



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
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PUBLIC NOTICE - Tuesday, December 10, PUBLIC HEARING at 5:30 p.m. Pursuant to §6-1-330 to hear comments from the public on the proposed Planning, Building and Zoning fee increases.

PUBLIC NOTICE: Pursuant to Town Code §2-36 there is only one Town Council Meeting in December, which will be held on the second Tuesday, December 10th at 6:30 p.m.

**SURFSIDE BEACH TOWN COUNCIL
REGULAR MEETING AGENDA
COUNCIL CHAMBERS
TUESDAY, NOVEMBER 26, 2013 ♦ 6:30 P.M.**

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Missionary Jack Narvel, Youth with a Mission
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting November 12, 2012
5. **PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
6. **COMMUNICATIONS**
 - A. Employee Recognition, James Behrens, 5 years
 - B. Department Reports
 - i. Finance
 - ii. Recreation
 - iii. Public Works
 - C. Administrator’s Report - Update on Current Events
7. **BUSINESS**
 - A. Second Readings of Ordinances
 - i. #13-0764 to amend §§13-52, 13-57,13-60 & 13-61 Planning, Building and Zoning Fees, Director Morris
 - ii. #13-0768 to amend Flood Ordinance, Director Morris
 - B. Surfside Pier Roofing Bid Award, Administrator Fellner
8. **DISCUSSION** – Any matters of concern or information to be discussed by Town Council.
9. **PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
10. **COUNCIL COMMENTS**
11. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 12, 2013 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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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, Johnson, Kohlmann, Smith, and Stevens were in attendance. A
11 quorum was present. Others present: Town Administrator Fellner; Planning Director Morris; Fire Chief
12 Cimini; Police Captain Miller; Public Works Director Adair, and Town Clerk Herrmann.

13
14 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

15
16 Father Ron Greiser from Church of the Resurrection was unable to attend. Councilmember
17 Johnson gave the invocation. Mayor Samples lead the Pledge.

18
19 **3. PUBLIC HEARING.**

20
21 Pursuant to SC Code §6-29-520 Mayor Samples declared the hearing open at 6:31 p.m. for the
22 purpose of hearing public comments about the draft 2012-2022 Comprehensive Plan that is required to
23 be adopted pursuant to §6-29-530.

24
25 "Ralph Magliette, Harbor Lights Drive. Very quickly, when I had a chance to look through the, the
26 comprehensive plan, on part two, other services and facilities, I noticed that the South Strand Senior
27 Center was not listed as a facility. We list the public library, which is run by the county, but we don't list
28 the county South Strand Senior Center, so I'd like that to be included in the list for the comprehensive
29 plan. Thank you."

30
31 Mayor Samples said that was a good suggestion, and called for other comments. There were
32 none, so Mayor Samples closed the public hearing at 6:33 p.m.

33
34 **4. AGENDA APPROVAL.**

35
36 Ms. Kohlmann moved to approve the agenda with amendments that that council enter into
37 executive session to meet with the town attorney immediately; that Business Item B. i. first reading of
38 Ordinance #13-0766 to allow docks on town lakes be deferred, and that Business Item A. i. second
39 reading of Ordinance #13-0864 be moved to Business Item B, first readings of ordinance. Mr. Smith
40 seconded. All voted in favor. **MOTION CARRIED.**

41
42 Mr. Smith moved to enter executive session at 6:34 p.m. Ms. Mabry seconded. All voted in
43 favor. **MOTION CARRIED.**

44
45 Ms. Dodge moved to reconvene regular session at 7:07 p.m. Mr. Stevens Seconded. All voted in
46 favor. **MOTION CARRIED.**

47
48 Mayor Samples said no action was taken during executive session.

49
50 **5. MINUTES APPROVAL.**

51
52 Mr. Stevens moved to approve the minutes of the October 22, 2013 workshop as submitted. Mr.
53 Johnson seconded. All voted in favor. **MOTION CARRIED.**

54
55 Mr. Stevens moved to approve the minutes of the October 22, 2013 regular meeting as
56 submitted. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

57 **6. PUBLIC COMMENTS – Agenda Items (3 minutes.)**
58

59 “Ralph Magliette, Harbor Lights Drive. I’m here as the director at-large for the Harbor Lights
60 HOA, and I’d like some clarification, please. We’re gonna have second reading of Ordinance 13-0765 to
61 accept Harbor Lights roads into the town road system, and I have a question. I have read the minutes
62 from the previous meeting and there was discussion that the town was going to take over the cost of the
63 street lights, and there was some conversation going back and forth. I don’t know if I understand it
64 correctly, but we have decorative street lights, and that if damage was done, hit and run damage was
65 done to one of our street lights there would be an additional fee that the HOA would have to pay for,
66 because it wasn’t a standard pole hanging street light, and my question is, since I walk around the town, I
67 see decorative street lights on Ocean Boulevard and Surfside Drive and the pier, so my question is if
68 those street lights are provided for the, by the Town of Surfside Beach, why would we have to be
69 assessed an additional amount, if, God forbid, one of our street lights was knocked down than the
70 standard fee, and the second question that I had, talking to, about the bill that we have from Santee
71 Cooper. We lease our street lights, and if they’re damaged, the lease covers repair and replacement.
72 There’s no additional fee beyond the lease that we pay for, so I’m just looking for clarification on those
73 two points before final adoption of the, that ordinance, please. That’s all I have. Thank you.”
74

75 “Hi. My name is Ron Whitcomb, 103 Harbor Lights Drive. First of all, thank you for letting me
76 speak, and thank you also for visiting again the situation on the docks on the lakes. I’m really happy to
77 hear that that’s being brought up again. One thing about it is, most of the people that I’ve spoken to that,
78 that are in favor of having a dock are not really looking for anything too huge. So, I, I, I just ask that
79 maybe this isn’t over-thought too much. We’re not looking to dock the *Queen Mary* or anything on any of
80 these; just small docks are what most people are really looking for, and also as far as the way we feel
81 about it, I think, is it’s a personal freedom kind of thing. This is, I’m big on that, and it’s one of the reasons
82 I moved to South Carolina, which is one of the leading personal freedom states in this country, and it just,
83 it’s being able to use the lake a little more by having a little dock is just something that many of us would,
84 would like the ability to do. I understand there’s people that are against this and there’s people that are
85 for it. The people, I believe, that are against it, they don’t want a dock and they don’t want anybody else
86 to have a dock. They want no docks. I would ask the town that if you do decide to give us docks, we’d
87 like them to have their personal freedom. We don’t think they should be required to put in docks just
88 because we want docks. So, that’s pretty much it. Appreciate your thoughts on it. Thank you very
89 much.”
90

91 “Mr. Mayor, Council. Good evening. Shelby Smith, Cedar Drive North, Surfside. I wanted to talk
92 briefly about exercise. In the recent senior survey, the top two things on that survey, number one was
93 walking, number two was exercise, gym workout. So, as a member of the senior...”
94

95 Mayor Samples interrupted asking which item the discussion related to on the agenda.
96

97 Mr. Smith: “D. Recommendations from the Senior Committee. So, exercise is very popular, and
98 it’s good for all, and especially seniors. This year, I turned 70, and I’ve had the opportunity over the last
99 45 years to be in the world’s most highly recognized study of aging at Johns Hopkins University. Every
100 three years I would go up there for a three day, full hospitalization, and from 6 a.m. to 6 p.m. it’s full
101 testing all areas of the body, and it’s a longitudinal study of aging, and exercise is the key thing for
102 seniors. I recently wrote an article, and, for a national golf foundation, and in this article I make reference
103 to this national institute of aging, and it’s a long name, and I always have trouble remembering it, National
104 Institute on Aging Advance Studies and Translational Research on Aging, and the aging realities are
105 consistent with these findings from this group. Adults on the average lose about 10-percent of their body
106 strength by age 40, and then another 12- to 18-percent by age 65. Into the 70s, 80s, and 90s, physical
107 activities and exercise helps stabilize the strength and muscle loss to 8- to 10-percent per decade. So,
108 aging is a great accomplishment in life. I always like the, up at the Grand Strand Regional [Hospital], you
109 go in the rehab center, and the little sign there said it’s a privilege; aging is a privilege unfortunately,
110 denied to many. So, we’re in Surfside Beach, and the seniors recreation and exercise is popular, so we
111 have a recommendation coming for individual exercise stations down at [the] passive park. There’re,

112 there are three down there now, and there's a grant that would allow for 80-percent of the cost of these
113 units to be taken care of (*time ended*) by the grant. So, I'm recommending that we take a look at this. It's
114 a beautiful park."

115
116 Mayor Samples said thank you, time had ended.

117
118 Mr. Smith continued, "(**)" simplicity of it, and the cost is \$1,500."

119
120 Mayor Samples said thank you again, the point was well-made.

121
122 "Good evening. Ron Ott, 7th Avenue North. I'm surprised to hear that we have a section with
123 decorative lights and the town wouldn't support it. I, I see other decorative lights in other spots, too. I'm
124 sure the Town Council approved this. I think we could dig a little deeper and take care of that community.
125 It's a beautiful community, take care of the lights in there, and the senior citizens recommendations, if you
126 look around there's, we're full of senior citizens, aren't we. We have a lot of people (**), there's only two
127 or three people in here that don't fit that. I find that hard to imagine why we wouldn't be supporting a
128 senior citizen development. I don't know. We could all get together and play cards, bingo or something,
129 or arm wrestle. So, I, I hope you support the senior citizens center and everything about it, cause it is a
130 good thing, because I know I'm there. Thank you."

131
132 **7. COMMUNICATIONS.**

133
134 **A. Employee Recognition, James Behrens, 5 years.** Mayor Samples said that Mr. Behrens
135 could not attend this evening.

136
137 **B. Department Reports.**

138
139 **i. Fire.**

140
141 Chief Cimini presented the written report, a copy of which is on file. The department ran 70 calls
142 during October that included 7 fire runs; 39 medical calls; 2 hazardous conditions calls; 5 service calls; 6
143 good intent calls, and 11 false or accidental alarm calls. That was an increase of 23 calls over the same
144 period last year, most of which were service and medical calls. There was no dollar loss during the
145 month. There were five new volunteer applications pending background checks and committee
146 interviews. There were 104 fire prevention activities during the month; that number included Fire
147 Prevention Week. The first annual Fire Prevention Week open house was held October 12th. Over 500
148 children and adults visited the fire house. Chief Cimini thanked the Golden Egg Restaurant, Firehouse
149 Subs, A&I Fire and Water Restoration, and the SAFER (Surfside Area Fire and Emergency Responders)
150 who donated resources need to hold that event. He believed everyone that attended had a good time.
151 Career personnel and volunteers spent 483.45 hours in training; 408 hours were spent responding to
152 calls, including time spent at the Family Festival and the various fire prevention activities during October.
153 Captain Williams conducted required training to comply with standards, including a night drill that was
154 required by ISO (Insurance Service Organization.) Chief Cimini said he could not say how proud he was
155 of the volunteers who spent almost 850 man hours serving the town. During the past six months the
156 volunteer ranks have grown from 11 volunteers to 28 volunteers. The town's first junior firefighter was
157 going to be introduced by Captain Williams after this report. She was following her father's and brother's
158 example as they both were town volunteers. Thanks to Engineers Tom Zimpleman and Terry Grady, the
159 1920 Fire Pumper truck was repaired on their own time, and it will lead the town's Christmas parade.
160 SAFER provided finances for the repairs. Chief Keziah and he were still working on the volunteer
161 fire/police program. Some interest was expressed and Chief Cimini hoped to report progress next month.

162
163 Chief Cimini said he had 54 years in fire service, working in several communities. He has never
164 worked with staff that was as incredible as the Surfside Beach staff. Public works was asked to help get
165 the fire department get ready for fire prevention program. The fire station looked awesome; they did a
166 great job. He said all the departments worked together very well and were quick to help with events.

167
168 Captain Williams introduced Hailey Osiecki, the town's first junior fire fighter. (*Applause*) Ms.
169 Osiecki has done an outstanding job. She already completed CPR (Cardio Pulmonary Resuscitation),
170 first aid, and the required National Incident Management System (NIMS) classes. Hailey is well liked in
171 the fire department. Captain Williams said she is 15-years old; the program includes ages 15 through 18.
172 Next year, she will start the fire fighter classes in January, so she'll be the first female firefighter starting
173 as a junior fire fighter and moving through the ranks. Chief Cimini said Hailey already learned how to set
174 up the aerial, which demonstrates how energetic she is about learning the job. (*Applause*)
175

176 Ms. Kohlmann was touched by last paragraph in the report, but the Chief summed it up pretty
177 well. Being from a law enforcement background, she knew that fire and police departments did not
178 always see eye-to-eye. Chief Cimini had done a terrific job of blending the departments. It shows every
179 day in the town in the way men and women conduct themselves. She commended the police and fire
180 departments and staff saying they were all shining. She congratulated Hailey, and said she looked
181 forward to seeing her.
182

183 Ms. Mabry understood there were many very strict requirements to be a junior fire fighter,
184 including school grades. Chief Cimini said that was correct. Junior fire fighters were required to maintain
185 a "B" average. If they fail in doing so, the parents will notify the department. That was not punishment; it
186 was an effort to get the students help with their class work. The junior fire fighters are required to
187 participate in exercise and other programs. Captain Williams has done an outstanding job refining the
188 program so the department can attract young people that can grow in the ranks. The current average
189 age of fire fighters is 54.5 years, even though most never quit. A second female applicant wants to join,
190 which will create bonding opportunities with the female volunteer fire fighters. The program will help
191 guide the junior fire fighters as they grow and mature. The department provides education resources; the
192 computer in the library was where Hailey completed the NIMS 100, 200 and 700 classes that are required
193 for all staff, even councilmembers. It is good education, tunes computer skills, and some other things as
194 well. The whole process is not just teaching these young people to be fire fighters; they are being taught
195 responsibility, maturity, community respect and involvement.
196

197 Mr. Smith asked for a reminder about the Neighbors Savings Neighbors Program. Captain
198 Williams said the program will be held on Thursdays from 1:00 p.m. to 3:30 p.m. and from 7:00 p.m. to
199 10:00 p.m. The first session will be Thursday, November 14th; training will include CPR (Cardio
200 Pulmonary Resuscitation) and first aid. Information on identifying heart attacks and strokes will also be
201 presented. Chief Cimini added that the program is free to town residents, but there is a nominal fee for
202 nonresident participants.
203

204 **ii. Planning, Building & Zoning.**

205

206 Ms. Morris presented the written report, a copy of which is on file. The number of permits being
207 issued continues to increase with 166 permits issued in October 2013 compared to 104 in October 2012.
208 Two stormwater plans were reviewed and staff constantly removes signs from the rights-of-way. Staff
209 met with homeowners and contractors to consult about upcoming projects that were delayed until the
210 summer season ended. FEMA (Federal Emergency Management Agency) conducted the town's
211 community assistance visit. The assessment found no violations; staff has education above the standard
212 requirements and the town ordinances were being enforced. Amendments will be presented at this
213 meeting to the flood ordinance to comply with state code. Staff has worked very closely with the South
214 Carolina Flood Mitigation office to satisfy them that the ordinance complied with state code. The
215 department is due for the ISO (Insurance Service Organization) rating; two scheduled meetings were
216 cancelled due to conflict of the ISO coordinator. Staff is prepared whenever the coordinator notifies them.
217 Ms. Morris hoped the ISO rating would go down since all three planning, building and zoning department
218 staff members were now certified.
219

220 Mayor Samples asked with regard to the bigger waters legislation and the dramatic increase
221 coming in flood insurance premiums for second homeowners and investors, if it was feasible for the town

222 to strive to reduce the current CRS (Community Rating System) rating of 9, because there were discounts
223 with better ratings. Ms. Morris said staff was striving to get the rating lowered. There were two certified
224 flood plain managers now, and the permit technician and the building official are going to take certification
225 classes next year. Each certified staff member helps to lower the rating. The regional FEMA coordinator
226 recommended that staff evaluate the freeboard [*freeboard is the space between the FEMA required*
227 *construction level and the bottom of the structure*] that the town has, which is a foot above the FEMA
228 requirement. The town could go to two or three feet higher, because most construction already meets
229 that level. The town lots are so small that most construction is done so that parking is beneath the home.
230 Once a structure is over four feet, there is no additional discount. Staff will certainly consider advancing
231 the freeboard and bring a recommendation to Town Council at a later date. Mayor Samples said that
232 would definitely benefit the town.
233

234 Mr. Smith asked what the current height requirement was. Ms. Morris said it is one foot above
235 the FEMA required flood elevation. The AE zone requires at least 13 feet above mean sea level. Many
236 lots within the zone already meet the requirement, so if they build a three foot crawl space, there would
237 be an advantage insofar as flood insurance. In the V zone, the velocity zone, which is right on the water,
238 the requirement is right above the lowest horizontal member [*the lowest point on the bottom of the*
239 *structure*]. All of those properties meet that requirement, because they have parking beneath the
240 structures, so there is some savings in flood premiums. Staff would like to adjust the flood ordinance to
241 require the maximum freeboard.
242

243 **iii. Police**

244
245 Captain Miller presented the written report, a copy of which is on file. Even though the
246 department was busy, there was a 9-percent decrease in service calls with a corresponding decrease in
247 citations. Two full time police officer positions were filled. Jim Amundsen converted from part time to full
248 time status. Joey Mutto, a town resident who graduated from the Citizens Police Academy, filled the
249 second vacancy. Sergeant Bailey successfully completed driving instructor recertification, so he will be
250 instructing the officers in emergency vehicle operations. Chief Keziah, Lieutenant Hofmann, and
251 Sergeant Bailey attended the South Carolina Training Officers Conference held in Myrtle Beach.
252 Investigator Sliker and Corporal King attended marijuana analysis recertification classes that are required
253 for agencies that perform their own marijuana analysis testing. Sergeant Bailey attended fire arms
254 instructor recertification training at the South Carolina Criminal Justice Academy. All officers will
255 participate in fire arms training this month. All sworn personnel attended in-service training during
256 October that included policy reviews for use of force, which is required, practical training in vehicle
257 training, defensive tactics and taser recertification, which reduces the town's liability. The department
258 participated in the Surfside Beach Family Festival. Captain Miller and others were in the dunking booth
259 raising \$700 for South Carolina Special Olympics. Communications officers Christina Mueller and Christi
260 Norton graduated from the South Carolina Criminal Justice Academy three-week basic jail certification. In
261 addition to their certified dispatcher designations, they now hold certified detention officer certifications.
262 The certified detention officer certification will allow them to assist officers when female inmates are
263 brought into the station. Captain Miller said a phone call was received from a visitor whose vehicle broke
264 down during October. Sergeant Black stopped to assist and went the extra mile to get the individual
265 home. The individual called saying they were impressed to see an agency willing to help somebody
266 visiting the town. Captain Miller said they agreed. The department is sponsoring two programs in
267 December: (1) a town meeting will be held to discuss the town ordinances and enforcement, and (2) the
268 second program that might be incorporated into the town hall meeting will be called "Coffee with Cops"
269 will be a partnership with a local business to offer free coffee and pastries to the attendees and provide
270 another venue to have citizens interact with law enforcement. The surveillance camera system was 100-
271 percent operational. Staff was really impressed and happy with the cameras. He invited everyone,
272 including the public, to come view the system.
273

274 Mayor Samples said they were very proud of the department's work and efforts. Comments he
275 heard on the streets about the quick response times were terrific and he heard them often.
276

277 Ms. Kohlmann said, because she was sure that Chief Cimini wanted to, that they might want to
278 partner with Krispy Kreme Donuts for the Coffee with Cops! (*Laughter*) Chief Cimini said they needed to
279 serve pastries, not donuts. (*Laughter*)

280
281 **C. Administrator's Report – Update on Current Events.**

282
283 **i. Update on Current Events.**

284 Ms. Fellner reported that

- 285
286
- 287 • Surfside Beach magazine production was on schedule; advertising sales to date equal
288 approximately \$19,852
 - 289
 - 290 • Installation of the welcome sign at Melody Lane and US Highway 17 was completed
291
 - 292 • The CTC funds distributed for road paving was revenue derived from gas tax. An apportionment
293 of \$2.66/gallon gas state wide was collected by the Department of Revenue and deposited with
294 the County Transportation Fund in the State Treasury. Funds remain there until SCDOT (South
295 Carolina Department of Transportation) requests disbursement. Funds were not held in the
296 SCDOT account. Funds were apportioned based on
 - 297
 - 298 ○ 1/3 county land area to the total land area in the state
 - 299 ○ 1/3 of the ratio of the county population to the total population of the state
 - 300 ○ 1/3 of the ratio of rural road mileage in the county to the total rural road mileage in the
301 state
 - 302

303 The counties then disburse the funds for transportation improvements via an application process
304 according to need and municipal impact. The only caveat was that 25-percent of the total amount
305 of the funds disbursed by the county must be for state rural road improvements.

- 306
- 307 • An Excel spreadsheet was completed that includes all information including serial numbers,
308 meter numbers, and locations for each of the POM meters, so equipment can be easily tracked.
309 The town's parking equipment is segregated from other equipment as follows
 - 310
 - 311 ○ The nine pay stations are stored inside the parking pavilion garage. Each pay station has
312 its own serial number.
 - 313 ○ Each modem has its own IP (Internet Protocol) address, which is associated with each
314 pay station. These pay stations are DPT's newest versions, which are not utilized by
315 Myrtle Beach, so they not only look different, but all the parts only work in the town's pay
316 stations.
 - 317 ○ POM meters are also stored inside the parking pavilion garage and occupy three storage
318 racks. Each of these meters have their own number, which coincides with which street
319 they belong on, and have park mobile zone location numbers that are specific to Surfside
320 Beach. The inside of each meter has Surfside Beach's rates and hours of enforcement
321 listed on the mechanism.
 - 322 ○ The Duncan meters and bases that were used at the 13th Avenue South parking lot are
323 also stored on those shelves. They are the only Duncan meters on the property, so they
324 are clearly recognizable as Surfside Beach property. No parts are interchangeable with
325 any other meters.
 - 326 ○ The 30 IPS meters that were a trail run this year have been shipped back to IPS. If the
327 town chooses to purchase them for the 2014 season, they will send brand new meters.
 - 328
 - 329 • DDC Engineers has completed the specifications and plans for the 3rd Avenue Swash. The
330 public notice was published. She expected an early January bid letting, if the permit process with
331 both DHEC-OCRM (South Carolina Department of Health and Environmental Services –

Department of Ocean and Coastal Resource Management) and the US Army Corp of Engineers went smoothly.

- DHEC has issued the MS-4 NPDES (National Pollutant Discharge Elimination System) permit after completing numerous changes to the May draft. The changes were in anticipation of stricter rules by the EPA (Environmental Protection Agency.) It is currently under review to determine, what, if anything, will directly impact the town's stormwater program. Any changes, of course, would be presented the stormwater committee for recommendation to Town Council.
- The winter paving projects began this week. Letters were sent on November 4th to residents in the affected areas. The information was also posted on the town website. Paving will be done at 14th Avenue South from Dogwood Drive to Highway 17; Oak Drive North from 1st Avenue to Myrtle Drive, and 13th Avenue North from Ocean Boulevard to Cedar Drive North. Subject to weather delays, all of the paving projects should be completed in one week.
- The enhancements at Magnolia Lake on 16th Avenue North between Magnolia and Palmetto Drive were completed. The total project cost, including materials, but not including staff salary or fringe as the work was completed in-house, was \$2,546.24, which was well under the budgeted amount of \$5,000.
- The 6th Avenue South project to fill in the retention pond was almost complete. Cost to date is in last year's budget. There was \$3,375 to Earthworks Group for wetland permitting and surveying in the prior year's budget. Expenditures in this year's budget are \$2,720 to Earthworks for the contract, which included the site plans, the stormwater NOI (Notice of Intent) for DHEC, and the drawings, and also materials in the amount of \$3,217.35. Some special equipment had to be rented to complete this project.

ii. Consensus Item – Pier Open to Patrons during Winter Months.

Ms. Fellner asked Town Council for concurrence to keep the pier open for winter hours from December 1, 2013 through February 13, 2014 from 7:00 o'clock a.m. until 7:00 o'clock p.m., except for a two week period for construction in the parking lot and the pier restaurant roof. The work is tentatively scheduled for the first two weeks in December. Pier Outfitters confirmed that it would be closed those dates. **COUNCIL CONCURRED.**

7. BUSINESS.

A. Second Readings of Ordinances

i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees, Director Morris. Clerk's Note: Please see Item 4, Agenda Approval for the approved motion that moved this ordinance to first reading.

Mayor Samples welcomed Horry County Councilmember Paul Price, who just arrived at the meeting.

ii. #13-0765 to accept Harbor Lights Roads into Town Road System, Director Morris.

Ms. Morris said Town Council adopted first reading of this ordinance to accept the roads into the town's system at the last meeting. Repairs were made the streets where trucks had damaged them. The public works director signed off on the repairs. The certification of non-litigation was presented at the last meeting, and the letter of credit was approved by the planning department as well as the public works department. As far as the decorative lights, decorative stop signs and other signage in Harbor Lights, the town's Land Development Regulations stipulate that a subdivision has every right to install decorative lights, etc.; however, the town will only replace any damaged fixtures with standard fixtures. There are

387 several other subdivisions in town that have very nice decorative lighting, but those subdivisions are
388 planned developments and the respective homeowners associations pay the fees and take care of the
389 fixtures. The decorative lights on Surfside Drive and Ocean Boulevard are maintained at the town's
390 expense, because that is public property and were put in place to beautify the town. Those particular
391 lights are not in a subdivision. Ms. Morris reiterated that decorative lighting and signage could be used,
392 but once the town accepts the rights-of-way and streets the town would only be responsible for the cost of
393 standard lighting and/or standard signage, if any fixtures needed to be replaced.

394
395 Mayor Sample understood Ms. Morris to say that accepting the Harbor Lights streets and rights-
396 of-way was being done consistent with the existing Code of Ordinances. Ms. Morris said that was correct.
397

398 Ms. Kohlmann said the town has a beautification committee, and the town encourages
399 beautification. Harbor Lights installed nice lights and the owners did have a point. If someone took out a
400 light pole on 14th Avenue South, it would be replaced with the same type decorative pole. She asked if it
401 would go against town ordinance if the wording for the replacement fixtures was changed. Ms. Morris
402 said that was correct; the Land Development Regulations would have to be amended. Ms. Kohlmann
403 said so the council's hands were tied with this. Ms. Morris said that was correct.
404

405 Mr. Smith said the decision paper states that the homeowners association could pay the extra
406 cost and get the decorative lights, and asked if that was correct. Ms. Morris said that was correct. She
407 personally spoke with the management agent for the association. The agent was in contact with Ms.
408 King, the town's finance director, and the association seemed to be willing to pay any extra required to
409 get the decorative fixtures, because it was a very minimal amount. Mr. Smith said as long as they can get
410 them by paying a little extra, they would probably be happy, because they like their pretty lights. Ms.
411 Morris said they are very attractive; they look really nice.
412

413 Ms. Mabry asked if the town had decorative lights on public property. Ms. Morris said yes. Ms.
414 Mabry said there are no decorative lights throughout the neighborhoods; those are standard lights. Ms.
415 Morris said the decorative lights located in neighborhoods are in planned developments. There are no
416 decorative lights in the neighborhoods. Ms. Mabry said there are standard lights up and down 15th North.
417 Ms. Morris said correct.
418

419 Mayor Samples said there are some exceptions. When the underground wiring project was done
420 on 14th Avenue South, decorative lighting came with the package, because part of the underground wiring
421 plan was to improve the looks of the utility poles for the lights.
422

423 Mr. Smith moved to approve second reading of Ordinance 13-0765 to accept Harbor Lights roads
424 into the town's road system. Ms. Mabry seconded.
425

426 Mr. Johnson said to this point, he intentionally kept quiet. He thought in the future the Land
427 Development Regulations should be reviewed to address this question, because beautification was a key
428 component of improving the town. He would like to refer the Land Development Regulations insofar as
429 they pertain to lighting to the planning commission for review.
430

431 Mayor Samples asked if that was Chapter 15. Ms. Morris said that was correct, it would be
432 presented to the planning commission for a recommendation to Town Council.
433

434 All voted in favor. **MOTION CARRIED.**

435
436 **B. First Readings of Ordinances.**

437
438 **#13-0766 to allow Docks on Town Lakes, Councilmember Kohlmann and Councilmember**
439 **Smith.** Clerk's Note: This item was deferred by approved motion, see Business Item 4, Agenda
440 Approval.
441

442 **i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees,**
443 **Director Morris.**
444

445 Ms. Morris said the ordinance was presented at the last council meeting, but was only discussed.
446 There was a lot of confusion, because of the manner in which the ordinance was written. Corrections
447 were made to clarify the ordinance, and the existing and proposed changes were highlighted. The fees
448 were increasing, but they would not be as high as surrounding areas fees. Staff would like to have fees in
449 line with other areas without competing for business. The goal was to increase fees, but still encourage
450 development in town. She said there was discussion about structures with big square footage, but small
451 dollar values. Ms. Morris said she and the building official discuss the proposed change and determined
452 that the code should state "valuations for new construction, additions, renovations, repairs, or remodeling
453 shall be determined by the use of 2012 International Building Code or the latest adopted edition thereof
454 on a total square foot basis, and the valuations for new construction shall be determined by Section 13-
455 52(a) or (b) whichever was applicable, which is construction of a single family or a commercial building."
456

457 Mayor Samples asked if a public hearing was required. Ms. Morris said a public hearing was
458 required. Mayor Samples asked Ms. Morris to schedule the public hearing outside of the regular council
459 meeting. Ms. Morris said that could be done.
460

461 Mr. Smith moved to adopt first reading of Ordinance 13-0764, Building and Zoning fee changes.
462 Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**
463

464 **ii. #13-0767 to adopt 2013 Comprehensive Plan, Director Morris.**
465

466 Ms. Morris presented the decision paper, a copy of which is on file. The planning commission
467 worked on the comprehensive plan for the past year. The commission was proud of its accomplishment,
468 and she was proud of the commission members for taking the time to perform the detail work and the
469 persistence on accuracy. After the first draft was presented to council, the planning commission
470 members brought changes forward that had already been done. Every department director also assisted
471 with providing information and making corrections. The senior center would be added, that was an error
472 to omit it. Every five years the plan must be reviewed and changes made; then every ten years, the plan
473 must be completely rewritten, which is what was being presented for approval.
474

475 Mr. Smith had many suggestions and moved to suspend rules to allow discussion. Mr. Johnson
476 seconded. All voted in favor. **MOTION CARRIED.**
477

478 Mr. Smith wanted corrections to page 58 in the paragraph about the council is the legislative and
479 administrative body. In the council form of government, the council is both legislative and administrative.
480 On page 9, annexation is discussed and is also mentioned in other places in the document, he wanted
481 stronger language that the council was not necessarily in favor of annexation, but it was willing to look at
482 it, but there was not a strong interest in it.
483

484 Mayor Samples agreed with Mr. Smith's intent.
485

486 Ms. Mabry said as one councilmember, she liked the language the way it was stated. She did
487 want to explore some annexation on businesses. She was afraid if language was used that was too
488 strong, future councils may not consider any annexation. When a member says "the council" feels one
489 way or the other, as one councilmember, she did not particularly feel that way.
490

491 Mr. Smith said that was the purpose of having the discussion, so opinions could be expressed.
492

493 Mayor Samples agreed with Mr. Smith in that he wanted to be very careful about annexation. In
494 fact, he said, a previous council adopted a policy that said no money would be spent or efforts made by
495 town staff exploring annexation. He believed that was a good policy. Before any initiatives are taken to
496 expand the town's corporate limits, he believed Town Council should clearly authorize it. He thought the

497 words in the plan were weak enough; they did not bother him. There was a particular section where a
498 number of acres was stated and asked if that had been removed. Ms. Morris said the acreage amount
499 was removed. Mayor Samples was very concerned about the town's quality of life when other's problems
500 were taken on by annexation. He suggested that Mr. Smith and Ms. Morris work together to offer a
501 solution.

