318 about that, if I may. I think this is a very good committee that Councilman Stevens came up with (\*\*) job.  
319 Have a lot of good people on that committee. I'd like to see it taken on step further, though if we could,  
320 and I don't see why it couldn't be. As y'all know, we've done lost a one, two, three businesses in town  
321 here in the last few months, so one of them retired, and the other two just, just couldn't make it any  
322 longer. We've had a new business come in town now. The North Carolina Ear Specialist used to be and  
323 it's called [Ears 2 Hear.] I was in there the other day talking to these folks. They didn't know a thing  
324 about this town. They came in here and opened this business up and didn't know a whole lot about this  
325 town. What I'd like to recommend is maybe the committee as a whole could see their way clear to get a  
326 couple of people to act as a welcoming, go talk to these people, welcoming them to this town. Let them  
327 know what's going on, and let them know about the bylaws, the ordinances, how tickled and thrilled we  
328 are to have them in this town, and I think that would go a long ways with the new businesses, because  
329 when they come in here like that, some of them ain't never been in Surfside before and they don't know,  
330 and I will, I just think that it would be a worthwhile venture for the town to do that, and I certainly would  
331 love to see that. Now, as for people speaking at council meetings, I know sometimes people will say well,  
332 what the heck do you think you doing. What are you talking about? Well, if I got something to say, I'm  
333 gone get up here and say it. I pay my taxes in this town. I live in this town. They gone probably bury me  
334 in this town. Maybe even on my front yard, I don't know (\*\*,) ain't made my mind up. But anybody has



335 the right as a citizen, no matter who don't like it, to get up and express their opinions, their feelings, or  
336 anything else at a council meeting. That's the way it's always been, and I just hope, gosh, that's the way  
337 it's always gone a be. I mean, we can criticize all we want to. It's our privilege, but it's their privilege to  
338 get up here and speak when they want to, also, whether it be good or whether it be bad, and a little  
339 criticism ain't never hurt nobody. If fact, it does a lot of good at times. So, y'all really kind of think about  
340 these things a little bit before you jump the gun on things, make sure what you're talking about. (\*\*)  
341 cause you know, you may be just be the next ones somebody jumps on. Thank you."

342  
343 "Hello, good evening. Ralph Magliette, 104 Harbor Lights. As a volunteer, I'm trying to work with  
344 the senior center to get a field trip together for them, and what the field trip would be would be to take the  
345 senior van from the senior center and three people who can drive to put a few seniors in their car and  
346 bring them to the pier for about a two hour excursion and then from probably 9:30 to 11:30 and then go  
347 back to the senior center for lunch and then have transportation home. The problem with the senior  
348 center and the pier is, unfortunately, some of the people who use the senior center are not citizens of  
349 Surfside Beach, so if they wanted to go on the pier, they would have to pay the one dollar fee, and many  
350 of the seniors who are there are really extremely low income and they don't have the dollar to go on the,  
351 on the pier, and for the last five or six years, I've talked to the director, they've never had a field trip to the  
352 pier for that one reason, and also because some of them are aged. Roger, who has a van, and would,  
353 I've talked to him about that, would be the person who would drop them off, and for liability reasons, he  
354 would need stay close to the group and be with the group when they're on the pier, so the problem is  
355 easily solved. It's a two step problem. The first problem is the nonresidents, they would need an  
356 exemption."

357  
358 Mayor Samples stopped Mr. Magliette and asked council for consensus to waive the fee for a  
359 senior's field trip for the Surfside Beach Senior Center. Mr. Smith supported the waiver, but said the  
360 event must be an official field trip by the senior committee. Mayor Samples said the senior committee has  
361 not been appointed yet; volunteers would be presented at the next council meeting.

362  
363 Mr. Magliette, "Okay, and so then, the other thing that we would need to do, Roger who has the  
364 van, which I'm coordinating with Jackie Willis would want to know if there a possibility that he could park  
365 the van close to the pier so that the walk, walking distance that the seniors would have to make from the  
366 ramp to the pier could be reduced and that there was a place close by that they could park it for those two  
367 hours. This is not something that's gone a, and I , I, I don't know all the logistics, but this is not something  
368 that's gone a happen every month. This is something that maybe would happen two or three times a  
369 year. It's a field trip. It's also an experimental thing..." Mayor Samples interrupted saying he wanted to  
370 do the right thing. He asked whether the pier should be fully Americans with Disabilities (ADA) standards  
371 compliant before any events. (*Several people speaking at once.*)

372  
373 Ms. Kohlmann called *point of order* saying that it inappropriate to interrupt or engage speakers  
374 during public comments. Mayor Samples said point taken and apologized.