502
503 Ms. Dodge said she opposed annexation. She liked the town the way it is. She was old
504 fashioned and stubborn, so she was going to speak out against annexation, if it was brought up.

505
506 Mr. Stevens agreed with Mr. Smith and Mayor Samples. Annexation was something the council
507 had to be very careful with. The only benefit that would be received from annexation at all would be by
508 annexing businesses. There was a section on Azalea Drive where businesses were located that could be
509 annexed, but other than that you would be talking about problems on top of problems.

510
511 Mr. Johnson iterated that this was the comprehensive plan; it was not a guide or a direction that
512 stipulates that annexation would or would not be done. It was simply a guide that the town should follow.

513
514 Mayor Samples said Mr. Johnson's point was well made, but he also appreciated other members
515 comments so there was no misunderstanding with respect to the effort or direction without first obtaining
516 clear approval. It is a plan.

517
518 Mr. Smith said if council approved the plan, this paragraph could be staff's direction, and that was
519 why care must be taken with the language in the plan.

520
521 Mayor Samples said the language is that annexation 'can;' it did not state 'will.' Ms. Morris said
522 neither did it state 'shall.'

523
524 Mr. Smith continued with his comments saying again on page 9 it states that accommodations
525 are estimated to lodge approximately 10,000 people during the peak summer months. He thought there
526 were about 30,000 people here during the peak summer months, which was the number used in the
527 police reports to justify the number of officers. Ms. Morris said the numbers could be checked.

528
529 Mayor Samples believed there was a difference in lodging counts and day visitors.

530
531 Mr. Smith continued referring to page 10, household size, the last sentence states long term
532 household size would depend on the influence of new residents. He believed 'influx' should be used. Ms.
533 Morris said that could be corrected. Page 16, Mr. Smith explained that he was a conservative and did not
534 like liberal words, in the second paragraph "to develop viable and sustainable economic policies," in his
535 opinion, the word 'sustainable' was a liberal-type word, so he wanted it deleted and the plan state
536 'develop viable economic policies.'

537
538 Mayor Samples took exception to deleting 'sustainable,' as there was clearly a dictionary
539 definition for sustaining. In his opinion, sustainable meant something that would be on-going. It did no
540 good to start something, and then have it fail the next year for whatever reason as that would be the
541 opposite of sustainable.

542
543 Mr. Smith disagreed with the word, but that was why they were given the opportunity to express
544 their opinions.

545
546 Ms. Mabry did not think sustainable was a liberal word. She thought it meant on-going.

547
548 Mr. Smith continued saying that on page 50 the table of Surfside Beach special events should
549 include the Movies after Dark, and the Turkey Trot.

550

551 Mayor Samples said the Turkey Trot would be discussed later in this meeting to determine
552 whether it would be an annual event or permission would need to be requested every year.
553

554 Mr. Smith said even if the coordinators request permission every year, it was usually approved,
555 so he thought it would be nice to leave in the schedule as one of the town's activities.
556

557 Mayor Samples said for that matter, the Guy Daniels Surf-off could also be included.
558

559 Mr. Smith believed Guy Daniels should be included. He thought that was the Ocean Expo.
560

561 Ms. Kohlmann said the Ocean Expo was no longer held.
562

563 Mayor Samples said the Ocean Expo was only held one year.
564

565 Mr. Smith said that page 50 had 'August Ocean Expo' and asked if that should be Guy Daniels.
566

567 Mayor Samples asked if Mr. Smith had many more comments.
568

569 Mr. Smith said he had three pages.
570

571 Ms. Kohlmann said Ms. Morris would appreciate members just going to her office to discuss
572 changes. If there are words that were controversial, by all means, Mr. Smith should continue.
573

574 Mayor Samples said this was first reading, and changed pages could be provided to council.
575

576 Mr. Smith said on page 69 the police discussed upgrading their facility. He wanted to know what
577 was meant. Captain Miller said generally it was referring to the space in the building. About one-quarter
578 of the building was the municipal jail and not useable square footage by staff. They have reached the
579 limits of space; he had three or four computer servers running in his office, which was not the usual
580 environment for computer servers. There were probably two dozen boxes of files in the records room;
581 records were being stored in a pod off site, because there is no more storage space. Mr. Smith asked
582 exactly what they were looking for, an additional conference room, or what. Captain Miller said some
583 office space and some record storage space; they were not looking for anything extensive, but there are
584 offices occupied by two or three people; they need usable floor space. Mr. Smith said increasing fire
585 staffing to four per shift and adding a full time fire prevention and public education officer were also
586 discussed on page 69, and asked for explanations. Chief Cimini said the requirement for four fire fighters
587 had been in the plan for several years. It was added when OSHA (Occupational Safety & Health
588 Administration) required two in and two out, which means that four fire fighters have to be on scene
589 before a building could be entered. However, a master plan was submitted to the town administrator that
590 addresses this by various options. Mr. Smith asked if these positions would be full time or on-call. Chief
591 Cimini said it could be handled either way. The full time fire prevention and public education officer would
592 be a full time fire marshal, which the town used to have on staff. Mr. Smith said he had one more
593 comment to offer that might be controversial. He referred to page 71, 6C, and said he was against the
594 town looking into an indoor exercise facility, because to support that type facility, you might need as many
595 as eight people on staff to support a gym or fitness center. He believed that should be deleted. The town
596 was small and did not have an unlimited budget.
597

598 Mayor Samples agreed with Mr. Smith, but read 6C, "*Evaluate the feasibility (speaker's*
599 *emphasis)* of a year-round, indoor health and fitness center." He recognized that when the evaluation
600 was done, that the presentation would have to pass through the administrator who would probably
601 determine that it would be a waste of time to present. Mayor Samples said he loved planning documents.
602 He remembered when the state adopted the requirement to have planning documents prepared for all the
603 municipalities. The fact of the matter was that it turned into a business for the councils of government to
604 shop their skills around to generate revenue. Having said that, Mayor Samples said he did not mean that
605 there was not some benefit. The point he wanted to make was that council should not kid itself over

606 whether the plan was 'gospel.' He appreciated Mr. Smith's effort. He said bringing up things like
607 annexation were a waste of time. Mayor Samples said he visited Ms. Morris about the priority investment
608 section. He hated that section, because there were millions of dollars of planned expenditures in it. This
609 was what came of the public comments and the planning commission recommendation. The council saw
610 how much input was received during the public hearing earlier in this meeting. This was a state
611 requirement. Mayor Samples said the council should meet the state requirement and move on.
612

613 Mr. Smith did not think things should be included to which the council objected. He did not want
614 to change things and have councilmembers say that he changed it, but they were in favor of it. On page
615 143, he thought the plan needed to include that outfall pipes to the swashes were unfunded capital
616 projects. He would meet with Ms. Morris to discuss his other comments so they could be presented at the
617 next meeting.
618

619 Mr. Stevens said he had glanced over the comp plan over and over. On page 69, he liked item
620 4C, continue use of citizen boards and advisory committees to provide input to town council and
621 administrator on major policy and public facility issues.
622

623 Ms. Mabry said the planning commission was very careful to use the words may and can; it does
624 not state that everything in the plan must be done exactly as it was stated. The plan gives an opportunity
625 to future councils who would serve three, four, or even five years from now. Those councils will have the
626 opportunity to adopt whatever they choose. It was not for this council to say; it was for this council to
627 consider, in her opinion, and not hold somebody's feet to the fire, because they did not like something.
628 The council has the opportunity to vote when a matter presents and say that it does not want to approve.
629 Ms. Mabry was very hesitant to change the commission's language. The commission opened the door; it
630 fulfilled the state's requirements. Council was not required to implement any of the comprehensive plan
631 recommendations, because of the way it was written. The council has the right to say no when a strong
632 objection is presented, because there was no money, there was no time, or the recommendation was not
633 feasible. The council needed to get the plan as correct as possible and move on.
634

635 Mayor Samples said for a 170 pages he was sure there were not too many changes to be made.
636

637 Mr. Stevens thanked the planning commission for its work on the plan saying it was
638 commendable.
639

640 Mayor Samples said it was remarkable.
641

642 Mr. Smith moved to reconvene regular order. Ms. Dodge seconded. All voted in favor. **MOTION**
643 **CARRIED.**
644

645 Mr. Johnson moved to approve Ordinance #13-0767. Ms. Kohlmann seconded.
646

647 Mr. Smith said in the interest of transparency he brought his concerns and changes to the
648 meeting. He could have done so in private with Ms. Morris, but he thought it was good to do it in a public
649 meeting so that they would know that some of the councilmembers actually read the document and take it
650 very seriously. Mr. Smith did not want staff to take action on some of the plans, spend money preparing a
651 study for the council, and then council vote against it, if council knew today that it did not favor it.
652

653 **Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson,**
654 **Kohlmann and Stevens voted in favor. Councilmember Smith voted against. MOTION CARRIED.**
655

656 **iii. #13-0768 to amend Flood Ordinance, Director Morris.**
657

658 Ms. Morris presented the decision paper that is on file. The proposed changes were to comply
659 with new FEMA (Federal Emergency Management Agency) regulations. The town had a Community
660 Assistance Visit on July 11th. Minor problems were found with the flood plain management regulations;

661 there were no other enforcement procedure problems, engineering, local flood plan management
662 program or the reports. This ordinance includes wording directly from the state model ordinance and will
663 be in compliance with FEMA.
664

665 Mr. Smith said it took quite a while from the July to get this done and asked if that was because of
666 dealing with slow response times. Ms. Morris said yes, as soon as the comments were received from the
667 visit, staff started working with state staff. Mr. Smith said now the council had a time constraint to get the
668 ordinance adopted by December. Ms. Morris said that was correct; a certified copy had to be submitted
669 by December 9th.
670

671 Mr. Smith moved to adopt first reading of Ordinance 13-0768 to amend the flood plain ordinance.
672 Mr. Johnson seconded.
673

674 Mr. Johnson asked if a public hearing was necessary. Ms. Morris said no.
675

676 All voted in favor. **MOTION CARRIED.**
677

678 **C. Festival Promotions, Mike Shank, Owner – request to hold Turkey Trot annually.**
679

680 Mr. Derrick McKnight presented on behalf of Mr. Shank who was in Florida on business and could
681 not attend. Mr. McKnight said that Festival Promotions had partnered with Surfside Rotary to hold the
682 annual Turkey Trot race on Thanksgiving Day. He appreciated the support from Town Council and
683 thanked Ms. Ellis and the police department for helping with the event during the past three years. The
684 request tonight was to approve the event as an annual event since it had been held consecutive three
685 years and he anticipated it continuing. Festival Promotions holds a Surfside Beach business license.
686 The event is the fourth largest road race in the area; almost 1,200 racers participate.
687

688 Mayor Samples asked what registration cost. Mr. McKnight said it was a fluid registration
689 beginning at \$25, as race day nears registration cost increases.
690

691 Mr. Smith asked how the administrator would get the proper documents to protect the town. Ms.
692 Fellner said it would be handled like any other event; a schedule would be given to Festival Promotions
693 and it would have to comply.
694

695 Mr. McKnight said Festival Promotions covers all the town's expenses, including paying the police
696 and other town employees that work the event. No taxpayer money is used for the race.
697

698 Mayor Samples asked if Festival Promotions was non-profit. Mr. McKnight said for profit, but it
699 was working with Surfside Rotary as its charity. Last year \$1,500 was presented to the Rotary. He
700 hoped more would be raised this year.
701

702 Mr. Stevens said Festival Promotions had been around for quite a while. It had done promotions
703 at Market Common and Myrtle Beach. They run a very efficient race, and he would be totally in favor of
704 supporting the request. Mr. McKnight said thank you.
705

706 Mayor Samples said he was in favor of it, but he was trying to figure out how the town could
707 generate some revenue. He asked how much was grossed on the town's race last year and how much
708 was reimbursed to the town. Mr. McKnight said about \$30,000; the police officers and town workers that
709 worked the event were paid by Festival Promotions. He did not have the dollar amounts. Mayor Samples
710 reiterated that the event had been supported for four years; but it sounded like business was good, too.
711 Mr. McKnight said the company did pay taxes.
712

713 Ms. Kohlmann said a business license was required for the company, and asked if an additional
714 license was purchased for the race. Mr. McKnight said no additional license was purchased for the

715 specific race. The event brought people in from 35 different states, Canada, the Virgin Islands, and the
716 District of Columbia, who all visited the town's businesses.

717
718 Mr. Smith asked if a lot of them stayed in the town's hotels. Mr. McKnight did not have that
719 information. Mr. Smith asked if they could be encouraged to stay in the town's two hotels. Mr. McKnight
720 said the packet pickup was done at the Surfside Beach Resort by the pier.

721
722 Ms. Kohlmann asked if Festival Promotions could consider something like a sports or running
723 scholarship for a local student in addition to the Rotary, just to start something new and different for the
724 town, because the event will grow and everybody wants to come here. Mr. McKnight said he would be
725 happy to meet with the Rotary Club to see what kind of scholarships they currently have and how they
726 could be enhanced. Ms. Kohlmann was asking for an additional scholarship. Mr. McKnight reiterated
727 that Festival Promotions had partnered with the Surfside Rotary and he would see what the company
728 could do to enhance its scholarships. Ms. Kohlmann said okay.

729
730 Mayor Samples asked what would happen if the event were just handled as it was in the past.
731 Mr. McKnight did not have an answer. Mayor Samples asked if other for profit groups conducted events
732 on an annual basis. Ms. Fellner did not believe any for profit events were approved.

733
734 Ms. Kohlmann said approval did not sit well with her, to be honest, because this is the Family
735 Beach. She wanted to see something coming back to benefit the children in the community. She
736 understood that all expenses were paid, but it was a for profit company.

737
738 Mayor Samples agreed.

739
740 Mr. Stevens said for profit companies attended the festival.

741
742 Mayor Samples said those companies paid for a license and set up. This was a special event
743 and his thinking was that it would be nice to grow the event and leverage it. Once permission was
744 granted to hold it annually, Festival Promotions would only be seen when it was time to make staff
745 available. Mr. McKnight wanted to be responsible, but the company did have limitations on the number of
746 racers it could have at this event, because of the parking lot size at the pier. Mayor Samples asked if
747 Festival Promotions bought advertising in the town's commemorative magazine. Mr. McKnight did not
748 know.

749
750 Mr. Smith said Mr. McKnight should speak with Ms. Fellner about the commemorative book.

751
752 Ms. Mabry asked if Festival Promotions promoted the town in any way other than the race was
753 held here and asked whether the registration packets have any information about in-town hotels,
754 restaurants or other businesses. Mr. McKnight said the Surfside Rotary contacts local businesses to sell
755 sponsorships for the race so the businesses can be involved and have their names in front of the runners.
756 The Rotary used to have a spring race that was not as successful as the Turkey Trot, so it decided to
757 focus on this one. Mr. McKnight reiterated that the locale could only handle so many participants; another
758 course would have to be identified if there were 2,000 to 2,500 registrations. The reason Festival
759 Promotions partnered with Surfside Rotary was to get the community involved.

760
761 Mr. Smith moved to grant permission for Festival Promotions to hold the Turkey Trot this year
762 only, and that Festival Promotions could make additional contributions to the town, and to try to determine
763 how many registrants stay in town lodging. Ms. Dodge. All voted in favor. **MOTION CARRIED.**

764
765 **D. Senior Citizens Committee Recommendations, Administrator Fellner.**

766
767 Ms. Fellner said many of the senior citizen recommendations go hand-in-hand with their survey
768 results regarding exercise. The recommendations were delivered to Town Council and also published on
769 the town website for public viewing. She specifically asked for a motion from the committee to bring it

770 forward to council, because funding was required. Up to this time, Ms. Fellner said she was flexible with
771 committees when expenditures were minimal, i.e., \$50 to a few hundred dollars. The senior citizens
772 committee is very active, and their plans involve large dollar amounts. The town's budget this year was
773 "skinny" and she was trying to comply with the budget. Ms. Fellner sought direction from Town Council
774 on whether the committee's recommendations should be funded. The final document titled "Year 2013
775 Surfside Beach Senior Citizen Survey and Recommendations," cites funding recommendations in the
776 total amount of \$6,720 for a number of items, including \$120 for sign up and publicity; \$1,200 for a digital
777 street map of Surfside Beach with locations of sidewalks, rest rooms, benches and bike racks; \$1,800 for
778 walking and bike path signage; \$3,600 for a PARD (South Carolina Parks and Recreation Department)
779 grant match that has an \$18,000 contribution by the state for four Life Trail Stations.

780
781 Ms. Kohlmann asked which bike paths were being referred to as she was unaware of any. Ms.
782 Fellner said the town does have a Greenway. It was laid out throughout the town and it met the
783 requirements. It was not a bike path, per se, but it was a part of the Greenway Plan.

784
785 Mayor Samples said you had to be here to know what happened.

786
787 Ms. Kohlmann remembered hearing about it years ago when she did not live in town. She did not
788 believe bike path signs should be placed when there were no legitimate bike paths. It was an awful lot of
789 money in a time when the town did not have money.

790
791 Ms. Mabry felt strongly that the recommendations should be budgetary items for next year. This
792 was a large amount of money that was not in this year's budget. The council was going to Pinopolis
793 where it can discuss the recommendations. She did not have an aversion to doing so, but to just give a
794 committee that kind of money even if it was something they really wanted, and it may be very good for the
795 town, it was a budgetary item. In the next budget, if it comes up then, she would be glad to discuss it at
796 that time.

797
798 Ms. Dodge commended Mr. Magliette and the committee for their work for the senior citizens
799 group. She could see the council funding some each year over a period of time, and those things could
800 probably change and grow, and maybe there would be more money available in the budget. But she
801 could not see the council right now funding \$18,000 or something to that effect. If the items were broken
802 down comfortably, she thought some of it might be funded over a period of time.

803
804 Mr. Stevens said to clarify, it was not \$18,000. It was \$3,600; 80-percent was paid by grant
805 funds. He said we are a town of senior citizens, and he actually fell in that category himself. More and
806 more people were retiring in town, so he would like to see Mr. Magliette's and the committee's
807 recommendations come to fruition. He understood that it would be a budgetary item, but it was definitely
808 something the council should consider, because seniors make up the majority of the town. Mr. Stevens
809 said he was basically in favor of the recommendations. He would like to see if it could happen, but he
810 knew it was a budgetary item.

811
812 Mr. Smith thought the recommendations were good, but said council should wait until next year's
813 budget. He suggested that they work on getting the life trail station grants and time them so that the grant
814 would come due the first part of next year's budget so they could say they have the grant money so the
815 town could pay its 20-percent portion. He said if they grant was awarded, then there probably would not
816 be a problem putting it in next year's budget.

817
818 Mr. Johnson agreed with Mr. Smith.

819
820 Ms. Fellner wondered if she could ask Festival Promotions for a contribution, because the
821 recommendations were physical activities and they might be interested in helping.

822

823 Mayor Samples said there appeared to be support for the recommendations, but this was not the
824 year to provide funding. Ms. Fellner asked if Town Council would like to reconsider the recommendations
825 at the budget retreat. **COUNCIL CONCURRED.**
826

827 Mr. Smith suggested that Ms. Fellner speak with Festival Promotions to see if they were
828 interested in working with the senior committee.
829

830 Mayor Samples asked if staff would handle procurement. Ms. Fellner believed the committee
831 would be willing to do some of the work, but some would be required to be handled by staff.
832

833 **9. DISCUSSION – Any matters of concern or information to be discussed by Town**
834 **Council.**
835

836 **A. Parking Committee Workshop regarding Lanier Parking, Tuesday, November 26, at 5:00**
837 **p.m., Mayor Samples.**
838

839 Mayor Samples said the parking committee requested a workshop on November 26th. He asked
840 if the committee had all the information it needed. Ms. Fellner believed the committee did; the committee
841 would meet on the 18th at 2:00 o'clock p.m. so that Kerry Loomis and Mike Kish from Lanier Parking could
842 attend. Mayor Samples asked for consensus from council to hold the workshop before the next council
843 meeting and asked if members would prefer to carry the workshop over into the New Year.
844

845 Ms. Mabry said two days before Thanksgiving was a busy time; she preferred to hold the
846 workshop after the New Year.
847

848 Ms. Kohlmann believed the committee planned the workshop at that time so people with second
849 homes might be in town and could attend the workshop to make comments. She had no preference, but
850 she understood from the last meeting everyone wanted the evaluation on the parking completed and that
851 the workshop was to be held before the next year, so she did not understand the delay. She did not want
852 to fall short and be told that they waited too long. She did not want to wait until next year and said that
853 was for sure.
854

855 Mayor Samples asked if Ms. Fellner would provide the data provided to the parking committee to
856 Town Council. Ms. Fellner said it had already been sent to council. She would be working on the
857 numbers in preparation of the Monday parking committee meeting. Everything that is shared with the
858 parking committee members was also shared with council. Mayor Samples said from an analysis
859 standpoint it made sense to him that the committee had adequate time to consider the actual data before
860 recommendations were made to council.
861

862 Ms. Kohlmann asked how long it would take Ms. Fellner to prepare the information. Ms. Fellner
863 said the amount of data would require several days to analyze.
864

865 Mr. Smith asked if the workshop could be held the first meeting in December.
866

867 Mayor Samples was open to suggestion. He just thought having it Thanksgiving week put
868 everyone under undue pressure.
869

870 Mr. Smith suggested the first meeting in December.
871

872 Ms. Mabry said that would be fine.
873

874 Mr. Stevens thought that would be good.
875

876 Mr. Johnson said chances were that he would not be here.
877

878 Mayor Samples said the workshop would be at 5:00 p.m. on Tuesday, December 10th.
879

880 **B. Leash Laws, Mayor Pro Tempore Mabry.**
881

882 Ms. Mabry said during a recent meeting a citizen expressed concern about the town's leash laws.
883 She asked if council was willing to instruct staff, including the police department, to review the code and
884 present any language they deemed necessary to strengthen the leash laws.
885

886 Ms. Dodge asked who police the proposed leash law.
887

888 Mayor Samples said the town had a leash law, and he presumed it was a police matter.
889

890 Ms. Dodge said she would presume; she did not see many animals running lose, but she did see
891 some.
892

893 Mr. Smith said he was comfortable with the way the leash law was written today.
894

895 Mr. Stevens concurred with Mr. Smith.
896

897 Ms. Kohlmann said she completed a lot of research on leash laws in different towns. She thought
898 the town had a good leash law. The problem was that some people just would not obey some of the
899 laws. She believed it was more of a community policing issue than it was rewriting the ordinance.
900

901 Ms. Mabry did not think it would hurt just to have staff look at it, which was all she asked. If staff
902 presented a recommendation, then of course, she would accept that recommendation. It would not hurt
903 to have the police and other staff review the code to ensure it was standard and up to current codes.
904

905 Mayor Samples said that sounded reasonable to him. He read the ordinance and tended to
906 agree that enforcement was difficult. It was common sense. However, some dog owners lacked common
907 sense sometimes.
908

909 Ms. Kohlmann had no problem sending the code to staff, specifically the police department, for
910 review.
911

912 Mayor Samples asked if any member had a problem with asking staff to review the leash codes.
913 **There were no objections.** Mayor Samples said the code was referred to staff for review.
914

915 **C. Fire Department Fee Schedule, Chief Cimini.**
916

917 Chief Cimini sought Town Council's direction on a plan to improve the fire department's
918 inspection program. A full time fire marshal was on staff until about three years ago, when it was thought
919 that putting the fire marshal on a shift would be beneficial. The plan was inspections could be performed
920 during the shift. There are 350-plus businesses in town. The fire marshal works nine shifts a month;
921 some of the shifts were on weekends when some businesses were closed. Code requires every
922 commercial building in the town to be inspected twice each year, and a pre-incident plan [*referred to as*
923 *pre-plans*] must be done on every commercial building in town. He had been evaluating ways to improve
924 the department's performance and to also raise revenue, because the department was one of the few
925 agencies that did not develop any income. One process would be to implement a fee schedule for
926 inspections. Based on estimates, around \$60,000 would be generated by commercial inspections, which
927 would pay for a part time inspector to work 20 hours a week. Chief Cimini said somewhere down the line
928 they had to start thinking about how the department could improve the inspection process, especially
929 since it is an ISO requirement that inspections be performed twice a year. Engine crews were helping
930 with inspections, because it was an impossible task for one person to complete. It was not a matter of
931 just the two required inspections; many times there were follow-up inspections to ensure corrections were
932 made and also completing pre-plan reviews. The town currently was rated 3 by ISO, with the additional

933 inspector the rating could possibly move to a 2. Chief Cimini asked whether council had any interest in
934 moving forward.

935
936 Mr. Smith asked fees were currently charged for any inspection. Chief Cimini said no, they were
937 free. Mr. Smith asked if \$60,000 was enough to cover a fire marshal's salary. Chief Cimini said it would
938 be more than enough; excess funds would go to the general fund. Mr. Smith asked how much an
939 inspection would cost. Chief Cimini said that was the question; other community charges average around
940 \$50 for a small business. Charges were based on square footage. Prices range up to \$300 for some of
941 the bigger buildings. Mr. Smith asked if Myrtle Beach, North Myrtle Beach, and Conway charge
942 inspection fees. Chief Cimini said Myrtle Beach began its program about six months ago. Myrtle Beach
943 has about 4,000 businesses, and four full time inspectors. North Myrtle Beach does not have inspection
944 fees and has a full time fire marshal. Conway does not charge an inspection fee and has two full time fire
945 marshals. Mr. Smith asked if other cities were considering inspection fees. Chief Cimini said Chief
946 Barstow in North Myrtle Beach said they are not considering fees at this time. He had not spoken with
947 Conway's fire chief.

948
949 Mayor Samples asked if Horry County charged for inspections. Chief Cimini said no; its building
950 department performs inspections, not the fire department. Mayor Samples asked if the town had
951 considered that option. Chief Cimini said this discussion was his first approach.

952
953 Mr. Smith asked if the planning director had a comment. Ms. Morris was not prepared to
954 respond, but she did say that the building official held a fire marshal certification. Mr. Smith asked if Chief
955 Cimini and Ms. Morris would discuss the issue as part of the evaluation. He would be in favor of the
956 inspection fees as long as the revenue was used to help the businesses succeed; be safe. Mr. Smith
957 thought Chief Cimini should continue with the study.

958
959 Mayor Samples did not support charging inspection fees, because it was businesses being
960 discussed. The town did not have any great big businesses; there were a lot of 'moms and pops' who
961 were just trying to make it. Another fee for something that has been done at no cost would be viewed as
962 a tax on the businesses. The ocean front property owners were going to have a very high flood insurance
963 premium. Those ocean front businesses, which were what those properties were, would have huge
964 premium increases under the new insurance regulations. Mayor Samples said in his opinion this did not
965 seem to be the right time to adding fees.

966
967 Ms. Mabry had spoken with Chief Cimini about the proposed fees, because she believed it was
968 counter to the town's goal of bringing in businesses; it was not good for economic development, nor was
969 it good for the existing businesses to have an additional fee, because the department was trying to bring
970 money into town when each and every one of us gets the benefit of the fire truck responding to calls. She
971 was glad that Mr. Price was present, because she believed county residents paid a fire tax. Mr. Price
972 indicated yes by nodding assent. Town residents do not pay a fire tax; fire expenses were taken from
973 general funds. Ms. Mabry did not think a user fee just for businesses was the answer. She thought that
974 would punish businesses to generate money for the town. Ms. Mabry said if a fee was implemented, it
975 should include everyone. She was willing to consider options, but just did not think this was the right
976 answer.

977
978 Mr. Stevens said he was glad they felt that way; they were helping businesses.

979
980 Mayor Samples said Chief Cimini was looking for direction. Chief Cimini said it would be a lot of
981 work, and he did not mind that if council believed it was relevant and good for the community. The goal
982 was to improve the process without burdening the taxpayers. Mayor Samples said generally the
983 businesses that take care of their exteriors were one in which the interiors were maintained. Chief Cimini
984 said pretty much so. Mayor Samples asked if there were any other comments.

985
986 Mr. Johnson did not believe it should be pursued.
987

988 Mr. Smith said he wanted the Chief to pursue it, and to have a meeting with the business
989 committee to present the proposal to those members for feedback. He thought they might prefer a tax
990 raise instead of a user fee.

991
992 Mayor Samples saw nothing wrong with the chief presenting to the business committee. Mr.
993 Stevens, the business committee liaison, could arrange that meeting. Other than that, no other effort was
994 required. Mr. Stevens could report back to council what he found.