375  
376 Mr. Magliette, "Okay. I'm new to town, it's fine, you know. My job is to try to help people. I have  
377 my mission work that I try to do; this is part of my mission work. I'm not trying to be political. I'm trying to  
378 help seniors; trying to help people. That's the bottom line, so I want to be clear about that. So, the thing  
379 about it is, is that whether it's AD [sic] compliant or not, I work with Jackie there. We've had a talk with  
380 the seniors, would you like to go to the pier. The vast majority of them would love to go to the pier. In  
381 fact, the ones that have been here for three or four years, they've never been to the pier. So this is the  
382 first time we're trying to do something to bring these people out of the senior center and basically go into  
383 the community. We already did that with the, the a, with the library. They have the senior movie at 9:30  
384 once a month to bring those seniors out to the library. They have a film and we've got some of them to  
385 get library cards and Roger runs the van so now since some of those seniors like it so if anyone wants to  
386 go to library from the center can use that. So we're trying to coordinate these services. So it would really  
387 be nice if we were able to do this for the seniors and they would like to go now. They don't want to wait  
388 two or three months. I don't know how long it's gone a take to be ADA compliant, and maybe the  
389 administrator needs to talk to Jackie who's the office manager of this facility. I know they have liability  
390 and we've talked about...I'm just trying to get whatever needs to be done, done as a facilitator of it, and

391 then if there is a liability, I don't know about liability, but I know with the seniors that I've spoken to they'd  
392 like to go to the pier sooner than later. Thank you very much."  
393

394 "Hello, thanks. I'll be quick. Mrs. Magliette, 104 Harbor Lights. And I was just thinking it's all a  
395 good thing what my husband's trying to do, and it's a good thing what you're trying to do to protect the  
396 township as far as liability goes. I'm thinking two quick things. One, all of the senior citizens are not like  
397 infirmed. I mean there's quite a few of them that can walk around real good, as good and me and you, so  
398 that is not a real, real burden like, like a lot of times I think of seniors in wheelchairs and stuff and falling  
399 out of their wheelchairs, and but, but they're a good bunch. They're hearty and they can walk. The  
400 second thing is maybe we can have them sign a waiver that, God forbid, if you fall, you know, and if you  
401 think you're gone a fall, you know, that the township is not responsible for that. I mean waivers come in  
402 handy sometimes when you're gone a be here, but you know, it's, it's on you if you can walk or if, God  
403 forbid, you fall, and that way maybe you could protect yourself with a good waiver, and maybe that way  
404 they can spend an hour or two on the pier, you know. It's not real likely that they're gone a go there and  
405 fall, but that way you have something signed and a legal. Thank you. One more thing, I love this town.  
406 It's the best place I ever lived. Thank you."  
407

408 **10. COUNCIL COMMENTS.**  
409

410 Ms. Mabry, "Thank everyone, of course, for coming out. I do appreciate everyone's comments. I  
411 am working on something about education and communication. I'm doing a lot of research. I have found  
412 that we have a lot of ways that we can get information out to our citizens, the internet, and now we're  
413 gone a have a newspaper. We do it by print, there's just a lot of ways that we do it. However, we have to  
414 be able to communicate how do you get the information. It's not just enough for us to have it. You don't  
415 know how to get it, it's not doing you any good. So I am working on something with Ms. Fellner so that,  
416 that everyone knows that they can get all the information that we get in a timely fashion that they can  
417 have these blast emails on all the events that are going on, the package that, the council package, so we  
418 are working together to make sure everyone gets all the information they want as easily as we can get it  
419 now that we've got the newsletter, those that don't like computer work, they're gone a get some  
420 information that way. So we are working together to make sure that we communicate different ways that  
421 you can all the information that you want about your town. So, I hope we will get done maybe at the next  
422 meeting."  
423

424 Mr. Smith, "I'd like to thank the rec [sic] committee for their report and their recommendations,  
425 and a, Ms. Wanda Burgess, I too have a problem with the fact that the tourists don't know the rules. One  
426 of the rules [that] is currently bugging me is the fact that, seems like the snowbirds, the people who come  
427 down this time of year and stay for the winter, don't understand the rule about cleaning up after your pet.  
428 That becomes a real issue during the winter. For some reason during the summer when we have  
429 hundreds of thousands of people during the summertime, they clean up after their pets, but the snowbirds  
430 forget, and so I do feel like we need some way of helping the tourists and the snowbirds understand the  
431 rules of the town."  
432

433 Mr. Stevens, "Thank you, Mr. Mayor. I was sitting down at my computer and I looked at, I looked  
434 up the Constitution. It says, 'We the people of the United States in order to form a more perfect union,  
435 establish justice, insure domestic tranquility, provide for the common defense, promote the general  
436 welfare and secure the blessings of liberty to ourselves and our prosperity do ordain and establish this  
437 Constitution of the United States.' That being said, I thought about when I was elected and we took an  
438 oath of office. The second paragraph said 'I will to the best of my ability discharge the duties thereof, and  
439 preserve and protect and defend the Constitution of this State and the United States.' Those words are  
440 very important. We have to protect every person's constitutional right. People get up here and they  
441 make a lot of public comments. (\*\*) criticize them, some can be craziness, but the fact is every person  
442 deserves that privilege. It's also in the State Constitution, Section 2. Freedom of speech, or the press or  
443 the right to allow people to peacefully assemble as you have done here, and to petition the government or  
444 any department thereof for a redress of grievances. So we, we need to remember as a body that you  
445 have those rights. In closing, I want to thank Mr. John Ard for his comment about the welcome  
446 committee. That's one of the things that we've already discussed. I discussed that, and I want to also

447 thank Mr. Ralph Magliette and I want the seniors to thank him, because he's not a senior yet. But, he  
448 sure cares about the seniors. I think that he'll, he's applied to the senior citizens committee and I think  
449 he'll make a good person on that committee. I want to thank all the folks for coming out. I'm glad y'all are  
450 here. Remember, we serve you. You put us in office, and you're the people that we have the obligation  
451 to help and do the right thing for. Thank you."

452  
453 Ms. Dodge, "I only have five pages...y'all ready? (*laughter*) I just wanted to say thank you to  
454 those citizens who get up at our meetings and speak out stating their opinions and their concerns,  
455 because I believe that's what they're doing. They're not criticizing us. They are pointing out problems  
456 that they see in the town. So I look upon it as something good rather than negative. If we're doing  
457 something right, I would assume the opinions would be good, and if we're doing something wrong, we  
458 need to know about that. I was gone a say we do prefer the positive, but the negatives tell us where  
459 we're falling short on our duties on behalf of all the citizens. Sometimes we fall short a lot. Sometimes  
460 we do really well, and I really like doing really well. I don't ever want to see us squelch citizens speaking  
461 out. First, it's an infringement on free speech, and it does not give a good feeling about our town, I don't  
462 think. I'm proud of Surfside Beach. I'm proud that you put me here. I hope to do a good job. Your  
463 comments help to do that, and I thank you very much."

464  
465 Ms. Kohlmann, "I would like to thank the Mayor and the Council for supporting Patrick in his anti-  
466 bully efforts. He works very hard at what he does, and of course, we're very proud of him, but I think it's  
467 real important that every community, I've always said community and family is what is really bringing up  
468 the children, and they're gone a be the future. They could be sitting up here one day. So, I just want to  
469 thank everybody very much for that support."

470  
471 Mayor Samples, "I want to clarify something, okay. Nobody's constitutional rights are being  
472 infringed. Now I do want to tell you that I had a meeting with a couple councilmembers following last  
473 meeting, because I was very concerned about the tone and what I viewed as emotion. It was confusing  
474 messages that this council was receiving. There's no question, I felt I had an obligation as the mayor of  
475 this town and a member of this body, the most senior member of this body, to try to express to the  
476 members that while this is certainly a public body, and certainly everybody has their First Amendment  
477 Constitutional rights to get up and express themselves that I felt that it put the body, the town council, in  
478 an awkward position when some of the talk was very confusing, certainly to me and to others, because  
479 we were getting no feedback from any member who sits up on this council, and we're all adults and we  
480 know that two members, and I think that everybody should get up at every meeting if they want to and  
481 express themselves, but please, if none of the rest of the council is responding, and somebody's spouse  
482 is speaking and they're not responding, then how in the heck can the rest of council respond..."