995
996 **10. PUBLIC COMMENTS – General Comments (5 minutes.)**
997

998 "Ralph Magliette, Harbor Lights Drive. Oh, no! (*Speaker's emphasis.*) Here he comes again, but
999 I'm gonna be real quick. The question is about the senior survey recommendations, and I have a
1000 question or two on the passive park PARD grant, and I have some data I would just like to share as far as
1001 the exercise stations, there are three stations in the passive park. There's one directly behind the dog
1002 park, and there are two by the library; one closer to the gazebo, and one on the side street, so we have
1003 three stations. I did, when I put this, the approximate price at \$18,000 for the four citizens trail stations,
1004 contact the Life Trail Company, actually Play World Systems, and originally when I got the price it was
1005 much higher. They have discounts if you buy more than one unit and for four units there's a 35-percent
1006 discount, so what I'm saying is we have some data that we pursued as far as the best price, and when I
1007 went on line looking at the PARD grants, the way I understand them to work is when you submit them,
1008 they're on a rolling monthly basis when you submit them so that the grants are, the grants are reviewed,
1009 either approved or denied almost on a monthly basis and a rolling basis. So, having provided that
1010 information, and (**) value both to you and to my committee, what should we do as far as to proceed?
1011 Should I download the PARD grant applications, and give, and have the committee decide maybe with
1012 Mr. Adair what senior stations he thinks would be applicable, and then go back to the Play World and get
1013 an estimate, and then bring that forward, or is that too far advance since there's no money available for
1014 us to do that now? I wanna provide value. I wanna do the needful things. I don't wanna spin my wheels
1015 either, so if you could give me a balance of what you, how you'd like me to proceed that is exactly what I
1016 would like."

1017
1018 Mayor Samples suggested that Mr. Magliette meet with the town administrator.

1019
1020 Mr. Magliette: "Okay, have an appointment and just do it that way; very good. Thank you very
1021 much."

1022
1023 "Alan Beck, I'm on the corner of 10th Avenue North, 8th Avenue North and Cedar Drive, one of our
1024 popular race route corners. There is another side to the, to the racing in the town. Sometimes for the
1025 residents it's a minor inconvenience. I've picked up the trash that leave, cause 98-percent of the runners
1026 don't throw trash, but some of 'em come along and they'll toss their stuff out all over, so race day, that's
1027 not a big problem. Coming back this year, if they're running the race, I sit on the side and wait for a while
1028 a block away while the runners went through, you know, before I could finally drive home. It's a minor
1029 inconvenience. Don't mind that for a charity. I would like to applaud the council for your perceptive
1030 questioning tonight of the Turkey Trot guy that is using the local Rotary Club as their charity giving them
1031 \$1,500, which they probably raised more than that with their guys all out there doing work collecting for t-
1032 shirts and so forth. He did not give you the total revenues at all. He just indicated that they had 1,500
1033 runners and they started at was it \$25 or \$30, and maybe they go up to \$50. I don't know, but when I
1034 multiplied that out that's \$45 or \$50 thousand. Now, I go to give to a charity, I often go on line and look
1035 up where the percentage is that goes to the purpose of the charity versus the percentage that goes for
1036 the administrative expenses or profit for the organization, and there are some out there that call us up
1037 asking for money when you find that only 10- or 15-percent going to the charity, and we usually look for
1038 things that are going 70-, 80-, 90-percent to the charity. But this, we can give our local Rotary Club
1039 \$1,500, and then we can walk away with \$50 thousand and we'll call it a charity event; it's not a charity
1040 event. Thank you for figuring that out, and not making it a permanent thing for this group, cause there
1041 may be a better way for Surfside to get the runners coming in that think they're giving to a charity rather
1042 than a company to have the whole thing and be better for everybody. Thank you." (*Applause.*)

1043
1044 "How you doing? Greg Szupillo, 344 Melody Lane. Coming here my primary concern is the
1045 cameras mainly cause I can't find anybody to tell me where they are, and the gentleman right next to me
1046 was talking about the senior exercise and all that stuff, he was wondering where they were. I, I think they
1047 should be public access, just as the DOT's are, so that somebody else is watching those cameras aside
1048 from law enforcement officers, cause you never know, people who operate cameras tend to play with the
1049 camera some times when they don't think somebody's watching. Accountability, who is moving the
1050 camera, who's observing the camera? I've seen a number of places that have been sued, and I don't
1051 want to see us sued. (**) on some babe that's discretely trying to change in their car. I don't know where
1052 the cameras are. I know that if I had a camera down by me, we could collect a lot of money on the dog
1053 wastes and the dogs running wild, because I'm down on the end of town that people seem to forget that
1054 there is a south end of town; got beautiful lights up here on this side of town, but not down that side of
1055 town. I think they all should be standard and make it real easy. But, I do appreciate you going after the
1056 Turkey Trot guy. That was very, very nice, and the first reading, try and clarify that and get it down to the
1057 first reading. I would like to see what the, cause I came to the town, because Master Care took down a
1058 tree in my yard. I brought it to the planning board and I got nothing. I don't understand that. There are
1059 people who are not seniors, and have children. People who don't have children in this town, don't forget
1060 about us, okay. I would appreciate that, okay. Thanks."

1061
1062 "[Horry County District 5 Councilmember] Paul Price. I live in Garden City. I'm your neighbor.
1063 It's very rare that I get to come to your council meetings. The reason being, we meet the same nights.
1064 Tonight we got out early. I came down the road and saw your lights on, (*laughter*) and I said, 'Gee, how
1065 did we beat the city getting out? So, I'll pull in and stop, say hello.' So, it gives me an opportunity, you
1066 don't get to see me much. I'm around town all the time, not necessarily, you know, shorts and flip flops
1067 and golf cart, but I'm around. You'll see me, and it's just giving me an opportunity to come and speak to
1068 you and let you know that I'm concerned about you. If you need something, I'm wanna try to help, and I
1069 want to wish everybody a Happy Thanksgiving and Christmas early, because I probably won't make
1070 another one; this was the first one I made in three years, so this is kind of different, and of course, we like
1071 to see y'all come to our council meeting, and share some, some things, and some of the things you're
1072 talking about now, we're going through our budget. This, it's the same thing. It's always short of funds,
1073 and everybody always needs more, but it always seems to work out somehow, and it's just because of
1074 people like you who will put the time in, put the effort in and represent the people. So, I thank you for
1075 that, and y'all have a happy holiday."

1076
1077 Mayor Samples thanked Councilmember Price, wished him Happy Thanksgiving and Merry
1078 Christmas, and asked him if he planned to be in the town's Christmas parade. Mr. Price said yes, if
1079 everything worked out right.

1080
1081 Mr. Smith asked Mr. Price to remember the Town of Surfside Beach when allocations were made
1082 in the county budget for recreation funding. The town could always use a little bit of money. Mr. Price
1083 said it was strange that he would mention that. Tonight at the county council meeting there were quite a
1084 few people asking the same question. The county did not have a lot of recreation funds and it had to be
1085 used throughout the entire district, which spreads it very, very thin. Mr. Price said he would be happy to
1086 do anything he could to help. Mr. Smith said he would ask Mr. Ralph Magliette to meet with Mr. Price.
1087 Mr. Price quickly responded, "No!" (*Laughter.*) Mr. Price said town council would have to come to his
1088 council meeting and get on the agenda to speak to him, (*laughter*), and then said he was joking. Mr.
1089 Price reiterated that the county and town had the same problems. The County Council donated to
1090 Special Olympics at its meeting tonight, and he was sure that each town councilmember would support
1091 that. He reiterated thanks for being allowed to speak. (*Applause.*)

1092
1093 **11. COUNCIL COMMENTS.**

1094
1095 Ms. Kohlmann: "I wanna just take a second to talk about the cameras. There are safety
1096 measures in place. I was there today, and I do believe that you might feel better if you go and see,
1097 because not everybody has access to have control over those cameras, and they're on board with it, and

1098 I, you're shaking your head, but just give them the opportunity to show you the system, and explain it. It's
1099 all top of the line. I know people don't like big brother watching them, but it's already working for us. It's
1100 been utilized already, and to me, if it helps one case or it solves one case or protects one life, then I'm
1101 sorry, public place is a public place, so, when you're in public, you're in public. For your concerns that
1102 you have, you should go and, and, yourself and see the system so that you can be a little bit more
1103 reassured. Thank you, Mr. Price, for coming. I appreciate it, as always and thank everybody else as
1104 well."

1105
1106 Mr. Johnson: "Thank you for coming out. God bless you. Have a great Thanksgiving, if I don't
1107 see you beforehand."

1108
1109 Mr. Stevens: "Thank you everybody for coming out. I want to thank the senior citizen committee
1110 for all the work, hard work they did. This was a great presentation you had, and the survey was, had a lot
1111 of good information, and I hope that can come, your dreams can come to fruition on that. On a personal
1112 matter, the last council meeting we had a councilmember bring up some information about vendors at the
1113 festival, and I thought it was a good idea what she was talking about until I found out the councilmember
1114 was talking about me. Obviously, there's [sic] people out here that don't have anything to do, but make
1115 up lies, defamation and slander. I don't know who gave this councilmember that information, but it's, it's
1116 reprehensible to make up a lie about a councilmember and say something and I have to find out from the
1117 press that this lie was being told about me. It is just reprehensible. I don't care if you have an opinion.
1118 You wanna talk, you know, your opinion is, I welcome that. But don't tell a lie and don't say I did
1119 something. I was at the family festival and I spent my money just like every business did. I sold Pepsi
1120 Colas and water for 75 cents. I think it was the lowest price at the festival. But, I did not try to give away
1121 a TV, as some people spread those lies. That, that's nothing more but lies, defamation and slander, and I
1122 don't really like when you attack my business, I don't like it. Just like Mr. Johnson a few weeks back said
1123 the same thing, don't attack my family. Well, don't attack my business. You can call me anything you
1124 want and say it's your opinion. I don't have a problem with that. That's your freedom of speech. But,
1125 don't spread lies and defamation and slander about me. Thank you."

1126
1127 Ms. Dodge: "I don't have any comments. Thank you."

1128
1129 Ms. Mabry: "Yes, I did not have a comment, but I do now. I did bring up that for discussion. I
1130 want to make sure that everyone in this room knows I never, never discussed Mr. Stevens, ever. His
1131 name never comes up. I never discuss him. I will not discuss him. His business; what he does and his
1132 life is his business, not mine. If there was a concern, I brought it up for discussion in a general forum. I
1133 was not specific. I did not call his name. I don't care what he does as far as he gives away TVs or
1134 doesn't, I don't care. That's his life. I don't get into his life. On the contrary, so I want to make sure you
1135 know that I hope he understands that never is Mr. Stevens' name mentioned from me. So, have a nice
1136 night and we'll see you later."

1137
1138 Mr. Smith: "I'd just like to comment on the comprehensive plan. If you're gonna have a plan and
1139 it's gonna be something that the town staff is gonna follow, I think the contents need to be accurate. If it's
1140 just gonna be something we're gonna do and then put on a shelf, and never look at it until 10 years from
1141 now, it doesn't matter what's in it. But, if it's something that staff is gonna follow, I want it to reflect the
1142 opinion of council, and especially I want it to reflect my opinion. Thank you."

1143
1144 Mayor Samples: "Thank you all. Thank y'all for coming out. You know the problem is, is when
1145 government at any level prescribes a one size fits all solution, you can take it to the bank, it ain't right;
1146 there's problems with it. It doesn't make sense, and I refer to the Comprehensive Planning Act. Does it
1147 make sense; sure we need to have a plan. I believe in planning. But, next month, or tomorrow, or next
1148 year circumstances are gonna be different. There's gonna be things that we have to deal with, and I think
1149 as Councilman Price said early, we already have a wish list. There's already things that we know we
1150 need, but we can't, let's rephrase it, that we want that would improve the quality of life, but who's gonna
1151 pay for it? Who's gonna pay for it? And, I think we have a terrific staff. I think they work hard to do the
1152 very best they can for the town. (**) a growth in staff, I don't see it. I don't see it. I think it's a function of

1153 us being two square miles. We go up and down in terms of the work load, and so we hire good people to
1154 use their heads and to bring us solutions and to express their best professional judgment. Good night,
1155 y'all."

1156
1157 **12. EXECUTIVE SESSION**

1158
1159 **A. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements and to**
1160 **discuss legal advice where legal advice relates to multiple pending, threatened, or potential**
1161 **claims.**

1162
1163 Mr. Smith moved to enter executive session at 9:28 p.m. Ms. Mabry seconded. All voted in
1164 favor. **MOTION CARRIED.**

1165
1166 Mr. Johnson moved to reconvene regular session at 9:55 p.m. Ms. Mabry seconded. All voted in
1167 favor. **MOTION CARRIED.**

1168
1169 Mayor Samples said no action was taken during executive session.

1170
1171 **13. ADJOURNMENT.**

1172
1173 Mr. Johnson moved to adjourn the meeting at 9:55 p.m. Ms. Mabry seconded. All voted in favor.
1174 **MOTION CARRIED.**

1175
1176 Prepared and submitted by,

1177
1178 _____
1179 Debra E. Herrmann, CMC, Town Clerk

1180
1181 Approved: November 26, 2013

1182
1183 _____
1184 Douglas F. Samples, Mayor

1185
1186 _____
1187 Mary Beth Mabry, Mayor Pro Tempore

1188 _____
1189 Ann Dodge, Town Council

1190
1191 _____
1192 Mark L. Johnson, Town Council

1193 _____
1194 Elizabeth A. Kohlmann, Town Council

1195
1196 _____
1197 Roderick E. Smith, Town Council

1198 _____
1199 Randle M. Stevens, Town Council

1200
1201 *Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are*
1202 *detailed minutes documenting each member's comments. Appointments to hear audio tapes may be*
1203 *scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed*
to local media and interested parties. The agenda was posted on the town website, the entry door at
Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as
*possible. When (**) is used a section of the tape recording is inaudible.*



Town of Surfside Beach

In recognition of

JAMES BEHRENS

November 1, 2008 – November 1, 2013

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

DRAFT

The Hon. Douglas F. Samples, Mayor

Micki Fellner, Town Administrator

Debra E. Herrmann, CMC, Town Clerk



**SURFSIDE BEACH TOWN COUNCIL
REGULAR COUNCIL MEETING MINUTES
NOVEMBER 12, 2013 ♦ 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, Johnson, Kohlmann, Smith, and Stevens were in attendance. A
11 quorum was present. Others present: Town Administrator Fellner; Planning Director Morris; Fire Chief
12 Cimini; Police Captain Miller; Public Works Director Adair, and Town Clerk Herrmann.

13
14 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

15
16 Father Ron Greiser from Church of the Resurrection was unable to attend. Councilmember
17 Johnson gave the invocation. Mayor Samples lead the Pledge.

18
19 **3. PUBLIC HEARING.**

20
21 Pursuant to SC Code §6-29-520 Mayor Samples declared the hearing open at 6:31 p.m. for the
22 purpose of hearing public comments about the draft 2012-2022 Comprehensive Plan that is required to
23 be adopted pursuant to §6-29-530.

24
25 "Ralph Magliette, Harbor Lights Drive. Very quickly, when I had a chance to look through the, the
26 comprehensive plan, on part two, other services and facilities, I noticed that the South Strand Senior
27 Center was not listed as a facility. We list the public library, which is run by the county, but we don't list
28 the county South Strand Senior Center, so I'd like that to be included in the list for the comprehensive
29 plan. Thank you."

30
31 Mayor Samples said that was a good suggestion, and called for other comments. There were
32 none, so Mayor Samples closed the public hearing at 6:33 p.m.

33
34 **4. AGENDA APPROVAL.**

35
36 Ms. Kohlmann moved to approve the agenda with amendments that that council enter into
37 executive session to meet with the town attorney immediately; that Business Item B. i. first reading of
38 Ordinance #13-0766 to allow docks on town lakes be deferred, and that Business Item A. i. second
39 reading of Ordinance #13-0864 be moved to Business Item B, first readings of ordinance. Mr. Smith
40 seconded. All voted in favor. **MOTION CARRIED.**

41
42 Mr. Smith moved to enter executive session at 6:34 p.m. Ms. Mabry seconded. All voted in
43 favor. **MOTION CARRIED.**

44
45 Ms. Dodge moved to reconvene regular session at 7:07 p.m. Mr. Stevens Seconded. All voted in
46 favor. **MOTION CARRIED.**

47
48 Mayor Samples said no action was taken during executive session.

49
50 **5. MINUTES APPROVAL.**

51
52 Mr. Stevens moved to approve the minutes of the October 22, 2013 workshop as submitted. Mr.
53 Johnson seconded. All voted in favor. **MOTION CARRIED.**

54
55 Mr. Stevens moved to approve the minutes of the October 22, 2013 regular meeting as
56 submitted. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**

57 **6. PUBLIC COMMENTS – Agenda Items (3 minutes.)**
58

59 “Ralph Magliette, Harbor Lights Drive. I’m here as the director at-large for the Harbor Lights
60 HOA, and I’d like some clarification, please. We’re gonna have second reading of Ordinance 13-0765 to
61 accept Harbor Lights roads into the town road system, and I have a question. I have read the minutes
62 from the previous meeting and there was discussion that the town was going to take over the cost of the
63 street lights, and there was some conversation going back and forth. I don’t know if I understand it
64 correctly, but we have decorative street lights, and that if damage was done, hit and run damage was
65 done to one of our street lights there would be an additional fee that the HOA would have to pay for,
66 because it wasn’t a standard pole hanging street light, and my question is, since I walk around the town, I
67 see decorative street lights on Ocean Boulevard and Surfside Drive and the pier, so my question is if
68 those street lights are provided for the, by the Town of Surfside Beach, why would we have to be
69 assessed an additional amount, if, God forbid, one of our street lights was knocked down than the
70 standard fee, and the second question that I had, talking to, about the bill that we have from Santee
71 Cooper. We lease our street lights, and if they’re damaged, the lease covers repair and replacement.
72 There’s no additional fee beyond the lease that we pay for, so I’m just looking for clarification on those
73 two points before final adoption of the, that ordinance, please. That’s all I have. Thank you.”
74

75 “Hi. My name is Ron Whitcomb, 103 Harbor Lights Drive. First of all, thank you for letting me
76 speak, and thank you also for visiting again the situation on the docks on the lakes. I’m really happy to
77 hear that that’s being brought up again. One thing about it is, most of the people that I’ve spoken to that,
78 that are in favor of having a dock are not really looking for anything too huge. So, I, I, I just ask that
79 maybe this isn’t over-thought too much. We’re not looking to dock the *Queen Mary* or anything on any of
80 these; just small docks are what most people are really looking for, and also as far as the way we feel
81 about it, I think, is it’s a personal freedom kind of thing. This is, I’m big on that, and it’s one of the reasons
82 I moved to South Carolina, which is one of the leading personal freedom states in this country, and it just,
83 it’s being able to use the lake a little more by having a little dock is just something that many of us would,
84 would like the ability to do. I understand there’s people that are against this and there’s people that are
85 for it. The people, I believe, that are against it, they don’t want a dock and they don’t want anybody else
86 to have a dock. They want no docks. I would ask the town that if you do decide to give us docks, we’d
87 like them to have their personal freedom. We don’t think they should be required to put in docks just
88 because we want docks. So, that’s pretty much it. Appreciate your thoughts on it. Thank you very
89 much.”
90

91 “Mr. Mayor, Council. Good evening. Shelby Smith, Cedar Drive North, Surfside. I wanted to talk
92 briefly about exercise. In the recent senior survey, the top two things on that survey, number one was
93 walking, number two was exercise, gym workout. So, as a member of the senior...”
94

95 Mayor Samples interrupted asking which item the discussion related to on the agenda.
96

97 Mr. Smith: “D. Recommendations from the Senior Committee. So, exercise is very popular, and
98 it’s good for all, and especially seniors. This year, I turned 70, and I’ve had the opportunity over the last
99 45 years to be in the world’s most highly recognized study of aging at Johns Hopkins University. Every
100 three years I would go up there for a three day, full hospitalization, and from 6 a.m. to 6 p.m. it’s full
101 testing all areas of the body, and it’s a longitudinal study of aging, and exercise is the key thing for
102 seniors. I recently wrote an article, and, for a national golf foundation, and in this article I make reference
103 to this national institute of aging, and it’s a long name, and I always have trouble remembering it, National
104 Institute on Aging Advance Studies and Translational Research on Aging, and the aging realities are
105 consistent with these findings from this group. Adults on the average lose about 10-percent of their body
106 strength by age 40, and then another 12- to 18-percent by age 65. Into the 70s, 80s, and 90s, physical
107 activities and exercise helps stabilize the strength and muscle loss to 8- to 10-percent per decade. So,
108 aging is a great accomplishment in life. I always like the, up at the Grand Strand Regional [Hospital], you
109 go in the rehab center, and the little sign there said it’s a privilege; aging is a privilege unfortunately,
110 denied to many. So, we’re in Surfside Beach, and the seniors recreation and exercise is popular, so we
111 have a recommendation coming for individual exercise stations down at [the] passive park. There’re,

112 there are three down there now, and there's a grant that would allow for 80-percent of the cost of these
113 units to be taken care of (*time ended*) by the grant. So, I'm recommending that we take a look at this. It's
114 a beautiful park."

115
116 Mayor Samples said thank you, time had ended.

117
118 Mr. Smith continued, "(**)" simplicity of it, and the cost is \$1,500."

119
120 Mayor Samples said thank you again, the point was well-made.

121
122 "Good evening. Ron Ott, 7th Avenue North. I'm surprised to hear that we have a section with
123 decorative lights and the town wouldn't support it. I, I see other decorative lights in other spots, too. I'm
124 sure the Town Council approved this. I think we could dig a little deeper and take care of that community.
125 It's a beautiful community, take care of the lights in there, and the senior citizens recommendations, if you
126 look around there's, we're full of senior citizens, aren't we. We have a lot of people (**), there's only two
127 or three people in here that don't fit that. I find that hard to imagine why we wouldn't be supporting a
128 senior citizen development. I don't know. We could all get together and play cards, bingo or something,
129 or arm wrestle. So, I, I hope you support the senior citizens center and everything about it, cause it is a
130 good thing, because I know I'm there. Thank you."

131
132 **7. COMMUNICATIONS.**

133
134 **A. Employee Recognition, James Behrens, 5 years.** Mayor Samples said that Mr. Behrens
135 could not attend this evening.

136
137 **B. Department Reports.**

138
139 **i. Fire.**

140
141 Chief Cimini presented the written report, a copy of which is on file. The department ran 70 calls
142 during October that included 7 fire runs; 39 medical calls; 2 hazardous conditions calls; 5 service calls; 6
143 good intent calls, and 11 false or accidental alarm calls. That was an increase of 23 calls over the same
144 period last year, most of which were service and medical calls. There was no dollar loss during the
145 month. There were five new volunteer applications pending background checks and committee
146 interviews. There were 104 fire prevention activities during the month; that number included Fire
147 Prevention Week. The first annual Fire Prevention Week open house was held October 12th. Over 500
148 children and adults visited the fire house. Chief Cimini thanked the Golden Egg Restaurant, Firehouse
149 Subs, A&I Fire and Water Restoration, and the SAFER (Surfside Area Fire and Emergency Responders)
150 who donated resources need to hold that event. He believed everyone that attended had a good time.
151 Career personnel and volunteers spent 483.45 hours in training; 408 hours were spent responding to
152 calls, including time spent at the Family Festival and the various fire prevention activities during October.
153 Captain Williams conducted required training to comply with standards, including a night drill that was
154 required by ISO (Insurance Service Organization.) Chief Cimini said he could not say how proud he was
155 of the volunteers who spent almost 850 man hours serving the town. During the past six months the
156 volunteer ranks have grown from 11 volunteers to 28 volunteers. The town's first junior firefighter was
157 going to be introduced by Captain Williams after this report. She was following her father's and brother's
158 example as they both were town volunteers. Thanks to Engineers Tom Zimpleman and Terry Grady, the
159 1920 Fire Pumper truck was repaired on their own time, and it will lead the town's Christmas parade.
160 SAFER provided finances for the repairs. Chief Keziah and he were still working on the volunteer
161 fire/police program. Some interest was expressed and Chief Cimini hoped to report progress next month.

162
163 Chief Cimini said he had 54 years in fire service, working in several communities. He has never
164 worked with staff that was as incredible as the Surfside Beach staff. Public works was asked to help get
165 the fire department get ready for fire prevention program. The fire station looked awesome; they did a
166 great job. He said all the departments worked together very well and were quick to help with events.

167
168 Captain Williams introduced Hailey Osiecki, the town's first junior fire fighter. (*Applause*) Ms.
169 Osiecki has done an outstanding job. She already completed CPR (Cardio Pulmonary Resuscitation),
170 first aid, and the required National Incident Management System (NIMS) classes. Hailey is well liked in
171 the fire department. Captain Williams said she is 15-years old; the program includes ages 15 through 18.
172 Next year, she will start the fire fighter classes in January, so she'll be the first female firefighter starting
173 as a junior fire fighter and moving through the ranks. Chief Cimini said Hailey already learned how to set
174 up the aerial, which demonstrates how energetic she is about learning the job. (*Applause*)
175

176 Ms. Kohlmann was touched by last paragraph in the report, but the Chief summed it up pretty
177 well. Being from a law enforcement background, she knew that fire and police departments did not
178 always see eye-to-eye. Chief Cimini had done a terrific job of blending the departments. It shows every
179 day in the town in the way men and women conduct themselves. She commended the police and fire
180 departments and staff saying they were all shining. She congratulated Hailey, and said she looked
181 forward to seeing her.
182

183 Ms. Mabry understood there were many very strict requirements to be a junior fire fighter,
184 including school grades. Chief Cimini said that was correct. Junior fire fighters were required to maintain
185 a "B" average. If they fail in doing so, the parents will notify the department. That was not punishment; it
186 was an effort to get the students help with their class work. The junior fire fighters are required to
187 participate in exercise and other programs. Captain Williams has done an outstanding job refining the
188 program so the department can attract young people that can grow in the ranks. The current average
189 age of fire fighters is 54.5 years, even though most never quit. A second female applicant wants to join,
190 which will create bonding opportunities with the female volunteer fire fighters. The program will help
191 guide the junior fire fighters as they grow and mature. The department provides education resources; the
192 computer in the library was where Hailey completed the NIMS 100, 200 and 700 classes that are required
193 for all staff, even councilmembers. It is good education, tunes computer skills, and some other things as
194 well. The whole process is not just teaching these young people to be fire fighters; they are being taught
195 responsibility, maturity, community respect and involvement.
196

197 Mr. Smith asked for a reminder about the Neighbors Savings Neighbors Program. Captain
198 Williams said the program will be held on Thursdays from 1:00 p.m. to 3:30 p.m. and from 7:00 p.m. to
199 10:00 p.m. The first session will be Thursday, November 14th; training will include CPR (Cardio
200 Pulmonary Resuscitation) and first aid. Information on identifying heart attacks and strokes will also be
201 presented. Chief Cimini added that the program is free to town residents, but there is a nominal fee for
202 nonresident participants.
203

204 **ii. Planning, Building & Zoning.**

205

206 Ms. Morris presented the written report, a copy of which is on file. The number of permits being
207 issued continues to increase with 166 permits issued in October 2013 compared to 104 in October 2012.
208 Two stormwater plans were reviewed and staff constantly removes signs from the rights-of-way. Staff
209 met with homeowners and contractors to consult about upcoming projects that were delayed until the
210 summer season ended. FEMA (Federal Emergency Management Agency) conducted the town's
211 community assistance visit. The assessment found no violations; staff has education above the standard
212 requirements and the town ordinances were being enforced. Amendments will be presented at this
213 meeting to the flood ordinance to comply with state code. Staff has worked very closely with the South
214 Carolina Flood Mitigation office to satisfy them that the ordinance complied with state code. The
215 department is due for the ISO (Insurance Service Organization) rating; two scheduled meetings were
216 cancelled due to conflict of the ISO coordinator. Staff is prepared whenever the coordinator notifies them.
217 Ms. Morris hoped the ISO rating would go down since all three planning, building and zoning department
218 staff members were now certified.
219

220 Mayor Samples asked with regard to the bigger waters legislation and the dramatic increase
221 coming in flood insurance premiums for second homeowners and investors, if it was feasible for the town

222 to strive to reduce the current CRS (Community Rating System) rating of 9, because there were discounts
223 with better ratings. Ms. Morris said staff was striving to get the rating lowered. There were two certified
224 flood plain managers now, and the permit technician and the building official are going to take certification
225 classes next year. Each certified staff member helps to lower the rating. The regional FEMA coordinator
226 recommended that staff evaluate the freeboard [*freeboard is the space between the FEMA required*
227 *construction level and the bottom of the structure*] that the town has, which is a foot above the FEMA
228 requirement. The town could go to two or three feet higher, because most construction already meets
229 that level. The town lots are so small that most construction is done so that parking is beneath the home.
230 Once a structure is over four feet, there is no additional discount. Staff will certainly consider advancing
231 the freeboard and bring a recommendation to Town Council at a later date. Mayor Samples said that
232 would definitely benefit the town.
233

234 Mr. Smith asked what the current height requirement was. Ms. Morris said it is one foot above
235 the FEMA required flood elevation. The AE zone requires at least 13 feet above mean sea level. Many
236 lots within the zone already meet the requirement, so if they build a three foot crawl space, there would
237 be an advantage insofar as flood insurance. In the V zone, the velocity zone, which is right on the water,
238 the requirement is right above the lowest horizontal member [*the lowest point on the bottom of the*
239 *structure*]. All of those properties meet that requirement, because they have parking beneath the
240 structures, so there is some savings in flood premiums. Staff would like to adjust the flood ordinance to
241 require the maximum freeboard.
242

243 **iii. Police**

244
245 Captain Miller presented the written report, a copy of which is on file. Even though the
246 department was busy, there was a 9-percent decrease in service calls with a corresponding decrease in
247 citations. Two full time police officer positions were filled. Jim Amundsen converted from part time to full
248 time status. Joey Mutto, a town resident who graduated from the Citizens Police Academy, filled the
249 second vacancy. Sergeant Bailey successfully completed driving instructor recertification, so he will be
250 instructing the officers in emergency vehicle operations. Chief Keziah, Lieutenant Hofmann, and
251 Sergeant Bailey attended the South Carolina Training Officers Conference held in Myrtle Beach.
252 Investigator Sliker and Corporal King attended marijuana analysis recertification classes that are required
253 for agencies that perform their own marijuana analysis testing. Sergeant Bailey attended fire arms
254 instructor recertification training at the South Carolina Criminal Justice Academy. All officers will
255 participate in fire arms training this month. All sworn personnel attended in-service training during
256 October that included policy reviews for use of force, which is required, practical training in vehicle
257 training, defensive tactics and taser recertification, which reduces the town's liability. The department
258 participated in the Surfside Beach Family Festival. Captain Miller and others were in the dunking booth
259 raising \$700 for South Carolina Special Olympics. Communications officers Christina Mueller and Christi
260 Norton graduated from the South Carolina Criminal Justice Academy three-week basic jail certification. In
261 addition to their certified dispatcher designations, they now hold certified detention officer certifications.
262 The certified detention officer certification will allow them to assist officers when female inmates are
263 brought into the station. Captain Miller said a phone call was received from a visitor whose vehicle broke
264 down during October. Sergeant Black stopped to assist and went the extra mile to get the individual
265 home. The individual called saying they were impressed to see an agency willing to help somebody
266 visiting the town. Captain Miller said they agreed. The department is sponsoring two programs in
267 December: (1) a town meeting will be held to discuss the town ordinances and enforcement, and (2) the
268 second program that might be incorporated into the town hall meeting will be called "Coffee with Cops"
269 will be a partnership with a local business to offer free coffee and pastries to the attendees and provide
270 another venue to have citizens interact with law enforcement. The surveillance camera system was 100-
271 percent operational. Staff was really impressed and happy with the cameras. He invited everyone,
272 including the public, to come view the system.
273

274 Mayor Samples said they were very proud of the department's work and efforts. Comments he
275 heard on the streets about the quick response times were terrific and he heard them often.
276

277 Ms. Kohlmann said, because she was sure that Chief Cimini wanted to, that they might want to
278 partner with Krispy Kreme Donuts for the Coffee with Cops! (*Laughter*) Chief Cimini said they needed to
279 serve pastries, not donuts. (*Laughter*)

280
281 **C. Administrator's Report – Update on Current Events.**

282
283 **i. Update on Current Events.**

284 Ms. Fellner reported that

- 285 • Surfside Beach magazine production was on schedule; advertising sales to date equal
286 approximately \$19,852
- 287 • Installation of the welcome sign at Melody Lane and US Highway 17 was completed
- 288 • The CTC funds distributed for road paving was revenue derived from gas tax. An apportionment
289 of \$2.66/gallon gas state wide was collected by the Department of Revenue and deposited with
290 the County Transportation Fund in the State Treasury. Funds remain there until SCDOT (South
291 Carolina Department of Transportation) requests disbursement. Funds were not held in the
292 SCDOT account. Funds were apportioned based on
 - 293 ○ 1/3 county land area to the total land area in the state
 - 294 ○ 1/3 of the ratio of the county population to the total population of the state
 - 295 ○ 1/3 of the ratio of rural road mileage in the county to the total rural road mileage in the
296 state

297 The counties then disburse the funds for transportation improvements via an application process
298 according to need and municipal impact. The only caveat was that 25-percent of the total amount
299 of the funds disbursed by the county must be for state rural road improvements.