483  
484 Ms. Kohlmann called *point of order* stating that the mayor was speaking about public comments;  
485 council does not respond during public comments.

486  
487 Mayor Samples, "But we do have council comments subsequent to it and we have meetings twice  
488 a month, as a matter of fact where as I indicated to the members that I was speaking with, the way that  
489 this body operates, because we are a council form of government, is that we, this council by majority, by  
490 majority takes actions, okay. By majority, that means that a vote must be taken, a resolution must be  
491 made, or a consensus may be taken. So all I'm suggesting if there are these what I view is emotional,  
492 frankly, kind of outburst, or whatever, whatever that was disruptive to the process, and I don't believe  
493 shared by the majority of the people who live in town, quite frankly, and I thought were negative, and I  
494 expressed them as such privately to a couple of my members, because I felt I had an obligation to do  
495 that, if it's misunderstood as me stepping on First Amendment Constitutional rights, it just ain't so,  
496 because I will never do that. But what I will try to encourage members, both of council and of the public,  
497 is to think in a manner where you can express something that we can actually as a body, as a legislative  
498 body, do something about. We aren't here to, to make you feel good. We are only a legislative council  
499 for the Town of Surfside Beach, and frankly, I believe we are addressing the priorities that this town has.  
500 Now does it mean that we don't make mistakes? I would never say that. Does it mean that staff isn't  
501 human? I would never say that. But by golly, I think, I know you're getting more dollar for your buck than



502 you would almost anywhere that I have ever lived, and if you don't believe it, pay your \$25, get up,  
503 organize, and run. And, that's all I have to say."  
504

505 11. **EXECUTIVE SESSION.** Pursuant to FOIA §30-4-70(a)(1) to consider an appointment to the  
506 Recreation/Special Events Committee. Volunteers are Pat Barnett and Mariann Croll.  
507

508 Mr. Smith moved to enter executive session at 8:52 p.m. Ms. Mabry seconded. All voted in  
509 favor. **MOTION CARRIED.**  
510

511 Mr. Smith moved to reconvene regular session at 9:00 p.m. Ms. Mabry seconded. All voted in  
512 favor. **MOTION CARRIED.**  
513

514 Mayor Samples stated that no action was taken during executive session.  
515

516 Mr. Stevens moved to appoint Pat Barnett to the recreation/special events committee. Ms.  
517 Kohlmann seconded. All voted in favor. **MOTION CARRIED.**  
518

519 Mayor Samples reminded everyone of the Grand Strand Area Transportation Study meeting at  
520 9:00 a.m. on Wednesday at Inlet Affairs. He hoped everyone would attend.  
521

522 12. **ADJOURNMENT.**  
523

524 Mr. Smith moved to adjourn the meeting at 9:01 p.m. Ms. Dodge seconded. All voted in favor.  
525 **MOTION CARRIED.**  
526

527 Respectfully submitted,  
528

529 \_\_\_\_\_  
530 Debra E. Herrmann, CMC, Town Clerk  
531

532 Approved: October 9, 2012  
533

534 \_\_\_\_\_  
535 Douglas F. Samples, Mayor  
536

537 \_\_\_\_\_  
538 Mary Beth Mabry, Mayor Pro Tempore  
539

540 \_\_\_\_\_  
541 Ann Dodge, Town Clerk  
542

543 \_\_\_\_\_  
544 Mark L. Johnson, Town Council  
545

546 \_\_\_\_\_  
547 Elizabeth A. Kohlmann, Town Council  
548

549 \_\_\_\_\_  
550 Roderick E. Smith, Town Council  
551

552 \_\_\_\_\_  
553 Randle M. Stevens, Town Council  
554

555 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann in  
556 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  
557 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on  
558 the Town marquee. When (\*\*) is used a section of the transcription is inaudible. Public Comments and Council Comments are transcribed verbatim  
559 without grammar corrections. When used, staff members' given names are replaced with surnames.  
560  
561