- 300 • An Excel spreadsheet was completed that includes all information including serial numbers,
301 meter numbers, and locations for each of the POM meters, so equipment can be easily tracked.
302 The town's parking equipment is segregated from other equipment as follows
 - 303 ○ The nine pay stations are stored inside the parking pavilion garage. Each pay station has
304 its own serial number.
 - 305 ○ Each modem has its own IP (Internet Protocol) address, which is associated with each
306 pay station. These pay stations are DPT's newest versions, which are not utilized by
307 Myrtle Beach, so they not only look different, but all the parts only work in the town's pay
308 stations.
 - 309 ○ POM meters are also stored inside the parking pavilion garage and occupy three storage
310 racks. Each of these meters have their own number, which coincides with which street
311 they belong on, and have park mobile zone location numbers that are specific to Surfside
312 Beach. The inside of each meter has Surfside Beach's rates and hours of enforcement
313 listed on the mechanism.
 - 314 ○ The Duncan meters and bases that were used at the 13th Avenue South parking lot are
315 also stored on those shelves. They are the only Duncan meters on the property, so they
316 are clearly recognizable as Surfside Beach property. No parts are interchangeable with
317 any other meters.
 - 318 ○ The 30 IPS meters that were a trail run this year have been shipped back to IPS. If the
319 town chooses to purchase them for the 2014 season, they will send brand new meters.
- 320 • DDC Engineers has completed the specifications and plans for the 3rd Avenue Swash. The
321 public notice was published. She expected an early January bid letting, if the permit process with
322 both DHEC-OCRM (South Carolina Department of Health and Environmental Services –
323
324
325
326
327
328
329
330
331

Department of Ocean and Coastal Resource Management) and the US Army Corp of Engineers went smoothly.

- DHEC has issued the MS-4 NPDES (National Pollutant Discharge Elimination System) permit after completing numerous changes to the May draft. The changes were in anticipation of stricter rules by the EPA (Environmental Protection Agency.) It is currently under review to determine, what, if anything, will directly impact the town's stormwater program. Any changes, of course, would be presented the stormwater committee for recommendation to Town Council.
- The winter paving projects began this week. Letters were sent on November 4th to residents in the affected areas. The information was also posted on the town website. Paving will be done at 14th Avenue South from Dogwood Drive to Highway 17; Oak Drive North from 1st Avenue to Myrtle Drive, and 13th Avenue North from Ocean Boulevard to Cedar Drive North. Subject to weather delays, all of the paving projects should be completed in one week.
- The enhancements at Magnolia Lake on 16th Avenue North between Magnolia and Palmetto Drive were completed. The total project cost, including materials, but not including staff salary or fringe as the work was completed in-house, was \$2,546.24, which was well under the budgeted amount of \$5,000.
- The 6th Avenue South project to fill in the retention pond was almost complete. Cost to date is in last year's budget. There was \$3,375 to Earthworks Group for wetland permitting and surveying in the prior year's budget. Expenditures in this year's budget are \$2,720 to Earthworks for the contract, which included the site plans, the stormwater NOI (Notice of Intent) for DHEC, and the drawings, and also materials in the amount of \$3,217.35. Some special equipment had to be rented to complete this project.

ii. Consensus Item – Pier Open to Patrons during Winter Months.

Ms. Fellner asked Town Council for concurrence to keep the pier open for winter hours from December 1, 2013 through February 13, 2014 from 7:00 o'clock a.m. until 7:00 o'clock p.m., except for a two week period for construction in the parking lot and the pier restaurant roof. The work is tentatively scheduled for the first two weeks in December. Pier Outfitters confirmed that it would be closed those dates. **COUNCIL CONCURRED.**

7. BUSINESS.

A. Second Readings of Ordinances

i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees, Director Morris. Clerk's Note: Please see Item 4, Agenda Approval for the approved motion that moved this ordinance to first reading.

Mayor Samples welcomed Horry County Councilmember Paul Price, who just arrived at the meeting.

ii. #13-0765 to accept Harbor Lights Roads into Town Road System, Director Morris.

Ms. Morris said Town Council adopted first reading of this ordinance to accept the roads into the town's system at the last meeting. Repairs were made the streets where trucks had damaged them. The public works director signed off on the repairs. The certification of non-litigation was presented at the last meeting, and the letter of credit was approved by the planning department as well as the public works department. As far as the decorative lights, decorative stop signs and other signage in Harbor Lights, the town's Land Development Regulations stipulate that a subdivision has every right to install decorative lights, etc.; however, the town will only replace any damaged fixtures with standard fixtures. There are

387 several other subdivisions in town that have very nice decorative lighting, but those subdivisions are
388 planned developments and the respective homeowners associations pay the fees and take care of the
389 fixtures. The decorative lights on Surfside Drive and Ocean Boulevard are maintained at the town's
390 expense, because that is public property and were put in place to beautify the town. Those particular
391 lights are not in a subdivision. Ms. Morris reiterated that decorative lighting and signage could be used,
392 but once the town accepts the rights-of-way and streets the town would only be responsible for the cost of
393 standard lighting and/or standard signage, if any fixtures needed to be replaced.

394
395 Mayor Sample understood Ms. Morris to say that accepting the Harbor Lights streets and rights-
396 of-way was being done consistent with the existing Code of Ordinances. Ms. Morris said that was correct.
397

398 Ms. Kohlmann said the town has a beautification committee, and the town encourages
399 beautification. Harbor Lights installed nice lights and the owners did have a point. If someone took out a
400 light pole on 14th Avenue South, it would be replaced with the same type decorative pole. She asked if it
401 would go against town ordinance if the wording for the replacement fixtures was changed. Ms. Morris
402 said that was correct; the Land Development Regulations would have to be amended. Ms. Kohlmann
403 said so the council's hands were tied with this. Ms. Morris said that was correct.
404

405 Mr. Smith said the decision paper states that the homeowners association could pay the extra
406 cost and get the decorative lights, and asked if that was correct. Ms. Morris said that was correct. She
407 personally spoke with the management agent for the association. The agent was in contact with Ms.
408 King, the town's finance director, and the association seemed to be willing to pay any extra required to
409 get the decorative fixtures, because it was a very minimal amount. Mr. Smith said as long as they can get
410 them by paying a little extra, they would probably be happy, because they like their pretty lights. Ms.
411 Morris said they are very attractive; they look really nice.
412

413 Ms. Mabry asked if the town had decorative lights on public property. Ms. Morris said yes. Ms.
414 Mabry said there are no decorative lights throughout the neighborhoods; those are standard lights. Ms.
415 Morris said the decorative lights located in neighborhoods are in planned developments. There are no
416 decorative lights in the neighborhoods. Ms. Mabry said there are standard lights up and down 15th North.
417 Ms. Morris said correct.
418

419 Mayor Samples said there are some exceptions. When the underground wiring project was done
420 on 14th Avenue South, decorative lighting came with the package, because part of the underground wiring
421 plan was to improve the looks of the utility poles for the lights.
422

423 Mr. Smith moved to approve second reading of Ordinance 13-0765 to accept Harbor Lights roads
424 into the town's road system. Ms. Mabry seconded.
425

426 Mr. Johnson said to this point, he intentionally kept quiet. He thought in the future the Land
427 Development Regulations should be reviewed to address this question, because beautification was a key
428 component of improving the town. He would like to refer the Land Development Regulations insofar as
429 they pertain to lighting to the planning commission for review.
430

431 Mayor Samples asked if that was Chapter 15. Ms. Morris said that was correct, it would be
432 presented to the planning commission for a recommendation to Town Council.
433

434 All voted in favor. **MOTION CARRIED.**

435
436 **B. First Readings of Ordinances.**

437
438 **#13-0766 to allow Docks on Town Lakes, Councilmember Kohlmann and Councilmember**
439 **Smith.** Clerk's Note: This item was deferred by approved motion, see Business Item 4, Agenda
440 Approval.
441

442 **i. #13-0764 to amend §§13-52, 13-57, 13-60 & 13-61 Planning, Building and Zoning Fees,**
443 **Director Morris.**
444

445 Ms. Morris said the ordinance was presented at the last council meeting, but was only discussed.
446 There was a lot of confusion, because of the manner in which the ordinance was written. Corrections
447 were made to clarify the ordinance, and the existing and proposed changes were highlighted. The fees
448 were increasing, but they would not be as high as surrounding areas fees. Staff would like to have fees in
449 line with other areas without competing for business. The goal was to increase fees, but still encourage
450 development in town. She said there was discussion about structures with big square footage, but small
451 dollar values. Ms. Morris said she and the building official discuss the proposed change and determined
452 that the code should state "valuations for new construction, additions, renovations, repairs, or remodeling
453 shall be determined by the use of 2012 International Building Code or the latest adopted edition thereof
454 on a total square foot basis, and the valuations for new construction shall be determined by Section 13-
455 52(a) or (b) whichever was applicable, which is construction of a single family or a commercial building."
456

457 Mayor Samples asked if a public hearing was required. Ms. Morris said a public hearing was
458 required. Mayor Samples asked Ms. Morris to schedule the public hearing outside of the regular council
459 meeting. Ms. Morris said that could be done.
460

461 Mr. Smith moved to adopt first reading of Ordinance 13-0764, Building and Zoning fee changes.
462 Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**
463

464 **ii. #13-0767 to adopt 2013 Comprehensive Plan, Director Morris.**
465

466 Ms. Morris presented the decision paper, a copy of which is on file. The planning commission
467 worked on the comprehensive plan for the past year. The commission was proud of its accomplishment,
468 and she was proud of the commission members for taking the time to perform the detail work and the
469 persistence on accuracy. After the first draft was presented to council, the planning commission
470 members brought changes forward that had already been done. Every department director also assisted
471 with providing information and making corrections. The senior center would be added, that was an error
472 to omit it. Every five years the plan must be reviewed and changes made; then every ten years, the plan
473 must be completely rewritten, which is what was being presented for approval.
474

475 Mr. Smith had many suggestions and moved to suspend rules to allow discussion. Mr. Johnson
476 seconded. All voted in favor. **MOTION CARRIED.**
477

478 Mr. Smith wanted corrections to page 58 in the paragraph about the council is the legislative and
479 administrative body. In the council form of government, the council is both legislative and administrative.
480 On page 9, annexation is discussed and is also mentioned in other places in the document, he wanted
481 stronger language that the council was not necessarily in favor of annexation, but it was willing to look at
482 it, but there was not a strong interest in it.
483

484 Mayor Samples agreed with Mr. Smith's intent.
485

486 Ms. Mabry said as one councilmember, she liked the language the way it was stated. She did
487 want to explore some annexation on businesses. She was afraid if language was used that was too
488 strong, future councils may not consider any annexation. When a member says "the council" feels one
489 way or the other, as one councilmember, she did not particularly feel that way.
490

491 Mr. Smith said that was the purpose of having the discussion, so opinions could be expressed.
492

493 Mayor Samples agreed with Mr. Smith in that he wanted to be very careful about annexation. In
494 fact, he said, a previous council adopted a policy that said no money would be spent or efforts made by
495 town staff exploring annexation. He believed that was a good policy. Before any initiatives are taken to
496 expand the town's corporate limits, he believed Town Council should clearly authorize it. He thought the

497 words in the plan were weak enough; they did not bother him. There was a particular section where a
498 number of acres was stated and asked if that had been removed. Ms. Morris said the acreage amount
499 was removed. Mayor Samples was very concerned about the town's quality of life when other's problems
500 were taken on by annexation. He suggested that Mr. Smith and Ms. Morris work together to offer a
501 solution.

502
503 Ms. Dodge said she opposed annexation. She liked the town the way it is. She was old
504 fashioned and stubborn, so she was going to speak out against annexation, if it was brought up.
505

506 Mr. Stevens agreed with Mr. Smith and Mayor Samples. Annexation was something the council
507 had to be very careful with. The only benefit that would be received from annexation at all would be by
508 annexing businesses. There was a section on Azalea Drive where businesses were located that could be
509 annexed, but other than that you would be talking about problems on top of problems.
510

511 Mr. Johnson iterated that this was the comprehensive plan; it was not a guide or a direction that
512 stipulates that annexation would or would not be done. It was simply a guide that the town should follow.
513

514 Mayor Samples said Mr. Johnson's point was well made, but he also appreciated other members
515 comments so there was no misunderstanding with respect to the effort or direction without first obtaining
516 clear approval. It is a plan.
517

518 Mr. Smith said if council approved the plan, this paragraph could be staff's direction, and that was
519 why care must be taken with the language in the plan.
520

521 Mayor Samples said the language is that annexation 'can;' it did not state 'will.' Ms. Morris said
522 neither did it state 'shall.'
523

524 Mr. Smith continued with his comments saying again on page 9 it states that accommodations
525 are estimated to lodge approximately 10,000 people during the peak summer months. He thought there
526 were about 30,000 people here during the peak summer months, which was the number used in the
527 police reports to justify the number of officers. Ms. Morris said the numbers could be checked.
528

529 Mayor Samples believed there was a difference in lodging counts and day visitors.
530

531 Mr. Smith continued referring to page 10, household size, the last sentence states long term
532 household size would depend on the influence of new residents. He believed 'influx' should be used. Ms.
533 Morris said that could be corrected. Page 16, Mr. Smith explained that he was a conservative and did not
534 like liberal words, in the second paragraph "to develop viable and sustainable economic policies," in his
535 opinion, the word 'sustainable' was a liberal-type word, so he wanted it deleted and the plan state
536 'develop viable economic policies.'
537

538 Mayor Samples took exception to deleting 'sustainable,' as there was clearly a dictionary
539 definition for sustaining. In his opinion, sustainable meant something that would be on-going. It did no
540 good to start something, and then have it fail the next year for whatever reason as that would be the
541 opposite of sustainable.
542

543 Mr. Smith disagreed with the word, but that was why they were given the opportunity to express
544 their opinions.
545

546 Ms. Mabry did not think sustainable was a liberal word. She thought it meant on-going.
547

548 Mr. Smith continued saying that on page 50 the table of Surfside Beach special events should
549 include the Movies after Dark, and the Turkey Trot.
550

551 Mayor Samples said the Turkey Trot would be discussed later in this meeting to determine
552 whether it would be an annual event or permission would need to be requested every year.
553

554 Mr. Smith said even if the coordinators request permission every year, it was usually approved,
555 so he thought it would be nice to leave in the schedule as one of the town's activities.
556

557 Mayor Samples said for that matter, the Guy Daniels Surf-off could also be included.
558

559 Mr. Smith believed Guy Daniels should be included. He thought that was the Ocean Expo.
560

561 Ms. Kohlmann said the Ocean Expo was no longer held.
562

563 Mayor Samples said the Ocean Expo was only held one year.
564

565 Mr. Smith said that page 50 had 'August Ocean Expo' and asked if that should be Guy Daniels.
566

567 Mayor Samples asked if Mr. Smith had many more comments.
568

569 Mr. Smith said he had three pages.
570

571 Ms. Kohlmann said Ms. Morris would appreciate members just going to her office to discuss
572 changes. If there are words that were controversial, by all means, Mr. Smith should continue.
573

574 Mayor Samples said this was first reading, and changed pages could be provided to council.
575

576 Mr. Smith said on page 69 the police discussed upgrading their facility. He wanted to know what
577 was meant. Captain Miller said generally it was referring to the space in the building. About one-quarter
578 of the building was the municipal jail and not useable square footage by staff. They have reached the
579 limits of space; he had three or four computer servers running in his office, which was not the usual
580 environment for computer servers. There were probably two dozen boxes of files in the records room;
581 records were being stored in a pod off site, because there is no more storage space. Mr. Smith asked
582 exactly what they were looking for, an additional conference room, or what. Captain Miller said some
583 office space and some record storage space; they were not looking for anything extensive, but there are
584 offices occupied by two or three people; they need usable floor space. Mr. Smith said increasing fire
585 staffing to four per shift and adding a full time fire prevention and public education officer were also
586 discussed on page 69, and asked for explanations. Chief Cimini said the requirement for four fire fighters
587 had been in the plan for several years. It was added when OSHA (Occupational Safety & Health
588 Administration) required two in and two out, which means that four fire fighters have to be on scene
589 before a building could be entered. However, a master plan was submitted to the town administrator that
590 addresses this by various options. Mr. Smith asked if these positions would be full time or on-call. Chief
591 Cimini said it could be handled either way. The full time fire prevention and public education officer would
592 be a full time fire marshal, which the town used to have on staff. Mr. Smith said he had one more
593 comment to offer that might be controversial. He referred to page 71, 6C, and said he was against the
594 town looking into an indoor exercise facility, because to support that type facility, you might need as many
595 as eight people on staff to support a gym or fitness center. He believed that should be deleted. The town
596 was small and did not have an unlimited budget.
597

598 Mayor Samples agreed with Mr. Smith, but read 6C, "*Evaluate the feasibility (speaker's*
599 *emphasis)* of a year-round, indoor health and fitness center." He recognized that when the evaluation
600 was done, that the presentation would have to pass through the administrator who would probably
601 determine that it would be a waste of time to present. Mayor Samples said he loved planning documents.
602 He remembered when the state adopted the requirement to have planning documents prepared for all the
603 municipalities. The fact of the matter was that it turned into a business for the councils of government to
604 shop their skills around to generate revenue. Having said that, Mayor Samples said he did not mean that
605 there was not some benefit. The point he wanted to make was that council should not kid itself over

606 whether the plan was 'gospel.' He appreciated Mr. Smith's effort. He said bringing up things like
607 annexation were a waste of time. Mayor Samples said he visited Ms. Morris about the priority investment
608 section. He hated that section, because there were millions of dollars of planned expenditures in it. This
609 was what came of the public comments and the planning commission recommendation. The council saw
610 how much input was received during the public hearing earlier in this meeting. This was a state
611 requirement. Mayor Samples said the council should meet the state requirement and move on.
612

613 Mr. Smith did not think things should be included to which the council objected. He did not want
614 to change things and have councilmembers say that he changed it, but they were in favor of it. On page
615 143, he thought the plan needed to include that outfall pipes to the swashes were unfunded capital
616 projects. He would meet with Ms. Morris to discuss his other comments so they could be presented at the
617 next meeting.
618

619 Mr. Stevens said he had glanced over the comp plan over and over. On page 69, he liked item
620 4C, continue use of citizen boards and advisory committees to provide input to town council and
621 administrator on major policy and public facility issues.
622

623 Ms. Mabry said the planning commission was very careful to use the words may and can; it does
624 not state that everything in the plan must be done exactly as it was stated. The plan gives an opportunity
625 to future councils who would serve three, four, or even five years from now. Those councils will have the
626 opportunity to adopt whatever they choose. It was not for this council to say; it was for this council to
627 consider, in her opinion, and not hold somebody's feet to the fire, because they did not like something.
628 The council has the opportunity to vote when a matter presents and say that it does not want to approve.
629 Ms. Mabry was very hesitant to change the commission's language. The commission opened the door; it
630 fulfilled the state's requirements. Council was not required to implement any of the comprehensive plan
631 recommendations, because of the way it was written. The council has the right to say no when a strong
632 objection is presented, because there was no money, there was no time, or the recommendation was not
633 feasible. The council needed to get the plan as correct as possible and move on.
634

635 Mayor Samples said for a 170 pages he was sure there were not too many changes to be made.
636

637 Mr. Stevens thanked the planning commission for its work on the plan saying it was
638 commendable.
639

640 Mayor Samples said it was remarkable.
641

642 Mr. Smith moved to reconvene regular order. Ms. Dodge seconded. All voted in favor. **MOTION**
643 **CARRIED.**
644

645 Mr. Johnson moved to approve Ordinance #13-0767. Ms. Kohlmann seconded.
646

647 Mr. Smith said in the interest of transparency he brought his concerns and changes to the
648 meeting. He could have done so in private with Ms. Morris, but he thought it was good to do it in a public
649 meeting so that they would know that some of the councilmembers actually read the document and take it
650 very seriously. Mr. Smith did not want staff to take action on some of the plans, spend money preparing a
651 study for the council, and then council vote against it, if council knew today that it did not favor it.
652

653 **Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Johnson,**
654 **Kohlmann and Stevens voted in favor. Councilmember Smith voted against. MOTION CARRIED.**
655

656 **iii. #13-0768 to amend Flood Ordinance, Director Morris.**
657

658 Ms. Morris presented the decision paper that is on file. The proposed changes were to comply
659 with new FEMA (Federal Emergency Management Agency) regulations. The town had a Community
660 Assistance Visit on July 11th. Minor problems were found with the flood plain management regulations;

661 there were no other enforcement procedure problems, engineering, local flood plan management
662 program or the reports. This ordinance includes wording directly from the state model ordinance and will
663 be in compliance with FEMA.
664

665 Mr. Smith said it took quite a while from the July to get this done and asked if that was because of
666 dealing with slow response times. Ms. Morris said yes, as soon as the comments were received from the
667 visit, staff started working with state staff. Mr. Smith said now the council had a time constraint to get the
668 ordinance adopted by December. Ms. Morris said that was correct; a certified copy had to be submitted
669 by December 9th.
670

671 Mr. Smith moved to adopt first reading of Ordinance 13-0768 to amend the flood plain ordinance.
672 Mr. Johnson seconded.
673

674 Mr. Johnson asked if a public hearing was necessary. Ms. Morris said no.
675

676 All voted in favor. **MOTION CARRIED.**
677

678 **C. Festival Promotions, Mike Shank, Owner – request to hold Turkey Trot annually.**
679

680 Mr. Derrick McKnight presented on behalf of Mr. Shank who was in Florida on business and could
681 not attend. Mr. McKnight said that Festival Promotions had partnered with Surfside Rotary to hold the
682 annual Turkey Trot race on Thanksgiving Day. He appreciated the support from Town Council and
683 thanked Ms. Ellis and the police department for helping with the event during the past three years. The
684 request tonight was to approve the event as an annual event since it had been held consecutive three
685 years and he anticipated it continuing. Festival Promotions holds a Surfside Beach business license.
686 The event is the fourth largest road race in the area; almost 1,200 racers participate.
687

688 Mayor Samples asked what registration cost. Mr. McKnight said it was a fluid registration
689 beginning at \$25, as race day nears registration cost increases.
690

691 Mr. Smith asked how the administrator would get the proper documents to protect the town. Ms.
692 Fellner said it would be handled like any other event; a schedule would be given to Festival Promotions
693 and it would have to comply.
694

695 Mr. McKnight said Festival Promotions covers all the town's expenses, including paying the police
696 and other town employees that work the event. No taxpayer money is used for the race.
697

698 Mayor Samples asked if Festival Promotions was non-profit. Mr. McKnight said for profit, but it
699 was working with Surfside Rotary as its charity. Last year \$1,500 was presented to the Rotary. He
700 hoped more would be raised this year.
701

702 Mr. Stevens said Festival Promotions had been around for quite a while. It had done promotions
703 at Market Common and Myrtle Beach. They run a very efficient race, and he would be totally in favor of
704 supporting the request. Mr. McKnight said thank you.
705

706 Mayor Samples said he was in favor of it, but he was trying to figure out how the town could
707 generate some revenue. He asked how much was grossed on the town's race last year and how much
708 was reimbursed to the town. Mr. McKnight said about \$30,000; the police officers and town workers that
709 worked the event were paid by Festival Promotions. He did not have the dollar amounts. Mayor Samples
710 reiterated that the event had been supported for four years; but it sounded like business was good, too.
711 Mr. McKnight said the company did pay taxes.
712

713 Ms. Kohlmann said a business license was required for the company, and asked if an additional
714 license was purchased for the race. Mr. McKnight said no additional license was purchased for the

715 specific race. The event brought people in from 35 different states, Canada, the Virgin Islands, and the
716 District of Columbia, who all visited the town's businesses.

717
718 Mr. Smith asked if a lot of them stayed in the town's hotels. Mr. McKnight did not have that
719 information. Mr. Smith asked if they could be encouraged to stay in the town's two hotels. Mr. McKnight
720 said the packet pickup was done at the Surfside Beach Resort by the pier.

721
722 Ms. Kohlmann asked if Festival Promotions could consider something like a sports or running
723 scholarship for a local student in addition to the Rotary, just to start something new and different for the
724 town, because the event will grow and everybody wants to come here. Mr. McKnight said he would be
725 happy to meet with the Rotary Club to see what kind of scholarships they currently have and how they
726 could be enhanced. Ms. Kohlmann was asking for an additional scholarship. Mr. McKnight reiterated
727 that Festival Promotions had partnered with the Surfside Rotary and he would see what the company
728 could do to enhance its scholarships. Ms. Kohlmann said okay.

729
730 Mayor Samples asked what would happen if the event were just handled as it was in the past.
731 Mr. McKnight did not have an answer. Mayor Samples asked if other for profit groups conducted events
732 on an annual basis. Ms. Fellner did not believe any for profit events were approved.

733
734 Ms. Kohlmann said approval did not sit well with her, to be honest, because this is the Family
735 Beach. She wanted to see something coming back to benefit the children in the community. She
736 understood that all expenses were paid, but it was a for profit company.

737
738 Mayor Samples agreed.

739
740 Mr. Stevens said for profit companies attended the festival.

741
742 Mayor Samples said those companies paid for a license and set up. This was a special event
743 and his thinking was that it would be nice to grow the event and leverage it. Once permission was
744 granted to hold it annually, Festival Promotions would only be seen when it was time to make staff
745 available. Mr. McKnight wanted to be responsible, but the company did have limitations on the number of
746 racers it could have at this event, because of the parking lot size at the pier. Mayor Samples asked if
747 Festival Promotions bought advertising in the town's commemorative magazine. Mr. McKnight did not
748 know.

749
750 Mr. Smith said Mr. McKnight should speak with Ms. Fellner about the commemorative book.

751
752 Ms. Mabry asked if Festival Promotions promoted the town in any way other than the race was
753 held here and asked whether the registration packets have any information about in-town hotels,
754 restaurants or other businesses. Mr. McKnight said the Surfside Rotary contacts local businesses to sell
755 sponsorships for the race so the businesses can be involved and have their names in front of the runners.
756 The Rotary used to have a spring race that was not as successful as the Turkey Trot, so it decided to
757 focus on this one. Mr. McKnight reiterated that the locale could only handle so many participants; another
758 course would have to be identified if there were 2,000 to 2,500 registrations. The reason Festival
759 Promotions partnered with Surfside Rotary was to get the community involved.

760
761 Mr. Smith moved to grant permission for Festival Promotions to hold the Turkey Trot this year
762 only, and that Festival Promotions could make additional contributions to the town, and to try to determine
763 how many registrants stay in town lodging. Ms. Dodge. All voted in favor. **MOTION CARRIED.**

764
765 **D. Senior Citizens Committee Recommendations, Administrator Fellner.**

766
767 Ms. Fellner said many of the senior citizen recommendations go hand-in-hand with their survey
768 results regarding exercise. The recommendations were delivered to Town Council and also published on
769 the town website for public viewing. She specifically asked for a motion from the committee to bring it

770 forward to council, because funding was required. Up to this time, Ms. Fellner said she was flexible with
771 committees when expenditures were minimal, i.e., \$50 to a few hundred dollars. The senior citizens
772 committee is very active, and their plans involve large dollar amounts. The town's budget this year was
773 "skinny" and she was trying to comply with the budget. Ms. Fellner sought direction from Town Council
774 on whether the committee's recommendations should be funded. The final document titled "Year 2013
775 Surfside Beach Senior Citizen Survey and Recommendations," cites funding recommendations in the
776 total amount of \$6,720 for a number of items, including \$120 for sign up and publicity; \$1,200 for a digital
777 street map of Surfside Beach with locations of sidewalks, rest rooms, benches and bike racks; \$1,800 for
778 walking and bike path signage; \$3,600 for a PARD (South Carolina Parks and Recreation Department)
779 grant match that has an \$18,000 contribution by the state for four Life Trail Stations.

780
781 Ms. Kohlmann asked which bike paths were being referred to as she was unaware of any. Ms.
782 Fellner said the town does have a Greenway. It was laid out throughout the town and it met the
783 requirements. It was not a bike path, per se, but it was a part of the Greenway Plan.

784
785 Mayor Samples said you had to be here to know what happened.

786
787 Ms. Kohlmann remembered hearing about it years ago when she did not live in town. She did not
788 believe bike path signs should be placed when there were no legitimate bike paths. It was an awful lot of
789 money in a time when the town did not have money.

790
791 Ms. Mabry felt strongly that the recommendations should be budgetary items for next year. This
792 was a large amount of money that was not in this year's budget. The council was going to Pinopolis
793 where it can discuss the recommendations. She did not have an aversion to doing so, but to just give a
794 committee that kind of money even if it was something they really wanted, and it may be very good for the
795 town, it was a budgetary item. In the next budget, if it comes up then, she would be glad to discuss it at
796 that time.

797
798 Ms. Dodge commended Mr. Magliette and the committee for their work for the senior citizens
799 group. She could see the council funding some each year over a period of time, and those things could
800 probably change and grow, and maybe there would be more money available in the budget. But she
801 could not see the council right now funding \$18,000 or something to that effect. If the items were broken
802 down comfortably, she thought some of it might be funded over a period of time.

803
804 Mr. Stevens said to clarify, it was not \$18,000. It was \$3,600; 80-percent was paid by grant
805 funds. He said we are a town of senior citizens, and he actually fell in that category himself. More and
806 more people were retiring in town, so he would like to see Mr. Magliette's and the committee's
807 recommendations come to fruition. He understood that it would be a budgetary item, but it was definitely
808 something the council should consider, because seniors make up the majority of the town. Mr. Stevens
809 said he was basically in favor of the recommendations. He would like to see if it could happen, but he
810 knew it was a budgetary item.

811
812 Mr. Smith thought the recommendations were good, but said council should wait until next year's
813 budget. He suggested that they work on getting the life trail station grants and time them so that the grant
814 would come due the first part of next year's budget so they could say they have the grant money so the
815 town could pay its 20-percent portion. He said if they grant was awarded, then there probably would not
816 be a problem putting it in next year's budget.

817
818 Mr. Johnson agreed with Mr. Smith.

819
820 Ms. Fellner wondered if she could ask Festival Promotions for a contribution, because the
821 recommendations were physical activities and they might be interested in helping.

822

823 Mayor Samples said there appeared to be support for the recommendations, but this was not the
824 year to provide funding. Ms. Fellner asked if Town Council would like to reconsider the recommendations
825 at the budget retreat. **COUNCIL CONCURRED.**
826

827 Mr. Smith suggested that Ms. Fellner speak with Festival Promotions to see if they were
828 interested in working with the senior committee.
829

830 Mayor Samples asked if staff would handle procurement. Ms. Fellner believed the committee
831 would be willing to do some of the work, but some would be required to be handled by staff.
832

833 **9. DISCUSSION – Any matters of concern or information to be discussed by Town**
834 **Council.**
835

836 **A. Parking Committee Workshop regarding Lanier Parking, Tuesday, November 26, at 5:00**
837 **p.m., Mayor Samples.**
838

839 Mayor Samples said the parking committee requested a workshop on November 26th. He asked
840 if the committee had all the information it needed. Ms. Fellner believed the committee did; the committee
841 would meet on the 18th at 2:00 o'clock p.m. so that Kerry Loomis and Mike Kish from Lanier Parking could
842 attend. Mayor Samples asked for consensus from council to hold the workshop before the next council
843 meeting and asked if members would prefer to carry the workshop over into the New Year.
844

845 Ms. Mabry said two days before Thanksgiving was a busy time; she preferred to hold the
846 workshop after the New Year.
847

848 Ms. Kohlmann believed the committee planned the workshop at that time so people with second
849 homes might be in town and could attend the workshop to make comments. She had no preference, but
850 she understood from the last meeting everyone wanted the evaluation on the parking completed and that
851 the workshop was to be held before the next year, so she did not understand the delay. She did not want
852 to fall short and be told that they waited too long. She did not want to wait until next year and said that
853 was for sure.
854

855 Mayor Samples asked if Ms. Fellner would provide the data provided to the parking committee to
856 Town Council. Ms. Fellner said it had already been sent to council. She would be working on the
857 numbers in preparation of the Monday parking committee meeting. Everything that is shared with the
858 parking committee members was also shared with council. Mayor Samples said from an analysis
859 standpoint it made sense to him that the committee had adequate time to consider the actual data before
860 recommendations were made to council.
861

862 Ms. Kohlmann asked how long it would take Ms. Fellner to prepare the information. Ms. Fellner
863 said the amount of data would require several days to analyze.
864

865 Mr. Smith asked if the workshop could be held the first meeting in December.
866

867 Mayor Samples was open to suggestion. He just thought having it Thanksgiving week put
868 everyone under undue pressure.
869

870 Mr. Smith suggested the first meeting in December.
871

872 Ms. Mabry said that would be fine.
873

874 Mr. Stevens thought that would be good.
875

876 Mr. Johnson said chances were that he would not be here.
877

878 Mayor Samples said the workshop would be at 5:00 p.m. on Tuesday, December 10th.
879

880 **B. Leash Laws, Mayor Pro Tempore Mabry.**
881

882 Ms. Mabry said during a recent meeting a citizen expressed concern about the town's leash laws.
883 She asked if council was willing to instruct staff, including the police department, to review the code and
884 present any language they deemed necessary to strengthen the leash laws.
885

886 Ms. Dodge asked who police the proposed leash law.
887

888 Mayor Samples said the town had a leash law, and he presumed it was a police matter.
889

890 Ms. Dodge said she would presume; she did not see many animals running lose, but she did see
891 some.
892

893 Mr. Smith said he was comfortable with the way the leash law was written today.
894

895 Mr. Stevens concurred with Mr. Smith.
896

897 Ms. Kohlmann said she completed a lot of research on leash laws in different towns. She thought
898 the town had a good leash law. The problem was that some people just would not obey some of the
899 laws. She believed it was more of a community policing issue than it was rewriting the ordinance.
900

901 Ms. Mabry did not think it would hurt just to have staff look at it, which was all she asked. If staff
902 presented a recommendation, then of course, she would accept that recommendation. It would not hurt
903 to have the police and other staff review the code to ensure it was standard and up to current codes.
904

905 Mayor Samples said that sounded reasonable to him. He read the ordinance and tended to
906 agree that enforcement was difficult. It was common sense. However, some dog owners lacked common
907 sense sometimes.
908

909 Ms. Kohlmann had no problem sending the code to staff, specifically the police department, for
910 review.
911

912 Mayor Samples asked if any member had a problem with asking staff to review the leash codes.
913 **There were no objections.** Mayor Samples said the code was referred to staff for review.
914

915 **C. Fire Department Fee Schedule, Chief Cimini.**
916

917 Chief Cimini sought Town Council's direction on a plan to improve the fire department's
918 inspection program. A full time fire marshal was on staff until about three years ago, when it was thought
919 that putting the fire marshal on a shift would be beneficial. The plan was inspections could be performed
920 during the shift. There are 350-plus businesses in town. The fire marshal works nine shifts a month;
921 some of the shifts were on weekends when some businesses were closed. Code requires every
922 commercial building in the town to be inspected twice each year, and a pre-incident plan [*referred to as*
923 *pre-plans*] must be done on every commercial building in town. He had been evaluating ways to improve
924 the department's performance and to also raise revenue, because the department was one of the few
925 agencies that did not develop any income. One process would be to implement a fee schedule for
926 inspections. Based on estimates, around \$60,000 would be generated by commercial inspections, which
927 would pay for a part time inspector to work 20 hours a week. Chief Cimini said somewhere down the line
928 they had to start thinking about how the department could improve the inspection process, especially
929 since it is an ISO requirement that inspections be performed twice a year. Engine crews were helping
930 with inspections, because it was an impossible task for one person to complete. It was not a matter of
931 just the two required inspections; many times there were follow-up inspections to ensure corrections were
932 made and also completing pre-plan reviews. The town currently was rated 3 by ISO, with the additional

933 inspector the rating could possibly move to a 2. Chief Cimini asked whether council had any interest in
934 moving forward.

935
936 Mr. Smith asked fees were currently charged for any inspection. Chief Cimini said no, they were
937 free. Mr. Smith asked if \$60,000 was enough to cover a fire marshal's salary. Chief Cimini said it would
938 be more than enough; excess funds would go to the general fund. Mr. Smith asked how much an
939 inspection would cost. Chief Cimini said that was the question; other community charges average around
940 \$50 for a small business. Charges were based on square footage. Prices range up to \$300 for some of
941 the bigger buildings. Mr. Smith asked if Myrtle Beach, North Myrtle Beach, and Conway charge
942 inspection fees. Chief Cimini said Myrtle Beach began its program about six months ago. Myrtle Beach
943 has about 4,000 businesses, and four full time inspectors. North Myrtle Beach does not have inspection
944 fees and has a full time fire marshal. Conway does not charge an inspection fee and has two full time fire
945 marshals. Mr. Smith asked if other cities were considering inspection fees. Chief Cimini said Chief
946 Barstow in North Myrtle Beach said they are not considering fees at this time. He had not spoken with
947 Conway's fire chief.

948
949 Mayor Samples asked if Horry County charged for inspections. Chief Cimini said no; its building
950 department performs inspections, not the fire department. Mayor Samples asked if the town had
951 considered that option. Chief Cimini said this discussion was his first approach.

952
953 Mr. Smith asked if the planning director had a comment. Ms. Morris was not prepared to
954 respond, but she did say that the building official held a fire marshal certification. Mr. Smith asked if Chief
955 Cimini and Ms. Morris would discuss the issue as part of the evaluation. He would be in favor of the
956 inspection fees as long as the revenue was used to help the businesses succeed; be safe. Mr. Smith
957 thought Chief Cimini should continue with the study.

958
959 Mayor Samples did not support charging inspection fees, because it was businesses being
960 discussed. The town did not have any great big businesses; there were a lot of 'moms and pops' who
961 were just trying to make it. Another fee for something that has been done at no cost would be viewed as
962 a tax on the businesses. The ocean front property owners were going to have a very high flood insurance
963 premium. Those ocean front businesses, which were what those properties were, would have huge
964 premium increases under the new insurance regulations. Mayor Samples said in his opinion this did not
965 seem to be the right time to adding fees.

966
967 Ms. Mabry had spoken with Chief Cimini about the proposed fees, because she believed it was
968 counter to the town's goal of bringing in businesses; it was not good for economic development, nor was
969 it good for the existing businesses to have an additional fee, because the department was trying to bring
970 money into town when each and every one of us gets the benefit of the fire truck responding to calls. She
971 was glad that Mr. Price was present, because she believed county residents paid a fire tax. Mr. Price
972 indicated yes by nodding assent. Town residents do not pay a fire tax; fire expenses were taken from
973 general funds. Ms. Mabry did not think a user fee just for businesses was the answer. She thought that
974 would punish businesses to generate money for the town. Ms. Mabry said if a fee was implemented, it
975 should include everyone. She was willing to consider options, but just did not think this was the right
976 answer.

977
978 Mr. Stevens said he was glad they felt that way; they were helping businesses.

979
980 Mayor Samples said Chief Cimini was looking for direction. Chief Cimini said it would be a lot of
981 work, and he did not mind that if council believed it was relevant and good for the community. The goal
982 was to improve the process without burdening the taxpayers. Mayor Samples said generally the
983 businesses that take care of their exteriors were one in which the interiors were maintained. Chief Cimini
984 said pretty much so. Mayor Samples asked if there were any other comments.

985
986 Mr. Johnson did not believe it should be pursued.
987

988 Mr. Smith said he wanted the Chief to pursue it, and to have a meeting with the business
989 committee to present the proposal to those members for feedback. He thought they might prefer a tax
990 raise instead of a user fee.

991
992 Mayor Samples saw nothing wrong with the chief presenting to the business committee. Mr.
993 Stevens, the business committee liaison, could arrange that meeting. Other than that, no other effort was
994 required. Mr. Stevens could report back to council what he found.

995
996 **10. PUBLIC COMMENTS – General Comments (5 minutes.)**
997

998 "Ralph Magliette, Harbor Lights Drive. Oh, no! (*Speaker's emphasis.*) Here he comes again, but
999 I'm gonna be real quick. The question is about the senior survey recommendations, and I have a
1000 question or two on the passive park PARD grant, and I have some data I would just like to share as far as
1001 the exercise stations, there are three stations in the passive park. There's one directly behind the dog
1002 park, and there are two by the library; one closer to the gazebo, and one on the side street, so we have
1003 three stations. I did, when I put this, the approximate price at \$18,000 for the four citizens trail stations,
1004 contact the Life Trail Company, actually Play World Systems, and originally when I got the price it was
1005 much higher. They have discounts if you buy more than one unit and for four units there's a 35-percent
1006 discount, so what I'm saying is we have some data that we pursued as far as the best price, and when I
1007 went on line looking at the PARD grants, the way I understand them to work is when you submit them,
1008 they're on a rolling monthly basis when you submit them so that the grants are, the grants are reviewed,
1009 either approved or denied almost on a monthly basis and a rolling basis. So, having provided that
1010 information, and (**) value both to you and to my committee, what should we do as far as to proceed?
1011 Should I download the PARD grant applications, and give, and have the committee decide maybe with
1012 Mr. Adair what senior stations he thinks would be applicable, and then go back to the Play World and get
1013 an estimate, and then bring that forward, or is that too far advance since there's no money available for
1014 us to do that now? I wanna provide value. I wanna do the needful things. I don't wanna spin my wheels
1015 either, so if you could give me a balance of what you, how you'd like me to proceed that is exactly what I
1016 would like."

1017
1018 Mayor Samples suggested that Mr. Magliette meet with the town administrator.

1019
1020 Mr. Magliette: "Okay, have an appointment and just do it that way; very good. Thank you very
1021 much."

1022
1023 "Alan Beck, I'm on the corner of 10th Avenue North, 8th Avenue North and Cedar Drive, one of our
1024 popular race route corners. There is another side to the, to the racing in the town. Sometimes for the
1025 residents it's a minor inconvenience. I've picked up the trash that leave, cause 98-percent of the runners
1026 don't throw trash, but some of 'em come along and they'll toss their stuff out all over, so race day, that's
1027 not a big problem. Coming back this year, if they're running the race, I sit on the side and wait for a while
1028 a block away while the runners went through, you know, before I could finally drive home. It's a minor
1029 inconvenience. Don't mind that for a charity. I would like to applaud the council for your perceptive
1030 questioning tonight of the Turkey Trot guy that is using the local Rotary Club as their charity giving them
1031 \$1,500, which they probably raised more than that with their guys all out there doing work collecting for t-
1032 shirts and so forth. He did not give you the total revenues at all. He just indicated that they had 1,500
1033 runners and they started at was it \$25 or \$30, and maybe they go up to \$50. I don't know, but when I
1034 multiplied that out that's \$45 or \$50 thousand. Now, I go to give to a charity, I often go on line and look
1035 up where the percentage is that goes to the purpose of the charity versus the percentage that goes for
1036 the administrative expenses or profit for the organization, and there are some out there that call us up
1037 asking for money when you find that only 10- or 15-percent going to the charity, and we usually look for
1038 things that are going 70-, 80-, 90-percent to the charity. But this, we can give our local Rotary Club
1039 \$1,500, and then we can walk away with \$50 thousand and we'll call it a charity event; it's not a charity
1040 event. Thank you for figuring that out, and not making it a permanent thing for this group, cause there
1041 may be a better way for Surfside to get the runners coming in that think they're giving to a charity rather
1042 than a company to have the whole thing and be better for everybody. Thank you." (*Applause.*)

1043
1044 "How you doing? Greg Szupillo, 344 Melody Lane. Coming here my primary concern is the
1045 cameras mainly cause I can't find anybody to tell me where they are, and the gentleman right next to me
1046 was talking about the senior exercise and all that stuff, he was wondering where they were. I, I think they
1047 should be public access, just as the DOT's are, so that somebody else is watching those cameras aside
1048 from law enforcement officers, cause you never know, people who operate cameras tend to play with the
1049 camera some times when they don't think somebody's watching. Accountability, who is moving the
1050 camera, who's observing the camera? I've seen a number of places that have been sued, and I don't
1051 want to see us sued. (**) on some babe that's discretely trying to change in their car. I don't know where
1052 the cameras are. I know that if I had a camera down by me, we could collect a lot of money on the dog
1053 wastes and the dogs running wild, because I'm down on the end of town that people seem to forget that
1054 there is a south end of town; got beautiful lights up here on this side of town, but not down that side of
1055 town. I think they all should be standard and make it real easy. But, I do appreciate you going after the
1056 Turkey Trot guy. That was very, very nice, and the first reading, try and clarify that and get it down to the
1057 first reading. I would like to see what the, cause I came to the town, because Master Care took down a
1058 tree in my yard. I brought it to the planning board and I got nothing. I don't understand that. There are
1059 people who are not seniors, and have children. People who don't have children in this town, don't forget
1060 about us, okay. I would appreciate that, okay. Thanks."

1061
1062 "[Horry County District 5 Councilmember] Paul Price. I live in Garden City. I'm your neighbor.
1063 It's very rare that I get to come to your council meetings. The reason being, we meet the same nights.
1064 Tonight we got out early. I came down the road and saw your lights on, (*laughter*) and I said, 'Gee, how
1065 did we beat the city getting out? So, I'll pull in and stop, say hello.' So, it gives me an opportunity, you
1066 don't get to see me much. I'm around town all the time, not necessarily, you know, shorts and flip flops
1067 and golf cart, but I'm around. You'll see me, and it's just giving me an opportunity to come and speak to
1068 you and let you know that I'm concerned about you. If you need something, I'm wanna try to help, and I
1069 want to wish everybody a Happy Thanksgiving and Christmas early, because I probably won't make
1070 another one; this was the first one I made in three years, so this is kind of different, and of course, we like
1071 to see y'all come to our council meeting, and share some, some things, and some of the things you're
1072 talking about now, we're going through our budget. This, it's the same thing. It's always short of funds,
1073 and everybody always needs more, but it always seems to work out somehow, and it's just because of
1074 people like you who will put the time in, put the effort in and represent the people. So, I thank you for
1075 that, and y'all have a happy holiday."

1076
1077 Mayor Samples thanked Councilmember Price, wished him Happy Thanksgiving and Merry
1078 Christmas, and asked him if he planned to be in the town's Christmas parade. Mr. Price said yes, if
1079 everything worked out right.

1080
1081 Mr. Smith asked Mr. Price to remember the Town of Surfside Beach when allocations were made
1082 in the county budget for recreation funding. The town could always use a little bit of money. Mr. Price
1083 said it was strange that he would mention that. Tonight at the county council meeting there were quite a
1084 few people asking the same question. The county did not have a lot of recreation funds and it had to be
1085 used throughout the entire district, which spreads it very, very thin. Mr. Price said he would be happy to
1086 do anything he could to help. Mr. Smith said he would ask Mr. Ralph Magliette to meet with Mr. Price.
1087 Mr. Price quickly responded, "No!" (*Laughter.*) Mr. Price said town council would have to come to his
1088 council meeting and get on the agenda to speak to him, (*laughter*), and then said he was joking. Mr.
1089 Price reiterated that the county and town had the same problems. The County Council donated to
1090 Special Olympics at its meeting tonight, and he was sure that each town councilmember would support
1091 that. He reiterated thanks for being allowed to speak. (*Applause.*)

1092
1093 **11. COUNCIL COMMENTS.**

1094
1095 Ms. Kohlmann: "I wanna just take a second to talk about the cameras. There are safety
1096 measures in place. I was there today, and I do believe that you might feel better if you go and see,
1097 because not everybody has access to have control over those cameras, and they're on board with it, and

1098 I, you're shaking your head, but just give them the opportunity to show you the system, and explain it. It's
1099 all top of the line. I know people don't like big brother watching them, but it's already working for us. It's
1100 been utilized already, and to me, if it helps one case or it solves one case or protects one life, then I'm
1101 sorry, public place is a public place, so, when you're in public, you're in public. For your concerns that
1102 you have, you should go and, and, yourself and see the system so that you can be a little bit more
1103 reassured. Thank you, Mr. Price, for coming. I appreciate it, as always and thank everybody else as
1104 well."

1105
1106 Mr. Johnson: "Thank you for coming out. God bless you. Have a great Thanksgiving, if I don't
1107 see you beforehand."

1108
1109 Mr. Stevens: "Thank you everybody for coming out. I want to thank the senior citizen committee
1110 for all the work, hard work they did. This was a great presentation you had, and the survey was, had a lot
1111 of good information, and I hope that can come, your dreams can come to fruition on that. On a personal
1112 matter, the last council meeting we had a councilmember bring up some information about vendors at the
1113 festival, and I thought it was a good idea what she was talking about until I found out the councilmember
1114 was talking about me. Obviously, there's [sic] people out here that don't have anything to do, but make
1115 up lies, defamation and slander. I don't know who gave this councilmember that information, but it's, it's
1116 reprehensible to make up a lie about a councilmember and say something and I have to find out from the
1117 press that this lie was being told about me. It is just reprehensible. I don't care if you have an opinion.
1118 You wanna talk, you know, your opinion is, I welcome that. But don't tell a lie and don't say I did
1119 something. I was at the family festival and I spent my money just like every business did. I sold Pepsi
1120 Colas and water for 75 cents. I think it was the lowest price at the festival. But, I did not try to give away
1121 a TV, as some people spread those lies. That, that's nothing more but lies, defamation and slander, and I
1122 don't really like when you attack my business, I don't like it. Just like Mr. Johnson a few weeks back said
1123 the same thing, don't attack my family. Well, don't attack my business. You can call me anything you
1124 want and say it's your opinion. I don't have a problem with that. That's your freedom of speech. But,
1125 don't spread lies and defamation and slander about me. Thank you."

1126
1127 Ms. Dodge: "I don't have any comments. Thank you."

1128
1129 Ms. Mabry: "Yes, I did not have a comment, but I do now. I did bring up that for discussion. I
1130 want to make sure that everyone in this room knows I never, never discussed Mr. Stevens, ever. His
1131 name never comes up. I never discuss him. I will not discuss him. His business; what he does and his
1132 life is his business, not mine. If there was a concern, I brought it up for discussion in a general forum. I
1133 was not specific. I did not call his name. I don't care what he does as far as he gives away TVs or
1134 doesn't, I don't care. That's his life. I don't get into his life. On the contrary, so I want to make sure you
1135 know that I hope he understands that never is Mr. Stevens' name mentioned from me. So, have a nice
1136 night and we'll see you later."

1137
1138 Mr. Smith: "I'd just like to comment on the comprehensive plan. If you're gonna have a plan and
1139 it's gonna be something that the town staff is gonna follow, I think the contents need to be accurate. If it's
1140 just gonna be something we're gonna do and then put on a shelf, and never look at it until 10 years from
1141 now, it doesn't matter what's in it. But, if it's something that staff is gonna follow, I want it to reflect the
1142 opinion of council, and especially I want it to reflect my opinion. Thank you."

1143
1144 Mayor Samples: "Thank you all. Thank y'all for coming out. You know the problem is, is when
1145 government at any level prescribes a one size fits all solution, you can take it to the bank, it ain't right;
1146 there's problems with it. It doesn't make sense, and I refer to the Comprehensive Planning Act. Does it
1147 make sense; sure we need to have a plan. I believe in planning. But, next month, or tomorrow, or next
1148 year circumstances are gonna be different. There's gonna be things that we have to deal with, and I think
1149 as Councilman Price said early, we already have a wish list. There's already things that we know we
1150 need, but we can't, let's rephrase it, that we want that would improve the quality of life, but who's gonna
1151 pay for it? Who's gonna pay for it? And, I think we have a terrific staff. I think they work hard to do the
1152 very best they can for the town. (**) a growth in staff, I don't see it. I don't see it. I think it's a function of

1153 us being two square miles. We go up and down in terms of the work load, and so we hire good people to
1154 use their heads and to bring us solutions and to express their best professional judgment. Good night,
1155 y'all."

1156
1157 **12. EXECUTIVE SESSION**

1158
1159 **A. Pursuant to FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements and to**
1160 **discuss legal advice where legal advice relates to multiple pending, threatened, or potential**
1161 **claims.**

1162
1163 Mr. Smith moved to enter executive session at 9:28 p.m. Ms. Mabry seconded. All voted in
1164 favor. **MOTION CARRIED.**

1165
1166 Mr. Johnson moved to reconvene regular session at 9:55 p.m. Ms. Mabry seconded. All voted in
1167 favor. **MOTION CARRIED.**

1168
1169 Mayor Samples said no action was taken during executive session.

1170
1171 **13. ADJOURNMENT.**

1172
1173 Mr. Johnson moved to adjourn the meeting at 9:55 p.m. Ms. Mabry seconded. All voted in favor.
1174 **MOTION CARRIED.**

1175
1176 Prepared and submitted by,

1177
1178 _____
1179 Debra E. Herrmann, CMC, Town Clerk

1180
1181 Approved: November 26, 2013

1182
1183 _____
1184 Douglas F. Samples, Mayor

1185
1186 _____
1187 Mary Beth Mabry, Mayor Pro Tempore

1188 _____
1189 Ann Dodge, Town Council

1190
1191 _____
1192 Mark L. Johnson, Town Council

1193 _____
1194 Elizabeth A. Kohlmann, Town Council

1195
1196 _____
1197 Roderick E. Smith, Town Council

1198 _____
1199 Randle M. Stevens, Town Council

1200 *Clerk's Note: This document constitutes minutes of the meeting that was audio taped. These are*
1201 *detailed minutes documenting each member's comments. Appointments to hear audio tapes may be*
1202 *scheduled with the town clerk. In accordance with FOIA, meeting notice and the agenda were distributed*
1203 *to local media and interested parties. The agenda was posted on the town website, the entry door at*
Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the
Town marquee. Public Comments and Town Council Comments are transcribed as close to verbatim as
*possible. When (**) is used a section of the tape recording is inaudible.*

Town of Surfside Beach

Finance Report

October 31, 2013

General Fund

Property tax collections exceed last year by \$78k due to the additional millage reflected in General Fund in 2013-2014. Collections will continue to increase in the next three months.

Business licenses and permit fees collected year to date exceed last year. There were 42 new business license accounts opened in October and permit revenue exceeded last year due to the increase in construction.

A-Tax and Local A-Tax transfers to the General Fund totaled \$85k, in October. The reimbursement for the underground utilities project totaling \$177k was received this month.

General Fund expenditures exceed last year's expenditures by \$78k. This is due to expenditures being reported in the General Fund (salaries and parking) which were previously reflected in the Hospitality Fund.

Capital Projects Fund

Expenditures year to date total \$41k for water quality testing and the 6th Avenue pond project.

Special Revenue Funds

A-Tax revenue received from the State in October totaled \$336k, \$80k more than last year. This payment reflects the increase in tourists this season, but also includes a catch-up payment by the State. Local A-Tax and Hospitality fee collections are ahead of last year.

The expenditures for all special revenue funds are in line with the budget.

Enterprise Funds

Revenues in Sanitation and Pier Funds are higher than last year. The increases are attributable to rate increases in the Sanitation Fund and increased admissions and fishing licenses for the Pier Fund. Expenses in both funds are in line with the budget.

Lanier Parking

Revenue collected for the season totals \$265k while expenses for the season total \$116k resulting in net revenue of \$149k for February- October. Current fiscal year revenues (July- October) total \$172k, current year expenses are \$57k netting \$115k revenue in 2013-2014. The winter months will have citation revenue and Lanier overhead expenses until the season starts again in the spring.

Finance Department

The Finance staff has completed work on the draft Comprehensive Annual Financial Report. The final report should be completed very soon. Staff is working on the 2014-2015 budget preparation and updating finance policies and procedures.

Transparency

The Town's accounts payable register has been posted online and a link has been added to the State Comptroller General's office website. Visit the following websites for information.

Town of Surfside Beach <http://surfsidebeach.org>

SC Comptroller General <http://www.cg.state.sc.us/transparency>

If you have any questions regarding this report, please contact the Finance Department at (843)-913-6336.

**Town of Surfside Beach
General Fund
Summary Financial Information
Period Ending October 31, 2013**

Revenue	October 2013	YTD FY 2013-14	FY 13-14 Budget	Over/(Under) Budget	October 2012	YTD FY 2012-13
Property Taxes	\$ 259,656	\$ 316,003	\$ 2,367,600	\$ (2,051,597)	\$ 187,954	\$ 247,920
Licenses & Permits	19,704	83,298	1,513,000	(1,429,702)	20,309	176,427
Franchise Fees	51,046	103,189	599,060	(495,871)	49,020	98,881
Fines	17,872	63,701	168,000	(104,299)	10,550	57,184
Interest	215	995	5,000	(4,005)	289	1,507
Intergovernmental	52,390	52,390	284,320	(231,930)	67,021	69,821
Recreation Revenue	963	7,248	18,000	(10,752)	840	11,173
Other Revenue	10,170	17,668	27,800	(10,132)	4,444	8,139
Lanier Parking	11,003	123,189	172,000	(48,811)		
Other Financing Sources	271,267	431,855	693,856	(262,001)	44,649	273,521
Total Revenue	\$ 694,286	\$ 1,199,536	\$ 5,848,636	\$ (4,649,100)	\$ 385,076	\$ 944,573
Expenditures						
Salaries & Benefits						
Salaries	\$ 211,781	\$ 782,461	\$ 2,838,067	\$ (2,055,606)	\$ 194,278	\$ 770,711
Benefits	75,558	306,911	1,099,957	(793,046)	72,560	297,651
Total Salaries & Benefits	\$ 287,339	\$ 1,089,372	\$ 3,938,024	(2,848,652)	\$ 266,838	\$ 1,068,362
Operating Expenditures						
Administration	\$ 8,891	\$ 26,956	\$ 160,795	\$ (133,839)	\$ 9,955	\$ 35,097
Finance	8,771	44,387	67,750	(23,363)	6,598	37,274
Court	2,946	12,206	38,430	(26,224)	1,863	9,513
Facilities	2,279	7,324	31,095	(23,771)	1,472	10,841
Police	26,555	104,655	287,567	(182,912)	21,653	83,848
Fire	15,754	38,727	164,303	(125,576)	6,317	35,485
Building & Zoning	3,179	9,503	66,790	(57,287)	4,934	25,058
Grounds	6,804	22,647	79,755	(57,108)	6,503	17,347
Public Works	21,793	76,390	211,345	(134,955)	19,265	73,798
Fleet Maintenance	2,279	9,061	30,310	(21,249)	2,652	16,244
Recreation & Special Events	18,362	40,535	131,470	(90,935)	22,601	38,203
Meters-Lanier	7,697	45,610	125,000	(79,390)	-	-
Non Departmental	4,788	27,150	91,200	(64,050)	8,951	32,275
Total Operating Expenditures	\$ 130,098	\$ 465,151	\$ 1,485,810	\$ (1,020,659)	\$ 112,764	\$ 414,983
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	\$ 276,849	\$ (354,987)	\$ 424,802	(779,789)	\$ 5,474	\$ (538,772)
Debt and Capital Expenditures						
Debt Service	\$ -	\$ -	\$ 88,098	\$ (88,098)	\$ (500)	\$ (6,725)
Capital Replacement	(22,666)	(36,630)	(41,000)	(4,370)	(23,546)	(75,822)
Capital Improvements	-	(2,079)	(5,000)	(2,921)	-	-
Transfer to Hospitality - Parking fines	-	-	-	-	(4,131)	(14,239)
Total Debt and Capital Expenditures	\$ (22,666)	\$ (38,709)	\$ 42,098	\$ (95,389)	\$ (28,177)	\$ (96,786)
Total Expenditures	\$ 417,437	\$ 1,554,523	\$ 5,511,932	(3,957,409)	\$ 379,102	\$ 1,476,620
Net Change in Fund Balance	\$ 276,849	\$ (354,987)	\$ 336,704	\$ (691,691)	\$ 5,974	\$ (532,047)
Beginning Fund Balance		\$ 3,362,128	\$ 3,362,128			
Ending Fund Balance		\$ 3,007,141	\$ 3,698,832			

**Town of Surfside Beach
Finance Department Report
October 31, 2013**

General Fund	October 2013	YTD FY 13-14	FY 13-14 Budget	Over (Under) Budget	October 2012	YTD FY 12-13
Property Taxes						
Current Property Taxes	\$ 259,269	\$ 310,738	\$ 2,343,600	\$ (2,032,862)	\$ 181,322	\$ 224,028
Motor Carrier Taxes	-	2,365	4,000	(1,635)	6,482	21,645
Penalties & Prior Year Taxes	387	2,900	20,000	(17,100)	150	2,247
	\$ 259,656	\$ 316,003	\$ 2,367,600	\$ (2,051,597)	\$ 187,954	\$ 247,920
Licenses and Permits						
Business Licenses - Local	\$ 8,454	\$ 30,886	\$ 685,000	\$ (654,114)	\$ 6,089	\$ 21,410
Business Licenses - MASC	558	1,103	700,000	(698,897)	-	117,016
Animal Licenses	120	900	3,000	(2,100)	160	830
Building Permits	10,572	50,409	125,000	(74,591)	14,060	37,171
	\$ 19,704	\$ 83,298	\$ 1,513,000	\$ (1,429,702)	\$ 20,309	\$ 176,427
Franchise Fees						
Santee Cooper (Bi-Annual)	\$ -	\$ -	\$ 265,000	\$ (265,000)	\$ -	\$ -
GSW&SA (Monthly Installments)	17,381	69,525	199,000	(129,475)	16,620	66,481
TimeWarner (Quarterly)	33,364	33,363	125,000	(91,637)	32,211	32,211
HTC	301	301	460	(159)	189	189
SCANA (Annual)	-	-	9,600	(9,600)	-	-
	\$ 51,046	\$ 103,189	\$ 599,060	\$ (495,871)	\$ 49,020	\$ 98,881
Fines and Forfeits						
Police Fines	\$ 14,816	\$ 52,407	\$ 140,000	\$ (87,593)	\$ 7,097	\$ 37,352
Victims Assistance	2,815	9,436	28,000	(18,564)	1,400	8,422
Parking Fines	241	1,858	-	1,858	2,053	11,410
	\$ 17,872	\$ 63,701	\$ 168,000	\$ (104,299)	\$ 10,550	\$ 57,184
Interest						
	\$ 215	\$ 995	\$ 5,000	\$ (4,005)	\$ 289	\$ 1,507
Intergovernmental Revenues						
Aid - Local Government Fund	\$ 17,774	\$ 17,774	\$ 75,000	\$ (57,226)	\$ 29,462	\$ 29,462
Alcohol Permits	-	-	33,000	(33,000)	2,700	2,700
Homestead Exemption	-	-	36,000	(36,000)	-	-
Merchants Inventory	2,780	2,780	11,120	(8,340)	2,780	2,780
Government Grants	1,441	1,441	7,500	(6,059)	-	2,800
H.C. Recreation Dept.	-	-	11,700	(11,700)	-	-
H.C. Road Maintenance	30,395	30,395	110,000	(79,605)	32,079	32,079
	\$ 52,390	\$ 52,390	\$ 284,320	\$ (231,930)	\$ 67,021	\$ 69,821
Other Revenue-Spec Events/Rec						
Miscellaneous Revenues	963	7,248	18,000	(10,752)	840	11,173
	\$ 963	\$ 7,248	\$ 18,000	\$ (10,752)	\$ 840	\$ 11,173
Other Revenue						
Miscellaneous Revenues	10,170	17,668	27,800	(10,132)	4,444	8,139
	\$ 10,170	\$ 17,668	\$ 27,800	\$ (10,132)	\$ 4,444	\$ 8,139
Lanier Revenue						
Parking Meters-Lanier	\$ 7,477	\$ 100,457	\$ 140,000	\$ (39,543)	\$ -	\$ -
Parking Citations-Lanier	3,526	22,732	32,000	(9,268)	-	-
	\$ 11,003	\$ 123,189	\$ 172,000	\$ (48,811)	\$ -	\$ -
Other Financing Sources						
Sanitation Fund	-	\$ 25,000	\$ 100,000	\$ (75,000)	\$ -	\$ 17,511
Accommodations Tax Fund	25,000	25,000	46,250	(21,250)	36,537	36,537
Interest Revenue Pier Enterprise	8,150	8,150	14,710	(6,560)	-	18,335
Pier Enterprise	-	8,350	33,400	(25,050)	-	14,055
Trans from Hospitality	-	37,500	306,696	(269,196)	-	110,470
Local Accommodations Tax Fund	60,000	130,000	150,000	(20,000)	-	68,501
Sale of Fixed Assets/Insurance Proceeds	781	781	-	781	-	-
Trans A-Tax Contractual Services	-	9,700	38,800	(29,100)	-	-
Trans Pier Contractual	-	1,000	4,000	(3,000)	-	-
Insurance Proceeds	-	9,038	-	9,038	-	-
Franchisee Reimbursement	177,336	177,336	-	177,336	8,112	8,112
Total Other Financing Sources	\$ 271,267	\$ 431,855	\$ 693,856	\$ (262,001)	\$ 44,649	\$ 273,521
Total Revenue & Other Financing Sources	\$ 694,286	\$ 1,199,536	\$ 5,848,636	\$ (4,649,100)	\$ 385,076	\$ 944,573

**Town of Surfside Beach
Capital Projects Fund
October 31, 2013**

Capital Projects Fund	October 2013	YTD FY 13-14	FY13-14 Budget	Over (Under) Budget	October 2012	YTD FY 12-13
Revenue						
Property Taxes	\$ 6,597	\$ 9,663	\$ 60,200	\$ (50,537)	\$ 26,605	\$ 34,195
Interest	90	388	-	388	76	322
Misc/Reimbursement	525	525	-	525	-	-
Total Revenue	\$ 7,212	\$ 10,576	\$ 60,200	\$ (49,624)	\$ 26,681	\$ 34,517
Expenditures						
Lakes - Maint. & Enhancements	\$ -	\$ 5,348	\$ 20,500	\$ (15,152)	\$ 1,650	\$ 7,651
Water Quality/NPDES	10,990	22,100	34,875	(12,775)	107	11,355
Storm water Improvements	-	13,830	539,000	(525,170)	2,000	15,380
Total Expenditures	\$ 10,990	\$ 41,278	\$ 594,375	\$ (553,097)	\$ 3,757	\$ 34,386
Net Change in Fund Balance	\$ (3,778)	\$ (30,702)	\$ (534,175)	\$ 503,473	\$ 22,924	\$ 131
Beginning Fund Balance		\$ 596,668	\$ 596,668			
Ending Fund Balance		\$ 565,966	\$ 62,493			

**Town of Surfside Beach
October 31, 2013
Special Revenue Funds**

Accommodations Fund

	October 2013	YTD 2013-2014	FY 13-14 Budget	Over (Under) Budget	October 2012	YTD 2012-2013
Revenue						
Accommodations Tax	\$ 336,064	\$ 336,064	\$ 450,000	\$ (113,936)	\$ 255,745	\$ 255,745
Special Events/Donations	-	3,127	-	3,127	-	-
Interest Income	38	106	200	(94)	29	39
Total Revenues	<u>\$ 336,102</u>	<u>\$ 339,297</u>	<u>\$ 450,200</u>	<u>\$ (110,903)</u>	<u>\$ 255,774</u>	<u>\$ 255,784</u>
Expenditures						
Police	\$ 7,149	\$ 40,638	\$ 111,634	\$ (70,996)	\$ 14,966	\$ 29,650
Public Works	810	4,072	-	-	2,820	13,019
Utilities	522	2,918	8,500	(5,582)	-	-
Special Events	477	28,213	57,140	(28,927)	1,894	22,485
Grants & Materials & Supplies	-	5,200	11,000	(5,800)	-	5,000
Fireworks Display	-	25,000	25,000	-	-	25,000
Advertising & Promotion	-	-	18,435	(18,435)	-	-
Advertising - MB Chamber (30%)	-	-	121,125	(121,125)	-	-
Trans to General Contractual	-	9,700	38,800	(29,100)	-	-
Transfer to Gen Fund	25,000	25,000	46,250	(21,250)	36,537	36,536
Total Expenditures	<u>\$ 33,958</u>	<u>\$ 140,741</u>	<u>\$ 437,884</u>	<u>\$ (301,215)</u>	<u>\$ 56,217</u>	<u>\$ 131,690</u>
Net Change in Fund Balance	<u>\$ 302,144</u>	<u>\$ 198,556</u>	<u>\$ 12,316</u>	<u>\$ 190,312</u>	<u>\$ 199,557</u>	<u>\$ 124,094</u>
Beginning Fund Balance		\$ 142,276	\$ 142,276			
Ending Fund Balance		\$ 340,832	\$ 154,592			

Hospitality Fund

	October 2013	YTD 2013-2014	FY 13-14 Budget	Over (Under) Budget	October 2012	YTD 2012-2013
Revenue						
Hospitality Fees	\$ 59,794	\$ 332,875	\$ 625,000	\$ (292,125)	\$ 60,841	\$ 317,225
Meter Revenue	-	-	-	-	7,014	67,280
Logo/Promotion Sales/Misc	-	-	-	-	402	2,464
Other Revenue (Grants/Donations)	-	-	-	-	-	-
Interest Income	92	294	200	94	253	891
Transfer from G.F. Parking fines	-	-	-	-	4,131	14,239
Total Revenues	<u>\$ 59,886</u>	<u>\$ 333,169</u>	<u>\$ 625,200</u>	<u>\$ (292,031)</u>	<u>\$ 72,641</u>	<u>\$ 402,099</u>
Expenditures						
Police	\$ 51,621	\$ 51,828	\$ 105,310	\$ (53,482)	\$ 19,629	\$ 41,805
Meters	-	-	-	-	2,864	26,971
Fire	6,653	14,336	98,800	(84,464)	-	-
Grounds	3,414	6,190	111,700	(105,510)	2,525	6,693
Recreation	173	337	3,200	(2,863)	1,417	6,542
Professional Services	-	-	25,000	(25,000)	-	-
Transfer to Pier	-	-	43,500	(43,500)	-	-
Transfer to General Fund	-	37,500	306,696	(269,196)	-	110,470
Total Expenditures	<u>\$ 61,861</u>	<u>\$ 110,191</u>	<u>\$ 694,206</u>	<u>\$ (584,015)</u>	<u>\$ 26,435</u>	<u>\$ 192,481</u>
Net Change in Fund Balance	<u>\$ (1,975)</u>	<u>\$ 222,978</u>	<u>\$ (69,006)</u>	<u>\$ 291,984</u>	<u>\$ 46,206</u>	<u>\$ 209,618</u>
Beginning Fund Balance		\$ 369,888	\$ 369,888			
Ending Fund Balance		\$ 592,866	\$ 300,882			

Local Accommodations Fund

	October 2013	YTD 2013-2014	FY 13-14 Budget	Over (Under) Budget	October 2012	YTD 2012-2013
Revenue						
Local Accommodations Tax	\$ 14,850	\$ 86,065	\$ 150,000	\$ (63,935)	\$ 15,567	\$ 84,068
Interest Income	7	30	-	30	25	64
Total Revenues	<u>\$ 14,857</u>	<u>\$ 86,095</u>	<u>\$ 150,000</u>	<u>\$ (63,905)</u>	<u>\$ 15,592</u>	<u>\$ 84,132</u>
Expenditures						
Transfer to General Fund	\$ 60,000	\$ 130,000	\$ 150,000	(20,000)	-	\$ 68,501
Net Change in Fund Balance	<u>\$ (45,143)</u>	<u>\$ (43,905)</u>	<u>\$ -</u>	<u>\$ (43,905)</u>	<u>\$ 15,592</u>	<u>\$ 15,631</u>

**Town of Surfside Beach
October 31, 2013
Enterprise Funds**

Pier Enterprise Fund

	October 2013	YTD 2013-2014	FY 13-14 Budget	Over (Under) Budget	October 2012	YTD 2012-2013
Revenue						
Income Rents/Leases	\$ -	\$ 47,661	\$ 80,000	\$ (32,339)	\$ -	\$ 42,268
Other Income-Admissions	3,761	30,476	50,000	(19,524)	3,015	27,597
Other Income-Fishing	9,084	63,437	112,000	(48,563)	8,773	59,811
Meter Income-Lanier	5,787	41,875	75,000	(33,125)	2,572	25,009
Parking Fines-Lanier	2,275	6,700	17,000	(10,300)	-	-
Interest Income	21	71	-	71	83	304
Miscellaneous Income	-	-	-	-	-	-
Transfer from Hospitality	-	-	43,500	(43,500)	-	-
Total Revenues	\$ 20,928	\$ 190,220	\$ 377,500	\$ (187,280)	\$ 14,443	\$ 154,989
Expenses						
Operating Expenses	\$ 3,002	\$ 8,603	\$ 17,700	\$ (9,097)	\$ 3,608	\$ 5,308
Lanier(Operating)	1,800	10,536	25,000	-	-	-
Bank Fees(Lanier)	124	867	-	-	-	-
Depreciation Expense	-	28,487	113,000	(84,513)	-	-
Interest Expense (Loan)	8,150	8,150	14,710	(6,560)	-	18,335
Transfer General Fund	-	9,350	37,400	(28,050)	-	14,055
Total Expenses	\$ 13,076	\$ 65,993	\$ 207,810	\$ (128,220)	\$ 3,608	\$ 37,698
Change in Net Position	\$ 7,852	\$ 124,227	\$ 169,690	\$ (59,060)	\$ 10,835	\$ 117,291
Total Net Position - Beginning		\$ 2,084,888	\$ 2,084,888			
Total Net Position - Ending		\$ 2,209,115	\$ 2,254,578			

Sanitation Fund

	October 2013	YTD 2013-2014	Fy 2013-14 Budget	Over (Under) Budget	October 2012	YTD 2012-2013
Revenue						
Sanitation Fees	\$ 102,972	\$ 482,805	\$ 1,140,000	\$ (657,195)	\$ 82,992	\$ 433,224
Grants, Gain/(Loss) on sale of F/A	343	1,147	-	1,147	-	1,631
Interest Income	119	423	2,800	(2,377)	178	688
Total Revenues	\$ 103,434	\$ 484,375	\$ 1,142,800	\$ (658,425)	\$ 83,170	\$ 435,543
Expenses						
Salaries & Operating Expenses	\$ 64,507	\$ 294,218	\$ 935,186	\$ (640,968)	\$ 85,629	\$ 307,094
Depreciation Expense	-	33,750	135,000	(101,250)	-	-
Transfer to General Fund	-	25,000	100,000	(75,000)	-	17,510
Total Expenses	\$ 64,507	\$ 352,968	\$ 1,170,186	\$ (817,218)	\$ 85,629	\$ 324,604
Change in Net Position	\$ 38,927	\$ 131,407	\$ (27,386)	\$ 158,793	\$ (2,459)	\$ 110,939
Total Net Position - Beginning		\$ 1,345,375	\$ 1,345,375			
Total Net Position - Ending		\$ 1,317,989	\$ 1,504,168			

Town of Surfside Beach											
Parking											
2013-2014											
	Meter/Paystn Revenue	Citation Revenue	Total Revenue	Lanier Charges	Net Lanier	Other parking Expenses	Net Revenue Parking	Fiscal YTD		Lanier Budget	Var to Budget
2013											
February	\$ -	\$ -	\$ -	\$ 7,517	\$ (7,517)	\$ 57	\$ (7,574)			\$ (9,337)	\$ 1,820
March	4,414	600	5,014	11,432	(6,418)	91	(6,509)			(2,455)	(3,963)
April	13,776	1,680	15,456	11,013	4,443	369	4,074			8,333	(3,891)
May	25,585	3,500	29,085	13,694	15,391	756	14,635			16,582	(1,191)
June	40,078	3,985	44,063	13,978	30,084	681	29,403			35,963	(5,878)
								\$ 34,030			
July	63,050	7,775	70,825	15,448	55,377	1,042	54,335			53,248	2,129
August	43,328	7,978	51,306	13,738	37,568	2,747	34,821			31,956	5,612
September	22,690	7,879	30,569	13,239	17,330	1,176	16,154			5,460	11,870
October	13,264	5,801	19,065	9,000 *	10,065	621	9,444			6,220	3,845
November										(3,986)	
December										(4,518)	
FYTD	\$ 142,332	\$ 29,433	\$ 171,765	\$ 51,425	\$ 120,340	\$ 5,586	\$ 114,754	\$ 114,754		\$ 88,380	\$ 23,456
Season	\$ 226,184	\$ 39,198	\$ 265,382	\$ 109,059	\$ 156,324	\$ 7,540	\$ 148,784	\$ 148,784		\$ 137,467	\$ 10,352
* Estimated											
	Pier Fund					General Fund					
	Meter	Citation	Expenses	Net	Total FY	Meter	Citation	Expenses	Net	Total FY	Total Month
2013											
February	\$ -	\$ -	\$ 1,504	\$ (1,504)		\$ -	\$ -	\$ 6,070	\$ (6,070)		\$ (7,574)
March	2,916	350	2,327	939		1,498	250	9,195	(7,447)		(6,509)
April	6,046	505	2,270	4,281		7,730	1,175	9,112	(207)		4,074
May	8,132	1,300	2,814	6,618		17,453	2,200	11,636	8,017		14,635
June	12,419	1,100	2,932	10,587		27,659	2,885	11,728	18,816		29,403
					\$ 20,920					\$ 13,109	
July	14,220	1,500	3,298	12,422		48,830	6,275	13,192	41,913		54,335
August	12,594	1,675	3,297	10,972		30,734	6,303	13,188	23,849		34,821
September	9,274	1,250	2,883	7,641		13,416	6,629	11,532	8,513		16,154
October	5,787	2,275	1,924	6,138		7,477	3,526	7,697	3,306		9,444
November											
December											
FYTD	\$ 41,875	\$ 6,700	\$ 11,402	\$ 37,173	\$ 37,173	\$ 100,457	\$ 22,733	\$ 45,609	\$ 77,581	\$ 77,581	\$ 114,754
Season	\$ 71,388	\$ 9,955	\$ 23,250	\$ 58,093	\$ 58,093	\$ 154,796	\$ 29,243	\$ 138,958	\$ 90,690	\$ 90,690	\$ 148,784

**RECREATION DEPARTMENT
NOVEMBER 2013
MONTHLY REPORT**

SPECIAL EVENTS

The Nathan Black Memorial Race was held on October 26th at the pier parking lot at 8:00 a.m. Participants totaled fifty-seven (57).

On November 11th, the Town held its annual Veterans Day Service. Approximately 100 people attended the event. The speaker was Howard Barnard, retired Air Force Colonel, and Myrtle Beach Fire Department Color Guard presented the colors and laid the wreath at the memorial. Karen Donaldson, with Legends in Concert, performed the National Anthem and Gordon Wildrick performed taps.

Christmas decorations are underway at Town Hall with the assistance of the Grounds Crew. All decorations should be in place by December 4th and the pole decorations installed on 17 Business and Surfside Drive the week of December 9th.

The tree lighting service is being finalized for December 5th. Entertainment will include Lakewood Elementary Chorus and their Bobcat Beat Steel Band, Low Country Community Church Praise Team and the Socastee Bravettes. Children from Gateway Academy will be on hand to distribute the brochures and candy canes.

Organization and preparation for the Christmas parade are underway. Invitations were sent to 17 high schools in the area for participation by their marching bands. Two bands have confirmed at this time – St. James High School and Hemingway High School. To date, we have received 43 entries in the parade.

UPCOMING EVENTS

1. **TURKEY TROT** – Thursday, November 28th – 8:00 a.m. – Pier parking lot
2. **CHRISTMAS TREE LIGHTING** – Thursday, December 5th – 7:00 p.m. – Town Hall
3. **CHRISTMAS PARADE** – Saturday, December 14th – 2:00 p.m. – Ocean Blvd./Surfside Drive
4. **EMPLOYEE CHRISTMAS LUNCHEON** – Friday, December 20th – 12:00 noon – Civic Center
5. **BREAKFAST W/SANTA** – Saturday, December 21st – 9:00 a.m. – 10:30 a.m. – Golden Egg

PUBLIC WORKS MONTHLY REPORT

October 17th – November 20th, 2013

SANITATION DIVISION (FTEs – 9)

Residential Service – One cart was repaired and three were replaced. Eight carts were removed from locations; five accounts are no longer active and three were no longer experiencing overflow. Sanitation supervisor responded to seven calls regarding ordinance enforcement; fourteen calls regarding late put outs and/or questions about bulk/yard debris pick up, fourteen calls concerning winter roll-out service; six miscellaneous calls and/or questions, one complaint, five follow-up calls, and three calls concerning billing issues/questions.

Commercial Service – Service routes continue to be updated based on business needs. Five accounts have reduced service days. Supervisor explained commercial collection schedules to two new businesses/owners: Southern Auto Mart and U.S. Marine Marketing. One account, Pelican Pass, replaced their dumpster. One dumpster was removed from Ocean Garden Buffet due to the business closing. Supervisor responded to four calls regarding ordinance enforcement, four calls concerning billings issues, and three miscellaneous calls.

Recycling News – Five carts were delivered to town residents upon request. Seven carts were removed from residential locations. Supervisor responded to one miscellaneous call with questions about recycling. **Thanksgiving week recycling will be collected on FRIDAY, NOVEMBER 29th.**

Winter Roll-Out – One time a week roll-out of mobys and recycle carts in the R-3/C-3 districts began on September 11th and will continue until May 8th, 2014. Fourteen accounts have requested to opt-out from this service.

Household Hazardous/E-Waste – Creative Recycling removed and properly recycled 2810 pounds of electronic waste from our September drop off event. The \$237.05 cost to the Town will be picked up by a Solid Waste Grant sought and awarded to the Town by SCDHEC.

Adopt-A-Highway – From July through October crews collected 37 bags of litter off of Highway 17. That amounts to 555 pounds of trash that needed to be picked up!

In October we collected 327.90 tons of solid waste, 37.79 tons of mixed debris, 160.09 tons of yard debris, and 41.40 tons of recyclables.

Crews assisted with the Veterans' Memorial Service on November 11th and will assist with the Turkey Trot on November 28th.

STREETS & DRAINAGE DIVISION (FTEs –8)

The Beach – Crews are raking the beach, emptying trash and recycle containers, and digging out swash outlets as needed. Crews are making repairs to trash/recycle receptacles during the off season.

On-going/Special Projects:

- Street resurfacing on 14th Avenue South from Dogwood Drive to Highway 17, Oak Drive from 1st Avenue North to Myrtle Drive North, and 13th Avenue North from Ocean Blvd. to Cedar Drive North is being done by Bogg's Paving beginning the week of November 25th, weather permitting.
- One hundred and two additional blue street name signs have arrived and will be installed throughout town during the fall and winter months.

- Deck/Seating area/landscaping upgrades have been completed on 16th Ave N. by Magnolia Lake outfall.
- Work is nearly completed on the 6th Ave S. pond filling/ green space restoration project.
- Trimming of trees and removing overhanging branches continues throughout Town.
- Drains are being cleaned out and trimming and maintenance is being done on ditches and Town right-of-ways.
- Winterization of showers has begun.
- Mowing and trash pick-up is being done on medians, town right-of-ways and parking lots.
- Street sweeping is being done on Mondays and Fridays, weather and time permitting.
- Seven reports were sent to Santee Cooper identifying street lights that were not functioning properly.
- Crews assisted with the Veterans' Memorial Service on November 11th and will assist with the Turkey Trot on November 28th.
- 50/50 Ditch Piping program applications are being accepted for consideration when the program resumes. Applications are available on-line or at Town Hall.
- From October 17th through November 20th Public Works assistant answered 237 incoming calls. 142 of those calls dealt with sanitation questions/concerns/complaints; 4 calls were from vendors providing product information and/or quotes; 9 calls dealt with street/drainage issues, streetlights, and questions about driveway inspections and dirt delivery; 15 calls dealt with parks/grounds issues; 27 were internal calls dealing with department and/or personnel issues and/or questions; 16 calls were received for the Public Works Director; 24 calls dealt with miscellaneous questions, wrong departments and/or telemarketers.

GROUNDS DIVISION (FTEs-4)

- Trees posing safety hazards were removed from Passive Park, in addition to annual pruning for tree health and visitor safety. Crews also removed a tree on Lakeside Drive that had fallen during a recent wind storm.
- Crews are installing Christmas decorations at Town Hall and along Surfside Drive and Highway 17.
- Over-seeding has been completed at most Town properties.
- Mowing, trimming, and weeding continue at Town properties, parks, and flower beds.

FLEET MAINTENANCE DIVISION (FTE-2)

From October 17th through November 20th our mechanics completed sixty-four (64) repairs on Town vehicles and equipment. Three (3) vehicles had flats repaired, seven (7) vehicles had tires replaced, and one (1) vehicle required an alignment. Bi-weekly fleet tires checks and fire extinguisher inspections were completed on all Public Works vehicles and/or equipment. "Preventive" and "Scheduled" maintenance (consisting of lube, oil & filter changes, brake inspections, tire rotations and fluid checks) were performed on twenty-nine (29) Town vehicles and/or equipment.

FACILITIES (FTE-2)

- A new "Welcome" sign and lighting have been installed at Melody Lane.
- Crew repaired the lights around the flagpole at Town Hall.
- Repairs were made to the wiring/lighting around the Town sculpture in the park on Surfside Drive.

PIER

- Hanging flower baskets on the light poles at the Pier have been refreshed.
- Bid for Pier parking lot improvements has been awarded to J.W. Hardee.

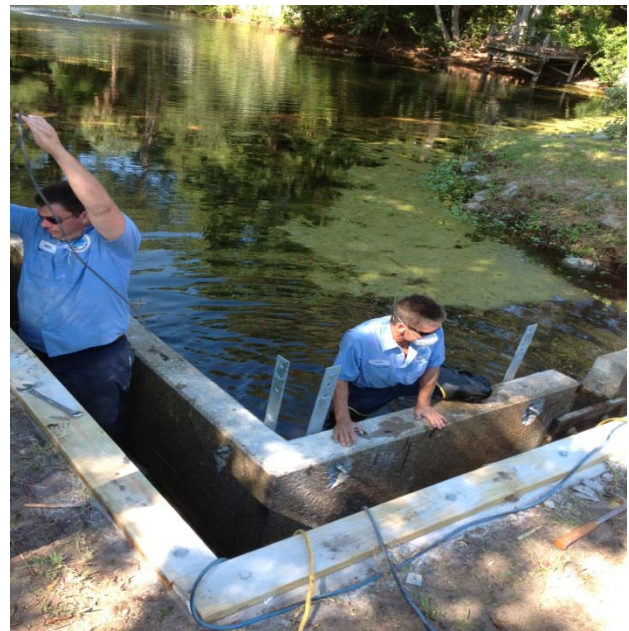
- Six bids were received for the replacement of the restaurant roof and are currently under review.
- Updated, decorative lighting continues to be installed on the pier, as well as path lighting, for safety, on the handicap accessible ramp.

ADDITIONAL NOTES:

Congratulations to James Behrens who celebrated 5 years of service to the Town in November. James will be recognized at the November 26th Council meeting.

Welcome to Bert Power, our new mechanic. Bert has recently relocated from Tennessee and joined our staff effective November 12th.

Public Works office will be closed on Thursday, November 28th and Friday, November 29th.



Mayor
Douglas F. Samples

Administrator
Micki Fellner

Town Clerk
Debra E. Herrmann, CMC



Mayor Pro Tem
Mary M. Mabry

Town Council
Ann Dodge
Mark L. Johnson
Roderick E. Smith
Randle M. Stevens

Town of Surfside Beach

BID OPENING RESULTS

Pier Parking Lot Improvements

PW# 13-003

Bid Opening Date: November 8, 2013 @ 10:00am

The bid for the above-referenced project was publicly opened on November 8, 2013 at 10:00am.

Representatives from Coastal Asphalt, LLC, J.W. Hardee, Public Works Director Adair, and Public Works Assistant Saleem were in attendance.

Public Works Director Adair gave last call at 10:01am and announced that two bids were received.

Bid # 1 – Coastal Asphalt, LLC.
\$43,620.84 including options

Bid # 2 – J.W. Hardee
\$38,000.00 including options

All present were advised that the bids would be examined for adherence to specifications, and that the Town of Surfside Beach reserved the right to accept or reject any bid in the best interest of the Town. Representatives were thanked for their participation. The bid was declared closed at 10:05am.

After review, bid for the project was awarded to J.W. Hardee.

Dedicated people providing quality and responsive service to our community.
115 US Highway 17 North, Surfside Beach, SC 29575-6034 ♦ www.surfsidebeach.org
Telephone 843.913.6111 ♦ Facsimile 843.238.5432 ♦ Email town@surfsidebeach.org

Decision Paper

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

1. **SUBJECT:** Ordinance Number 13-0764
2. **FOR:** The Town Code of Ordinances Sections 13-52, 13-57, 13-60 and 13-61 be amended adopting and enacting new revisions to the Planning, Building and Zoning Fee schedules.
3. **PURPOSE:** To be more in line with the surrounding county & municipalities. Staff reviewed the fees and charges and have now made recommendations to the adjustments as necessary to assist in the administration of the code.
4. **ASSUMPTIONS:**
 - a. Amended fees will help assist in the administration of the codes that are required by state law and local law to be enforced and correct.
 - b. Increasing the fees will allow the town to be more in line with fees within the area.
5. **FACTS:**
 - a. Fees have not been revised in the surrounding areas in several years.
 - b. It was stated while making calls to other agencies that their fees are in the process of being reviewed and revised.
 - c. The proposed increases still fall behind the surrounding areas. However, we feel the increase will help with cost without discouraging development in our area.
 - d. Staff has now established a true “One Stop” permitting process where all plans are submitted and reviewed in house. This process takes a shorter amount of time and citizens and contractors alike seem to enjoy the benefits.
6. **IMPACT OF SUCCESS OR FAILURE:** The impact would be additional revenue and help with the cost of required reviews, permits and approvals. This would also help the general fund, as all fees collected go into the general fund.
7. **RECOMMENDATION:**
 - a. Approve the proposed ordinance as presented.
 - b. **RATIONALE FOR RECOMMENDATION:** The proposed increases still fall behind the surrounding areas but are more in line that the existing fees. Staff feels the increase will help with cost without discouraging development in our area.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Horry)
)
 TOWN OF SURFSIDE BEACH) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
 PROVIDING THAT TOWN CODE OF ORDINANCES
 SECTIONS 13-52, 13-57, 13-60 AND 13-61 BE AMENDED
 ADOPTING AND ENACTING NEW REVISIONS TO THE
 PLANNING, BUILDING AND ZONING FEES

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled on October 8, 2013 desire to amend Sections 13-52, 13-57, 13-60 and 13-61 of the Town Code of Ordinances; and

WHEREAS, the Town of Surfside Beach reviews its fees and charges and make adjustments as necessary to assist in the administration of the code ; and

WHEREAS, the Mayor and Town Council deem the new and revised schedule of fees to be reasonable and in order.

NOW, THEREFORE, Sections 13-52, 13-57, 13-60 and 13-1 of the Code of Ordinances of the Town of Surfside Beach, South Carolina, is hereby amended to:

Sec. 13-52. - Building permit and review fees.

- (a) *New residential construction building permits and fees.* New residential construction permits shall be based upon the total square footage, including heated and unheated square footage at a rate of forty-five cents (\$0.45) per square foot. Residential plan review fees shall be based upon the total square footage, including heated and unheated square footage, at a rate of twenty-two and one-half cents (0.225) per square foot.
- (b) *New commercial construction building permits and fees.* New commercial construction permits shall be based upon the total square footage, including heated and unheated square footage at a rate of thirty-five cents (\$0.35) per square foot. Commercial plan review fees shall be based upon the total square footage, including heated and unheated square footage at a rate of twenty-seven and one-half cents (\$0.275) per square foot. New commercial fees are for building permits only. All mechanical contractors must purchase separate permits under the mechanical permit fee schedule.
- (c) *Renovations, repairs, and remodeling building permits and fees.* Unless otherwise specified, permits required by this code involving structure remodeling, renovations, or repairs shall use the following fee schedule (Table 13-52c). Separate permits are required for electrical, plumbing, mechanical, pools, and signs. This section specifically applies to work that is not defined as ordinary minor repairs (section 13-50).

Table 13-52c FEE SCHEDULE	
Total Valuation*	Permit Fee
\$0 to \$4000.	\$50.00 minimum fee
\$4,001.00 to \$49,999.	\$50.00 for the first \$1,000.00, plus \$5.00 for each additional \$1,000.00 or fraction thereof
\$50,000.00 to \$99,999.	\$295.00 for the first \$50,000.00, plus \$4.50 for each additional \$1,000.00 or fraction thereof
\$100,000.00 to	\$520.00 for the first \$100,000.00, plus \$3.50 for each additional \$1,000.00

\$499,999.99	or fraction thereof
\$500,000.00 and up	\$1,920.00 for the first \$500,000.00, plus \$3.00 for each additional \$1,000.00 or fraction thereof

***Valuations for new construction, additions, renovations, repairs, or remodeling.**
Valuations for additions renovations, repairs, or remodeling shall be determined by the use of 2012 International Building Code or the latest adopted edition thereof on a total square foot basis.
Valuations for new construction shall be determined by Sec. 13-52 (a) or (b) whichever is applicable.

Plan review. When a plan is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be equal to fifty (50) percent of the building permit fee as set forth herein. The plan review fee is in addition to the building permit fee. When a plan requires corrections or changes by the Building Official an additional fee shall be paid as follows:

Second review: \$100.00
Third and subsequent reviews: \$75.00

- (d) *Specific permit types.* Specific permit types are set out herein below. For other types of permits that require inspections and are not specifically listed herein refer to subsection 13-52(c) above for applicable fees:
 - (1) *Foundations (special permit).* Use fee schedule in subsection 13-52(c) above.
 - (2) *Electrical (except meter box replacement), plumbing, fire protection system, alarm systems, mechanical (HVAC), and gas systems.* Unless otherwise specified, permits required by this chapter involving electrical, plumbing, fire protection systems, alarm systems, mechanical (HVAC), and gas systems shall use the following fee schedule (Table 13-52c) above.
 - (3) *Electrical meter boxes.* Electrical meter box replacement or change of service fee: One hundred dollars (\$100.00).
 - (4) *Swimming pools.* Residential and commercial fee: Two hundred fifty dollars (\$250.00). Plan review for swimming pool fee: Fifty dollars (\$50.00). In protected coastal areas this permit may be subject to approval by SCDHEC-Office of Coastal Resource Management. For pool repair permit fees, refer to subsection 13-52(c) above.
 - (5) *Awnings.* Refer to subsection 13-52(c) above. Awnings shall conform to town zoning restrictions.
 - (6) *Business inspection (commercial).* Any safety inspection of electrical or plumbing connections and/or the inspection of the condition of a building prior to the restoration of electrical power for occupancy. Fee: Seventy five dollars (\$75.00).
 - (7) *Marine construction.* Fishing piers, bulkheads, and dune-walkovers, refer to subsection 13-52(c) above for permit fees. These structures may require approval by SCDHEC-Office of Coastal Resource Management as a condition to issue and shall comply with town zoning codes.
 - (8) *Manufactured home fee.* Manufactured homes are allowed in the manufactured home park district (MH). Fee: one hundred dollars (\$100.00). The fee includes inspections for one (1) unit set up, supporting foundation, tie downs, and electrical, gas, water, sanitary connections, and any exterior HVAC unit. Permits for accessory decks are subject to the fees prescribed by subsection 13-52(c). Screened enclosures, room additions, and accessory structures are subject to the fees prescribed by subsection 13-52(a).

- (9) *Temporary occupancy permit fee.* One hundred dollars (\$100.00). The building official may issue a temporary occupancy permit before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The temporary occupancy shall be for a period of not more than thirty (30) days, and can be renewed for cause with approval of the building official.
- (10) *New certificate of occupancy.* When the occupancy of any building or structure is changed or when a building or structure has been condemned by town council, fee: seventy-five dollars (\$75.00), unless a building permit for renovations or remodeling exceeding fifteen thousand dollars (\$15,000.00) in construction cost is issued.
- (11) *Re-inspection fees for all types of construction.* When the building official or his duly authorized agent finds upon inspection of completed work that the same does not conform to or comply with the provisions of the applicable standard codes or ordinances of the town, he shall notify the permit holder of the corrections to be made. The work shall be inspected one (1) additional time without further charge to insure the corrections were properly made. However, if the inspector determines that extra inspections are necessary for any reason including the following, re-inspection fees shall be paid in advance prior to each additional re-inspection. Fee: seventy five dollars (\$75.00).

 Extra inspections may be necessitated when a) A building or improvement is not ready for inspection; b) Previously cited violations not corrected; c) Approved plans not on site; and/or d) Access is blocked by locks, ladders, equipment, or other impediments, etc.
- (12) *Building board appeal.* Fee for an appeal to the building board of appeals: One hundred seventy-five dollars (\$175.00).

Sec. 13-57. - Subdivision filing and review fees.

Fees for the filing and review of subdivision plats are established by chapter 15 of this Code and are provided, in summary, by Table 13-57a below. For additional fees and general requirements, reference should be made to chapter 15:

Table 13-57a Subdivision Plat Fees	
Plat/Survey Type	Fee
Preliminary: (Zoning)	
Major Subdivision	\$175.00 plus \$10.00 per lot
Minor Subdivision	\$45.00
Preliminary: (Public Works)	
Major Subdivision	\$100.00
Final (Zoning)	
Major Subdivision	\$175.00
Minor Subdivision	\$40.00
Final (Public Works)	
Major Subdivision	\$100.00
Surveys:	
"As Built" Survey	\$35.00

Combination Survey	\$35.00
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When the plat and/or survey requires corrections or changes and additional fee shall be calculated as follows:

Second review: \$30.00
 Third: \$25.00

Fourth and any subsequent reviews: \$20.00

Sec. 13-60. - Board and commission review fees.

Pursuant to section 17-212, fees provided in Table 13-60a are established to partially defray costs incurred in the administration of the zoning provisions of this Code:

Table 13-60a Board and Commission Review Fees	
Application or Review Type	Fee
Board of Zoning Appeals Applications	
Special Exception	\$200.00
Variance	\$200.00
Appeal	\$200.00
Planning Commission Applications	
Zoning Map and/or text Amendment	\$250.00
Planned Development (PD)	\$350.00**
Planned Development Amendment	\$350.00**
**Subdivision plat fees may also apply (See Table 13-57a).	

Sec. 13-61. - Administrative review and zoning permit fees.

Pursuant to section 17-212, fees provided in Table 13-61a are established to partially defray costs incurred in the administration of the zoning provisions of this Code:

Table 13-61a Zoning Permits, Certificates and Other Review Fees	
Application or Permit Type	Fees
Zoning Permit (General): (See note 1)	\$25.00
Zoning Permit (Specific Activity):	
Zoning Permit (demolition of structure)	\$150.00
Zoning Permit (sidewalks, patios) private property	\$30.00
Zoning Permit (grading, site development, landscaping, and irrigation)	Fee is based on the valuation of improvements. Use Table 13-52c.
Zoning Permit (Right of Way Encroachment Permit)	\$50.00 (See Note 4)
Zoning Permit (fences)	\$25.00 for fences six (6) feet in height or less; fences

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Second Reading: 11/26/2013

	exceeding six (6) feet in height use Table 13-52c. A fence, regardless of height, to be placed within the shore protection line or area requiring a permit by SCDHEC-OCRM (See chapter 17, article 8).
Zoning Permit (manufactured home placement)	\$50.00 plus building permit/inspection fee. See section 13-52(d) (9).
Zoning Permit (moving any building or structure excluding manufactured home placement)	\$225.00 plus building permit fee (Building permit to be based on valuation of new foundation or other regulated improvement on the new site using Table 13-52c).
Zoning Permit (parking lot construction)	\$50.00
Zoning Permit (Signs excluding portable, special event, and other temporary signs)	Fee based on valuation of structure or improvement. Use Table 13-52c.
Zoning Permit (Tree Removal):	
Removal of Required or Regulated Tree	\$75.00. In cases where a required or regulated tree is determined to be dead or diseased, there is no fee for removal. (See note 2)
Thinning or removal of non-required or non-regulated trees (4" DBH or greater)	\$5 per tree not to exceed \$50 per lot. In cases where a non-required or non-regulated tree is determined to be dead or diseased, there is no fee for removal. (See note 2)
Pruning (limbs over 4" in diameter)	No fee
Zoning Permit (water well allowed only for landscaping and non-consumption purposes).	\$20.00
Certification of Zoning Compliance (General)	\$50.00 (See note 3)
Temporary Certificates of Zoning Compliance (See section 17-208)	
Carnival, circus, or fair	\$500.00
Use of tent, open display, special event signs, portable signs, and/or other temporary signs	\$30.00 There is no fee if the permit is issued for the grand opening of a new business.
Open lot sales for Christmas trees	\$100.00
Temporary real estate office	\$100.00
Contractor's office and equipment sheds	\$100.00
Manufactured or modular units used as temporary business establishments during construction of permanent structure	\$100.00
Certificate of Zoning Compliance (re-inspection fee)	\$50.00
Zoning Plan Review Fees:	
Commercial Plan Review	\$75.00
Residential Plan Review	\$50.00

Zoning Re-inspection fee	
Extra inspections may be necessitated when a) An building or improvement is not ready for inspection; b) Previously cited violations not corrected; c) Approved plans not on site	\$75.00.
<p>Note 1: The zoning permit (general) fee applies to activities listed in section 17-203. Where a zoning permit fee is provided for a specific activity, the zoning permit (specific) fee shall apply.</p> <p>Note 2: Where the tree removal is in conjunction with a project requiring a building permit and a building permit has been issued, there is no additional fee for the tree removal permit.</p> <p>Note 3: Where a zoning permit is required for a project and a zoning permit has been issued, there is no additional fee for the certificate of occupancy.</p> <p>Note 4: All right of way encroachment permits must be approved by the Public Works Director or his designee prior to issuance.</p>	

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

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

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

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___ day of _____ 2013.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Chapter 14 - FLOOD DAMAGE PREVENTION

ARTICLE I. - GENERAL PROVISIONS

ARTICLE II. - VARIANCE PROCEDURES

ARTICLE III. - STORMWATER MANAGEMENT

ARTICLE I. - GENERAL PROVISIONS

- Sec. 14-1. - Statutory authorization.
- Sec. 14-2. - Findings of fact.
- Sec. 14-3. - Statement of purpose and objectives.
- Sec. 14-4. - Lands to which this chapter applies.
- Sec. 14-5. - Establishment of development permit.
- Sec. 14-6. - Compliance.
- Sec. 14-7. - Interpretation.
- Sec. 14-8. - Partial invalidity and severability.
- Sec. 14-9. - Warning and disclaimer of liability.
- Sec. 14-10. - Penalties for violation.
- Sec. 14-11. - Definition interpretation.
- Sec. 14-12. - Definitions.
- Sec. 14-13. - Designation of local administrator.
- Sec. 14-14. - Development permit and certification requirements.
- Sec. 14-15. - Duties and responsibilities of the local administrator.
- Sec. 14-16. - Administrative procedures.
- Sec. 14-17. - Flood hazard reduction standards.
- Sec. 14-18. - Specific standards.
- Sec. 14-19. - Standards for streams without established base flood elevations and/or floodways.
- Sec. 14-20. - Standards for subdivision proposals.
- Sec. 14-21. - Standards for areas of shallow flooding (AO zones).
- Sec. 14-22. - Coastal high hazard areas (V zones).

Sec. 14-1. - Statutory authorization.

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

Sec. 14-2. - Findings of fact.

The flood hazard areas of the Town of Surfside Beach are subject to periodic inundation which results in loss of life, property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and

impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

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

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

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

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

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

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

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

the unincorporated areas of Horry County, with accompanying map and other data are adopted by reference and declared part of this chapter.

- (1) Residential structures must be constructed so that the lowest floor, including basement, is located no lower than the base flood elevation. No environmentally conditioned space shall be allowed below the lowest floor.
- (2) Nonresidential structures may be constructed below the base flood elevation provided they are designed to preclude the inundation of floodwater and withstand the hydrostatic loads associated with the base flood and certified by a licensed engineer or architect.

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

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

Sec. 14-6. - Compliance.

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

Sec. 14-7. - Interpretation.

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

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

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

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

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

Sec. 14-10. - Penalties for violation.

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person or corporation who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00), or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing contained herein shall prevent the Town of Surfside Beach from taking such other lawful action as is necessary to prevent or remedy a violation.

Sec. 14-11. - Definition interpretation.

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

Sec. 14-12. - Definitions.

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

Addition (to an existing building). An extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation or reconstruction to any building that was constructed prior to the initial flood insurance study for that area, and the addition, renovation or reconstruction does not equal fifty (50) percent of the present tax value of the structure or certified appraisal. Where a fire wall, load-bearing or exterior wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction. Compliance with mandatory building or zoning codes is also required.

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

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

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

Area of special flood hazard. The land in the floodplain within a community subject to a one (1) percent or greater chance of being equaled or exceeded in any given year (i.e., AE and VE flood zones).

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

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

Building. See structure

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

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

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

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

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

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

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

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

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

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

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

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

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

Highest adjacent grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structures.

Historic structure. Any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily, determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary [of the Interior] to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places; and
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:
 - (1) By an approved state program as determined by the Secretary of Interior; or
 - (2) Directly by the Secretary of Interior in states without approved programs.

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

Limited storage. An area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood-resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zones, it must meet the requirements of subsection 14-18(5) of this chapter. If the area is below the base flood elevation in a V, VE and V1-V30 zone, it must meet the requirements of subsection 14-22(9) of this chapter.

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

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

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

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

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

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

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

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

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

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

Recreational vehicle. A vehicle which is:

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

Start of construction. For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date of the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within one hundred eight (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary form; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

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

Substantial damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged conditions would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Such repairs may be undertaken

successively and their costs counted cumulatively Please refer to the definition of "substantial improvement."

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the tax or certified appraised value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not however, include:

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

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

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

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

The building and zoning official or his designee is hereby appointed to administer and implement the provisions of this chapter.

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

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

- (1) A certified plot plan or survey that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either subsection 14-15(10) or section 14-20. The certified plot plan or survey must be prepared

by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.

- (2) The plot plan required by section 14-14(1) must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either subsection 14-15(10) or section 14-20
- (3) Where base flood elevation data is provided as set forth in section 14-4 or subsection 14-15(10), the application for a development permit within the flood hazard area shall show:
 - (a) The elevation (in relation to mean sea level) of the lowest floor of all new and substantially improved structures; and
 - (b) If the structure will be floodproofed in accordance with subsection 14-18(2), the elevation (in relation to mean sea level) to which the structure will be floodproofed.
- (4) If no base flood elevation data is provided as set forth in section 14-4 or subsection 14-15(10), the application for a development permit must show construction of the lowest floor at least three (3) feet above the highest adjacent grade.
- (5) Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include: a description of the extent of watercourse alteration or relocation; an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation.
- (6) When a structure is floodproofed, the applicant shall provide certification from a registered professional engineer that the nonresidential, floodproofed structure meets the floodproofing criteria in subsection 14-18(2).
- (7) A floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the local administrator a certification of the lowest floor, or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior additional working being permitted to proceed. Failure to submit the survey or failure to make said corrections required shall be cause to issue a stop work order for the project.

- (8) When a structure is located in zones V, VE, or V130, certification shall be provided from a registered professional engineer, separate from submitted plans, that new construction or substantial improvement meets the criteria in section 14-22
- (9) Upon completion of the development, a registered professional engineer or land surveyor, whichever professional is appropriate, shall certify that subsections (6), (7), and (8) are built in accordance with the submitted plans and previous predevelopment certifications.
- (10) If the proposed project will impact the configuration of a watercourse, floodway, or base flood elevation for which a detailed flood insurance study has been developed, the applicant shall apply for and must receive approval for a conditional letter of map revision with the Federal Emergency Management Agency prior to actual construction.

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

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

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

- d. Within 60 days of completion of an alteration of a watercourse, referenced in the certification requirements of Section 14-14(10) the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.
- (4) Floodway encroachments – Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of Section 14-18(8) are met.
 - (5) Obtain actual elevation (in relation to mean sea level) of the lowest floor of all new or substantially improved structures have been flood proofed, in accordance with subsection 14-14(7).
 - (6) Obtain actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood proofed, in accordance with subsection 14-14(7).
 - (7) When flood proofing is utilized for a particular structure, obtain certifications from a registered professional engineer in accordance with subsection 14-18(2).
 - (8) A registered professional engineer shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in subsections 14-22(4), (6) and (9) of this chapter.
 - (9) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the administrator shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretations as provided in this article.
 - (10) When base flood elevation data or floodway data has not been provided in accordance with section 14-4, obtain, review, and reasonably utilize best available base flood elevation data and floodway data available from a federal, state, or other source, including data developed pursuant to section 14-21, in order to administer the provisions of this chapter. Data from preliminary, draft and the final flood insurance studies constitutes best available data from a federal, state, or other source. If an appeal is pending on the study in accordance with 44 CFR Ch. 1, Parts 67.5 and 67.6, the data does not have to be used.
 - (11) When the exact location of boundaries of the areas of special flood hazards conflict with the current natural topography information at the site, the property owner may apply and be approved for a letter of map amendment (LOMA) by FEMA. A copy of the letter of map amendment issued from FEMA will be maintained by the local administrator in the permit file.
 - (12) Make on-site inspections of projects in accordance with section 14-16
 - (13) Serve notices of violations, issue stop work orders, revoke permits, and take corrective actions in accordance with section 14-16

- (14) Maintain all records pertaining to the administration of this chapter and make these records available for public inspection.
- (15) Annexations. Notify the land resources and conservation districts division, within six (6) months, of any annexations that include special flood hazard areas. The community must incorporate applicable maps from surrounding jurisdictions into this chapter within ninety (90) days of annexation.

Sec. 14-16. - Administrative procedures.

- (1) *Inspections of work in progress.* As the work pursuant to a permit progresses, the local administrator or his designee shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit.
- (2) *Stop work orders.* Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this chapter, the administrator or his designee may order the work to immediately be stopped. The stop work order shall be in writing and directed to the person doing the work. Notification of the property owner is also required. The stop work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop work order shall constitute a misdemeanor.
- (3) *Revocation of permits.* The local administrator may revoke and require the return of the development permit by notifying the permit holder and owner in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.
- (4) *Periodic inspections.* The local administrator and each member of the inspection department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (5) *Violations to be corrected.* When the local administrator finds violations of applicable state and local laws, it shall be his duty to notify the owner of the building of the violation. The owner shall immediately remedy each of the violations of law on the property he owns.
- (6) *Actions in event of failure to take corrective action.* If the owner of a structure or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail, to his last known address or by personal service, that:
 - (a) The building or property is in violation of the flood damage prevention article;

- (b) A hearing will be held before the local administrator at a designated place and time, not later than ten (10) days after the date of notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - (c) Following the hearing, the local administrator may issue such order to alter, vacate, or demolish the structure, or to remove fill as appears appropriate.
- (7) *Order to take corrective action.* If, upon a hearing held pursuant to the notice prescribed above, the administrator shall find that the structure or development is in violation of the flood damage prevention article, he shall make such an order in writing to the owner, requiring the owner to remedy the violation within such period, not more than sixty (60) days, the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period that may be feasible.
 - (8) *Appeal.* Any owner who has received an order to take corrective action may appeal from the order of the Surfside Beach Construction Board of Adjustments and Appeals by giving notice of appeal in writing to the local administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The local appeals board shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
 - (9) *Failure to comply with order.* If the owner of a structure or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the appeals board following an appeal, they shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

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

Development may not occur in the floodplain where alternative locations exist due to inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard, the following provisions are required:

- (1) All new construction and substantial improvements shall conform to the requirements contained in the latest adopted building code, and anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) All new construction and substantial improvements shall be constructed with flood-resistant materials and utility equipment resistant to flood damage;
- (3) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;
- (4) Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located at least one (1) foot above base flood elevation so as to prevent water from entering or accumulating

within or on the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for shower heads, hoses, etc., as long as cutoff devices and backflow devices are installed to prevent contamination of the service components and thereby minimize any flood damages to a structure and contents;

- (5) Gas containers shall be elevated and anchored at least one (1) foot above the base flood elevation or buried below grade and anchored to a reinforced concrete footing;
- (6) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (7) New and replacement sanitary sewer shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters;
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and
- (9) Pool electrical equipment (motor, etc.) shall be located a minimum of one (1) foot above the base flood elevation filter shall be anchored to prevent floatation.
- (10) Pool heaters shall be located a minimum of one (1) foot above the base flood elevation.
- (11) Any alteration, repair, reconstruction, or improvement to a structure which is in compliance with the provisions of this chapter, shall meet the requirements of "new construction" as contained in this chapter. This includes post-FIRM development and structures.
- (12) Nonconforming structures or uses. Nonconforming structures or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this chapter. Provided, however, nothing in this chapter shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all the other requirements of this chapter. Use of nonconforming ground floor habitable spaces or walls for an addition of a second floor above the base flood elevation shall not be allowed.
- (13) Americans with Disabilities Act (ADA). A building must meet the specific standards for floodplain construction outlined in section 14-18, as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.

Sec. 14-18. - Specific standards.

In all areas of special flood hazard (i.e., AE zones) where base flood elevation data has been provided, as set forth in section 14-4 and subsection 14-15(10), the following provisions are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated not lower than one (1) foot above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to automatically equalize hydrostatic flood forces, shall be provided in accordance with the elevated buildings requirements in [14-18\(5\)](#)
- (2) *Nonresidential construction.*
 - a. New construction and substantial improvement of any commercial, industrial, and/or nonresidential structure (including manufactured structures) shall have the lowest floor elevated no lower than one (1) foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate the structure, flood openings sufficient to automatically equalize hydrostatic flood forces, shall be provided in accordance with the elevated building requirements in [14-18\(5\)](#). No basements permitted. Structures located in A-zones may be flood proofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
 - b. A registered professional engineer shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in subsections [14-14\(7\)](#) and [14-14\(9\)](#). A variance may be considered for wet flood proofing agricultural structures in accordance with the criteria outlined Article II this ordinance. Agricultural structures not meeting the criteria of Article II must meet the non-residential construction standards and all other applicable provisions of this ordinance. Structures that are flood proofed are required to have an approved maintenance plan with an annual exercise. This local floodplain administrator must approve the maintenance plan and notification of the annual exercise shall be provided to it.
- (3) *Manufactured homes.*
 - (a) Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which as manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than one (1) foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and movement.

- (b) Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions of subsection 14-18(3) of this chapter, must be elevated so that the lowest floor of the manufactured home is elevated no lower than one (1) foot above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse and lateral movement.
 - (c) Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse or lateral movement in accordance with Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations, effective date May 25, 1990, as amended. Additionally, when the elevation requirement would be met by an elevation of the chassis at least thirty-six (36) inches or less above the average grade at the site, the chassis shall be supported by reinforced piers or other foundation elements at least equivalent strength. When the elevation of the chassis is above thirty-six (36) inches in height, engineering certification is required.
- (4) *Recreational vehicles.* A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions. Recreational vehicles placed on sites shall either be a site for fewer than one hundred eighty (180) consecutive days and be fully licensed and ready for highway use, or meet the requirements of sections 14-14, 14-17 and subsection 14-18(3).
- (5) *Elevated buildings.* New construction and substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or limited storage in an area other than a basement, and which are subject to flooding shall be designed to preclude finished space and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
- a. Designs for complying with this requirement must be certified by a professional engineer and meet the following minimum criteria:
 - 1. Provide a minimum of two (2) openings on different walls having a *total net area* of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
 - 2. The bottom of all openings shall be no higher than one (1) foot above the higher of the interior or exterior grade immediately under the opening,
 - 3. Only the portion of openings that are below the base flood elevation (BFE) can be counted towards the required net open area.
 - 4. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;

5. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one (1) side of the building.
- b. Hazardous velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than five (5) feet per second), foundation systems other than solid foundation walls should be considered so that obstructions to damaging flood flows are minimized.
- c. Enclosures Below Lowest Floor:
 1. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 2. The interior portion of such enclosed area shall not be finished or partitioned or finished into separate rooms, must be void of utilities except for essential lighting as required for safety, and cannot be temperature controlled.
 3. One (1) wet location switch and/or outlet connected to a ground fault circuit interrupt breaker may be installed below the required lowest floor elevation specified in subsections 14-18(1), (2) and (3).
 4. All construction materials below the required lowest floor elevation specified in subsections 14-18(1), (2), and (3) shall be of flood-resistant materials.
- (6) *Accessory structures.* Any detached accessory structure, the cost of which is greater than three thousand dollars (\$3,000.00), must comply with the elevated structure requirements of subsections 14-18(2) and (5), or constructed completely of flood-resistant materials. When accessory structures of three thousand dollars (\$3,000.00) or less are to be placed in the floodplain, the following criteria shall be met:
 - (a) Accessory structures shall not be used for human habitation (including workshop, sleeping, living, cooking, or restroom areas);
 - (b) Accessory structures shall be constructed of flood-resistant material designed to have low flood damage potential;
 - (c) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
 - (d) Accessory structures shall be firmly anchored to prevent flotation, collapse, or lateral movement of the structure;

- (e) Service facilities such as electrical shall be installed in accordance with subsection 14-17(4);
 - (f) Openings to relieve hydrostatic pressure during a flood event shall be provided below the base flood elevation in accordance with subsection 14-18(5); and
 - (g) Accessory structures shall comply with town zoning regulations.
- (7) *Floodways.* Located within areas of special flood hazard established in section 14-4, are areas designated as floodway. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles and has erosion potential. The following provisions shall be presented to the local administrator:
- (a) No encroachments, including fill or raised slab foundation, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local administrator. Raised slab foundation may be utilized in floodways only when no other practical alternative exists.
 - (b) If subsection 14-18(8) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions.
 - (c) Stream crossing for any purpose (i.e., timber harvesting operations), if temporary, shall be permitted in accordance with subsection 14-18. Otherwise, the development shall comply with all applicable flood hazard reduction provisions.
 - (d) No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision, provided the anchoring and the elevation standards of subsection 14-18(3).
 - (e) Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife and related uses; also lawns, gardens, play areas, picnic grounds, hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations.
- (8) *Fill.* Fill and raised slab construction is discouraged because storage capacity is removed from floodplains. Elevating buildings by other methods must be utilized. An applicant shall prove through engineering analysis that fill is the only alternative to raising the building to at least one (1) foot above the base flood elevation, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties.

Raised slab foundations may be utilized only when no other practical alternatives exist. The following provisions shall apply to any fill placed in the special flood hazard area:

- (a) Fill may not be placed in a floodway unless it is in accordance with subsection 14-18(8);
- (b) Fill may not be placed in tidal or nontidal wetlands without the required state and federal permits;
- (c) Fill must consist of soil and rock materials only. Dredged material may be used as fill only upon certification of suitability by a registered professional geotechnical engineer. Landfills, rubble fills, dumps and sanitary fills are not permitted in the floodplain;
- (d) Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered professional engineer;
- (e) Fill slopes shall be no greater than two (2) horizontal to one (1) vertical. Flatter slopes may be required where velocities may result in erosion;
- (f) The use of fill shall not increase flooding or cause drainage problems on neighboring properties;
- (g) Fill may not be used for structural support in the coastal high hazard areas; and
- (h) Any unauthorized or construction inconsistent with plans approved by the town will be required to return the area to original conditions. This requirement includes existing properties.

.Sec. 14-19. RESERVED.

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

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

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

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

Located within the areas of special flood hazard established in section 14-4, are areas designated as shallow flooding. The following provisions shall apply with all such areas:

- (1) All new construction and substantial improvements of residential structures shall have the lowest floor elevated to at least as high as the depth number specified on the flood insurance rate map, in feet above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade.
- (2) All new construction and substantial improvements of nonresidential structures shall:
 - (a) Have the lowest floor elevated to at least as high as the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three (3) feet above the highest adjacent grade; or
 - (b) Be completely flood-proofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water, and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy: Certification is required as stated in Section 14-14(10).
- (3) All structures on slopes must have drainage paths around them to guide water away from the structures.

Sec. 14-22. - Coastal high hazard areas (V zones).

Located within the areas of special flood hazard established in sections 14-4 or 14-12, are areas designated coastal high hazard areas. These areas have special flood hazards associated with wave wash. The following provisions shall apply within such areas:

- (1) All new construction and substantial improvements shall be located landward of the reach of means high tide, first line of stable natural vegetation and comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements.
- (2) All buildings and structures shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located no lower than one (1) foot above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to break up and wash away in the event of abnormal wave action and in accordance with subsection 14-22(8).
- (3) All buildings and structures shall be securely anchored on pilings or columns, extending vertically below a grade of sufficient depth and the zone of potential scour, and securely anchored to the subsoil strata.
- (4) All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, lateral movement and scour due to the effect of wind and water loads acting simultaneously on all building components.

- (5) A registered professional engineer shall certify that the design, specifications and plans for construction are in compliance with the provisions contained in subsections 14-22(4), (6) and (9) of this chapter.
- (6) There shall not be fill material used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge, thereby rendering the building free of obstruction prior to generating excessive loading forces, ramping effects, or wave deflection. Only beach-compatible sand may be used. Parking slabs under structures shall be designed without grade beams, a maximum of four (4) inches thick and with sufficient expansion joints to insure the slab will break apart during scouring from storm surges. The local administrator shall approve design plans for landscaping aesthetic fill only after the applicant has provided analysis by an engineer and/or soil scientist, which demonstrates that the following factors have been fully considered:
 - (a) Particle composition of fill material does not have a tendency for excessive natural compaction;
 - (b) Volume and distribution of fill will not cause wave deflection to adjacent properties; and
 - (c) Slope of fill will not cause wave runup or ramping.
- (7) There shall be no alteration of sand dunes, which would increase potential flood damage.
- (8) Prior to construction plans for any structures that will have any lattice work or decorative screening must be submitted to the local administrator for approval.
- (9) Lattice work or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:
 - (a) No solid wall enclosures shall be allowed. No solid wall panels shall be larger than four (4) feet by eight (8) feet installed vertically.
 - (b) Lattice or decorative screening material shall consist of wood or mesh screening only.
 - (c) Design safe loading resistance of each breakaway lattice or decorative screening shall not be less than ten (10) or more than twenty (20) pounds per square foot; or
 - (d) If more than twenty (20) pounds per square foot, a registered professional engineer shall certify that the lattice or screening collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of

wind and water loads acting simultaneously on all building components (structural and nonstructural). The water loading values shall be those required by the locally adopted building code; and

- (e) Breakaway lattice or screening material shall be constructed with flood-resistant materials.
- (10) If aesthetic lattice work or screening is utilized, such partially enclosed space shall not be designed to be used for human habitation, but shall be designed to be used only for parking or limited storage of maintenance equipment used in connection with the premises.
- (a) Only flood-resistant materials shall be used below the required flood elevation required in subsection 14-22(2).
 - (b) One (1) wet location switch and/or electrical outlet box connected to a ground fault circuit interrupt breaker in the main panel may be installed below the required lowest floor elevation specified in subsection 14-18 (1) and (2).
- (11) Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor except with latticework or decorative screening, as provided for in subsections 14-22(8) and (9).
- (12) No manufactured homes shall be permitted except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and elevation standards of subsection 14-18(3).
- (13) Recreational vehicles shall be permitted in coastal high hazard areas provided that they meet the recreational vehicle criteria of subsection 14-18(4) and the temporary structure provisions of subsection 14-18(6).
- (14) Temporary structures are permitted in accordance with subsection 14-18(6).
- (15) Accessory structures, below the required lowest floor elevation specified in subsection 14-22(2) are prohibited.
- (16) Parking areas shall be located on a stable grade under or landward of a structure. Any parking surface shall consist of gravel or ROC aggregate. Concrete parking slabs shall be a maximum of four (4) inches in thickness, designed to break apart during storm surge scouring.
- (17) Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for showerheads, hoses, etc., as long as cut-off devices and backflow devices are installed to

prevent contamination to the service components and thereby minimize any flood damage to the building.

- (18) Gas containers shall be elevated and anchored above the base flood elevation or buried below grade and anchored to reinforced concrete footing on the landward side of the building or structure.

ARTICLE II. - VARIANCE PROCEDURES

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

Sec. 14-24. - Right to appeal.

Sec. 14-25. - Historic structures.

Sec. 14-26. - Considerations.

Sec. 14-27. - Findings.

Sec. 14-28. - Floodways.

Sec. 14-29. - Conditions.

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

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

Sec. 14-32. - Effective date.

Secs. 14-33—14-45. - Reserved.

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

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

Sec. 14-24. - Right to appeal.

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

Sec. 14-25. - Historic structures.

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

(Sec. 14-26. - Considerations.

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

- (1) The danger that materials may be swept onto other lands to the injury of others;

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

Sec. 14-27. - Findings.

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

Sec. 14-28. - Floodways.

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

Sec. 14-29. - Conditions.

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

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

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

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

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

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

Sec. 14-32. - Effective date.

This chapter shall become effective upon adoption.

DRAFT



MEMORANDUM

TO: Town Council
FROM: Micki Fellner
DATE: 11/22/2013
RE: Repair of Pier Roof

1. I will be recommending that Thompson Roofing be awarded the bid contract for the repair to the pier roof.
2. Thompson is not the low bidder by \$3,800.
 - a. Nunnery's bid total was \$20,950.
 - b. Thompson's bid total was \$ 24,750
3. I believe it is in the best interest of the town for the following reasons ...
 - a. Thompson is a local company with an impeccable reputation. Nunnery also has a good reputation but is based out of Sumter, SC.
 - b. Since Thompson is a local company, it will be very easy to schedule any future work against the guarantee that may need to be done during the 20 year warranty period. Again, Nunnery is based out of Sumter, SC and it can reasonably be assumed that scheduling might prove more difficult.
 - c. Thompson can meet our work commencement scheduling requirements for the first two weeks in December and Nunnery cannot.

Mayor
Douglas F. Samples
Administrator
Micki Fellner
Town Clerk
Debra E. Herrmann, CMC



Mayor Pro Tem
Mary M. Mabry
Town Council
Ann Dodge
Mark L. Johnson
Elizabeth Kohlmann
Roderick E. Smith
Randle M. Stevens

Town of Surfside Beach

BID OPENING RESULTS

Pier Restaurant Roof Replacement Bid#: PW 13-004

Bid Opening Date: November 15, 2013 – 10:30am

The bid for the above-referenced project was publicly opened on November 15, 2013 at 10:30am.

Representatives from Coastal Commercial Roofing, Roofco, Inc., Public Works Director Adair, and Public Works Assistant Saleem were in attendance.

Public Works Director Adair gave last call at 10:30am and announced that six (6) bids were received.

Bid # 1 – Thompson Roofing, Inc.
\$24,750.00

Bid # 2 – Nunnery Roofing & Remodeling
\$20,950.00

Bid # 3 – Palmetto State Roofing & Sheet Metal, Inc.
\$39,356.00

Bid # 4 – Span Roofing & Sheet Metal
\$34,890.00

Bid # 5 – Coastal Commercial Roofing Co., Inc.
\$32,201.00

Bid #6 – Roofco, Inc.
\$46,600.00

All present were advised that the bids would be examined for adherence to specifications, and that the Town of Surfside Beach reserved the right to accept or reject any bid in the best interest of the Town. Director Adair thanked all those present for their participation. The bid was closed at 10:38am.

Dedicated people providing quality and responsive service to our community.
115 US Highway 17 North, Surfside Beach, SC 29575-6034 ♦ www.surfsidebeach.org
Telephone 843.913.6111 ♦ Facsimile 843.238.5432 ♦ Email town@surfsidebeach.org



BID FORM

(Failure to furnish all requested data will be cause for considering Bidder non-responsive and may render this Bid invalid on that basis.)

BID FOR: TOWN OF SURFSIDE BEACH
PIER RESTAURANT ROOF REPLACEMENT

SUBMITTED TO: Town of Surfside Beach
Surfside Beach, South Carolina 29575

SUBMITTED BY:

Bidder's Name THOMPSON ROOFING INC
Address 110 AP THOMPSON RD
City, State and Zip Code LONGS SC 29568

1. The undersigned, hereinafter called Bidder, in compliance with the "Notice to Bidders," accepting all of the terms and conditions of the "Instructions to Bidders," including without limitation those dealing with the disposition of Bid Security; proposes and agrees, if awarded the Contract, to enter into an Agreement with the Owner in the form of Agreement included in the Contract Documents, to furnish all materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the work to be performed under this Contract within the Contract Time indicated in this Bid, in full and complete accordance with the shown, noted, described and reasonably intended requirements of the Contract Documents, to the full and entire satisfaction of the Owner, for the amounts contained in the Bid Schedules.
2. This Bid will remain open for sixty (60) days after the day of Bid opening. If awarded a contract, Bidder will sign the Agreement and submit the Contract Security and other documents required by the Contract Documents within fifteen (15) days after the date indicated in Owner's Notice of Award.
3. In submitting this Bid, Bidder represents that:

Bidder has become thoroughly familiar with the terms and conditions of the proposed Contract Documents accepting the same as sufficient to indicate and convey understanding of all the conditions and requirements under the Contract which will be executed for the Work.

Bidder has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as Bidder deems necessary.



This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over Owner.

No member of the Town Council or other officers or employees of said Owner is interested directly or indirectly in the Bid, or in any portion of the Bid, nor in the Contract or any part of the Contract which may be awarded the undersigned on the basis of such Bid.

The description under each bid item, being briefly stated, implies, although it does not mention, all incidentals and that prices stated are intended to cover all such work, materials and incidentals as constitute Bidder's obligations as described in the Specifications, and any details not specifically mentioned, but evidently included in the Contract shall be compensated for in the item which most logically includes it.

The Prices Bid includes all sales taxes and other applicable taxes and fees.

4. Contract Time: Bidder agrees that:

He will commence work with an adequate force and equipment at the time stated in the Notice to Proceed, and complete all work in the number of days stipulated from the date stated in said notice without working overtime or on Saturdays, Sundays, or legal holidays except as specifically allowed by the Contract Documents and approved by the Owner.

The work for the PIER RESTAURANT ROOF REPLACEMENT shall be complete within thirty (30) calendar days.

5. Execution of Contract: Bidder agrees that:

In case of failure on his part to execute the said Contract and Bonds within 15 days after the date indicated in the "Notice of Award", the check or bid bond accompanying this Bid, and the money payable thereon, shall be paid to the Owner as liquidated damages for such failure; otherwise the Bid Bond or check accompanying this Bid shall be returned to the undersigned.

6. Bid Documentation: The following documents are attached to and made a part of this Bid:

Non-collusion Affidavit

Required Bid Security in the form of a Bid Bond (5% of Base Bid amount) made payable to the order of the Town of Surfside Beach



Bidder's Qualification Statement

7. Name and business address (mailing and street) of Bidder to which all formal Notices shall be sent:

THOMPSON ROOFING INC

PO BOX 794

NORTH MYRTLE BEACH, SC 29597

8. The terms used in this Bid, which are defined in the General Provisions of the Construction Contract included as a part of the Contract Documents, have the meanings assigned to them in the General Provisions.
9. The undersigned, as Bidder, declares that he has examined the project and informed himself fully in regard to all conditions pertaining to this project; that he has examined the Drawings and Project Manual for the work and Contractual Documents relative thereto and that he has satisfied himself relative to the work to be performed.

The Bidder, if awarded the contract, hereby agrees to commence work under this contract on or before a date to be specified in a written Notice to proceed and complete all work within a time frame agreed upon by Owner and Contractor. Bidder agrees to perform all the work described in Specifications and shown on the Drawings, for the following lump sum or unit prices (Contractor shall submit a complete quantity take off with unit costs to support the lump sum bids - see Instructions to Bidders):

10. BASE BID:

\$ 24,750.00

11. Adjustments to Base Bid: The OWNER may elect to award only a portion of the project at the prices provided by the successful Bidder. The Bidder agrees that his proposal may not be withdrawn for a period of 60 calendar days after the scheduled closing time for receiving bids.

The Bidder acknowledges by his signature that the Owner reserves the right to reject any or all bids and to waive informalities in the bidding.

The Undersigned hereby affirms and states that the unit prices quoted herein constitute the total costs for the work involved in the respective items and that this cost also includes taxes, insurance, royalties, transportation charges, use of tools and equipment, superintendence, overhead, profits and other work, services and conditions necessarily involved in the work done and the materials furnished, in accordance with the requirements of the Contract.



12. The Bidder shall state on the line below, if a corporation, the name of state in which incorporated and the date of said corporation.

Signed this 14 day of NOVEMBER, 2013.

Thompson Roofing, Inc.
Contractor

By: Quinn Thompson
(Signature of individual, partner or officer signing the Bid)

Its: President
(Title)

(SEAL)

License Number G-13005
(Seal required if Bidder is a Corporation)

NOTE: If Contractor is a Corporation, Secretary should attest seal.



BIDDER'S AFFIDAVIT

(This Affidavit is part of the BID)

STATE OF SOUTH CAROLINA)
)
COUNTY OF Horry)

Being duly sworn deposes and says that he resides at

That he is Quinn Thompson (President)
(Give Name and Title)

who signed the abode Proposal or BID, that he was duly authorized to sign and that the BID is the true offer of the BIDDER, that the seal attached is that seal of the BIDDER and that all the declarations and statements contained in the BID are true to the best of his knowledge and belief.

(Affiant)

Subscribed and sworn to before me this 14 day of AUGUST, 2013.

Renard White
(Notary Public)

My Commission expires APRIL 27, 2013, 2013.

(SEAL)





FORM OF NONCOLLUSION AFFIDAVIT

(This Affidavit is Part of Bid)

STATE OF SOUTH CAROLINA)
COUNTY OF Horry)

Quinn Thompson Being first duly sworn,
deposes and says that he is President
(Sole Owner, a partner, president, secretary, etc.)

of THOMPSON ROOFING, the party making the
foregoing Proposal or BID that such BID is genuine and not collusive or sham; that said BIDDER has
not colluded, conspired, connived, or agreed, directly or indirectly, with any BIDDER or person, to
put in a sham BID, or that such other person shall refrain from bidding, and has not in any manner,
directly or indirectly sought by agreement or collusion, or communication or conference, with any
person, to fix the Bid Price of Affiant or any other BIDDER, or to fix any overhead, profit or cost
element of said Bid Price, or of that of any other BIDDER, or to secure any advantage against
OWNER any person interested in the proposed Contract; and that all statements in said Proposal or
Bid are true; and further, that such BIDDER has not, directly or indirectly submitted this BID, or the
contents thereof, or divulged information or data relative thereto to any association or to any member
or agent thereof.

[Signature]
(Affiant)

Sworn to and subscribed before me this 14 day of NOVEMBER, 2013.

Notary Public in and for

County: Horry

My Commission expires APRIL 27, 2013, 2013.

(SEAL)





BIDDERS QUALIFICATION STATEMENT

(This Statement is part of BID)

The BIDDER is required to offer the following information to enable the OWNER to judge his experience, skill and business standing and his ability to conduct the Work as completely and rapidly as required under the terms of the Contract. Failure to complete the following Statement will be cause for declaring the BIDDER non-responsive. (Attach additional sheets if necessary).

1. List of similar Projects completed within the last five (5) years:

Amount of Contract Award	Type of Work	Date Accepted	Final Contract Amount	Name & Address of Client
<i>SEE ATTACHED</i>				

2. List of Projects BIDDER is now engaged in completing:

Amount of Contract Award	Type of Work	Probable Date of Completion	Name & Address of Client
<i>SEE ATTACHED</i>			
<i>247,000.⁰⁰</i>	<i>.060 mil TPO</i>	<i>12/15/13</i>	<i>Medieval Times 2904 Fantasy Way M.B. SC</i>
<i>148,000.⁰⁰</i>	<i>Modified Roofsystem</i>	<i>12/5/13</i>	<i>Bay Village Hwy 501 Conway SC</i>

THOMPSON ROOFING INC.
P.O. Box 794
N. Myrtle Beach, SC 29597
Phone 843-399-0295 - Fax 843-399-3420

November 14, 2013
Subject: References

Thompson Roofing is pleased to provide you the following references.

- 1) The Oceans Condos of Cherry Grove – TPO Roof
2500 North Ocean Blvd.
North Myrtle Beach SC 29582
Contact Steve Swacker – 843-272-1856

 - 2) Boulineaus Inc. –TPO Roof Systems
2310 North Ocean Blvd.
North Myrtle Beach, SC 29582
Cherry Grove Section
Contact Frank Boulineau – 843-249-3556

 - 3) White Realty – TPO Roof Systems
1605 Madison Dr.
North Myrtle Beach, SC 29582
Contact Wayne White – 843-272-6115

 - 4) J & P Property Management – Modified & TPO Roof Systems
P.O. Box 14280
Surfside Beach, SC 29587
Contact R.J. Poston – 843-651-6616

 - 5) Shawmut Design & Construction – TPO Roof System
560 Harrison Ave.
Boston, MA 02118
Contact: Wellington Domevil – 617-592-1056
Job: Tommy Bahamas – Market Common – Myrtle Beach, SC
-



3. FACILITIES

BIDDER owns and has available for immediate use on the proposed Work, the following plant and equipment:

ALL EQUIPMENT LOCATED AT 110 AP THOMPSON RD
LONGS SC

4. FINANCIAL RESOURCES

That information relative to the BIDDER's financial resources can and may be obtained from the following: (Give name, business, and address).

CONTACT LEWIS COOPER & JASKOT CPA'S.

5. PERFORMANCE OF WORK BY CONTRACTOR

(List below the items that the BIDDER will perform with his own forces, if awarded this Contract, and the estimated total cost of these items.)

Items	Estimated Cost
<u>ALL ITEMS</u>	<u>100% of Contract</u>
_____	_____
_____	_____

Estimated Total Cost of items that BIDDER states will be performed with his own forces.

(\$ 24,750.00).



PERFORMANCE OF WORK BY SUBCONTRACTORS

The BIDDER hereby states that he proposes, if awarded the Contract, to use the follow subcontractors on this project: List below all proposed subcontractors performing in excess of \$5,000 of work in this project. (List only one subcontractor for each item.)

Items	Subcontractors	Estimated Cost
N/A	N/A	N/A

Estimated Total Cost of Items that BIDDER states will be performed by Subcontractor:
 (\$ ~~0~~).

Note: Per Instruction to Bidders (Page 4, IB-1, 3.2: At least forty percent (40%) of the total dollar value of the work to be performed under the contract must be performed by the BIDDER and with his own organization.



TOWN OF SURFSIDE BEACH

INVITATION TO BID

Bid for "SURFSIDE BEACH PIER -RESTAURANT ROOF REPLACEMENT",
Surfside Beach, South Carolina for the Town of Surfside Beach per specifications, subject to conditions and provisions set forth in the attached Bid Package, will be received at this office no later than Friday, November 15th, 2013 at 10:30 a.m. The Packages will then be opened and publicly read. The services must be furnished as described and specified in the package.

THERE WILL BE AN ON-SITE INSPECTION OPPORTUNITY ON FRIDAY, NOVEMBER 1ST,
2013, AT 10:00 AM AT THE PIER RESTAURANT (SURF DINER) - 11 S. OCEAN BLVD.,
SURFSIDE BEACH

Inquiries and/or questions may be directed to Public Works Director John Adair at 843-913-6361 or via email to jadair@surfsidebeach.org.

PLEASE ADDRESS MAILED BIDS TO:

Town of Surfside Beach
115 US Highway 17 North
Surfside Beach, South Carolina 29575
Attn: Joseph Smith, Bid Coordinator

Also, please show the following BID/QUOTE Number in the lower left hand corner of the envelope.
Thank you.

BID NUMBER PW #13-004

Signature *JS*

Title owner



BID FORM

(Failure to furnish all requested data will be cause for considering Bidder non-responsive and may render this Bid invalid on that basis.)

BID FOR: TOWN OF SURFSIDE BEACH
PIER RESTAURANT ROOF REPLACEMENT

SUBMITTED TO: Town of Surfside Beach
Surfside Beach, South Carolina 29575

SUBMITTED BY:

Bidder's Name Nunnery Roofing & Remodeling
Address 2938 Lalleview Drive
City, State and Zip Code Sumter, SC 29154

1. The undersigned, hereinafter called Bidder, in compliance with the "Notice to Bidders," accepting all of the terms and conditions of the "Instructions to Bidders," including without limitation those dealing with the disposition of Bid Security; proposes and agrees, if awarded the Contract, to enter into an Agreement with the Owner in the form of Agreement included in the Contract Documents, to furnish all materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary to complete the work to be performed under this Contract within the Contract Time indicated in this Bid, in full and complete accordance with the shown, noted, described and reasonably intended requirements of the Contract Documents, to the full and entire satisfaction of the Owner, for the amounts contained in the Bid Schedules.
2. This Bid will remain open for sixty (60) days after the day of Bid opening. If awarded a contract, Bidder will sign the Agreement and submit the Contract Security and other documents required by the Contract Documents within fifteen (15) days after the date indicated in Owner's Notice of Award.
3. In submitting this Bid, Bidder represents that:

Bidder has become thoroughly familiar with the terms and conditions of the proposed Contract Documents accepting the same as sufficient to indicate and convey understanding of all the conditions and requirements under the Contract which will be executed for the Work.

Bidder has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as Bidder deems necessary.



This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for himself any advantage over any other Bidder or over Owner.

No member of the Town Council or other officers or employees of said Owner is interested directly or indirectly in the Bid, or in any portion of the Bid, nor in the Contract or any part of the Contract which may be awarded the undersigned on the basis of such Bid.

The description under each bid item, being briefly stated, implies, although it does not mention, all incidentals and that prices stated are intended to cover all such work, materials and incidentals as constitute Bidder's obligations as described in the Specifications, and any details not specifically mentioned, but evidently included in the Contract shall be compensated for in the item which most logically includes it.

The Prices Bid includes all sales taxes and other applicable taxes and fees.

4. Contract Time: Bidder agrees that:

He will commence work with an adequate force and equipment at the time stated in the Notice to Proceed, and complete all work in the number of days stipulated from the date stated in said notice without working overtime or on Saturdays, Sundays, or legal holidays except as specifically allowed by the Contract Documents and approved by the Owner.

The work for the PIER RESTAURANT ROOF REPLACEMENT shall be complete within thirty (30) calendar days.

5. Execution of Contract: Bidder agrees that:

In case of failure on his part to execute the said Contract and Bonds within 15 days after the date indicated in the "Notice of Award", the check or bid bond accompanying this Bid, and the money payable thereon, shall be paid to the Owner as liquidated damages for such failure; otherwise the Bid Bond or check accompanying this Bid shall be returned to the undersigned.

6. Bid Documentation: The following documents are attached to and made a part of this Bid:

Non-collusion Affidavit

Required Bid Security in the form of a Bid Bond (5% of Base Bid amount) made payable to the order of the Town of Surfside Beach



Bidder's Qualification Statement

7. Name and business address (mailing and street) of Bidder to which all formal Notices shall be sent:

Munnery Roofing & Remodeling
2938 Lakeview Drive
Sumter, SC 29154

8. The terms used in this Bid, which are defined in the General Provisions of the Construction Contract included as a part of the Contract Documents, have the meanings assigned to them in the General Provisions.
9. The undersigned, as Bidder, declares that he has examined the project and informed himself fully in regard to all conditions pertaining to this project; that he has examined the Drawings and Project Manual for the work and Contractual Documents relative thereto and that he has satisfied himself relative to the work to be performed.

The Bidder, if awarded the contract, hereby agrees to commence work under this contract on or before a date to be specified in a written Notice to proceed and complete all work within a time frame agreed upon by Owner and Contractor. Bidder agrees to perform all the work described in Specifications and shown on the Drawings, for the following lump sum or unit prices (Contractor shall submit a complete quantity take off with unit costs to support the lump sum bids - see Instructions to Bidders):

10. BASE BID:

\$ 20,950⁰⁰

11. Adjustments to Base Bid: The OWNER may elect to award only a portion of the project at the prices provided by the successful Bidder. The Bidder agrees that his proposal may not be withdrawn for a period of 60 calendar days after the scheduled closing time for receiving bids.

The Bidder acknowledges by his signature that the Owner reserves the right to reject any or all bids and to waive informalities in the bidding.

The Undersigned hereby affirms and states that the unit prices quoted herein constitute the total costs for the work involved in the respective items and that this cost also includes taxes, insurance, royalties, transportation charges, use of tools and equipment, superintendence, overhead, profits and other work, services and conditions necessarily involved in the work done and the materials furnished, in accordance with the requirements of the Contract.



12. The Bidder shall state on the line below, if a corporation, the name of state in which incorporated and the date of said corporation.

Signed this 11 day of November, 2013.

Nunnery Roofing & Remodeling
Contractor

By: [Signature]
(Signature of individual, partner or officer signing the Bid)

Its: owner
(Title)

(SEAL)

License Number 6111827
(Seal required if Bidder is a Corporation)

NOTE: If Contractor is a Corporation, Secretary should attest seal.



BIDDER'S AFFIDAVIT

(This Affidavit is part of the BID)

STATE OF South Carolina)
)
COUNTY OF Sumter)

Being duly sworn deposes and says that he resides at

That he is Kevin P. Munnery, owner
(Give Name and Title)

who signed the abode Proposal or BID, that he was duly authorized to sign and that the BID is the true offer of the BIDDER, that the seal attached is that seal of the BIDDER and that all the declarations and statements contained in the BID are true to the best of his knowledge and belief.

[Signature]
(Affiant)

Subscribed and sworn to before me this 11 day of November, 2013.

[Signature]
(Notary Public)

My Commission expires April 28, 2022, ~~2013~~

(SEAL)





FORM OF NONCOLLUSION AFFIDAVIT

(This Affidavit is Part of Bid)

STATE OF South Carolina)
COUNTY OF Sumter)

Kevin P. Nunnery Being first duly sworn,

deposes and says that he is Sole owner (Sole Owner, a partner, president, secretary, etc.)

of Nunnery Roofing & Remodeling the party making the foregoing Proposal or BID that such BID is genuine and not collusive or sham; that said BIDDER has not colluded, conspired, connived, or agreed, directly or indirectly, with any BIDDER or person, to put in a sham BID, or that such other person shall refrain from bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the Bid Price of Affiant or any other BIDDER, or to fix any overhead, profit or cost element of said Bid Price, or of that of any other BIDDER, or to secure any advantage against OWNER any person interested in the proposed Contract; and that all statements in said Proposal or Bid are true; and further, that such BIDDER has not, directly or indirectly submitted this BID, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.

[Signature] (Affiant)

Sworn to and subscribed before me this 11 day of November, 2013.

Notary Public in and for

County: Sumter

My Commission expires April 28, 2014, 2013.

[Signature]

(SEAL)





BIDDERS QUALIFICATION STATEMENT

(This Statement is part of BID)

The BIDDER is required to offer the following information to enable the OWNER to judge his experience, skill and business standing and his ability to conduct the Work as completely and rapidly as required under the terms of the Contract. Failure to complete the following Statement will be cause for declaring the BIDDER non-responsive. (Attach additional sheets if necessary).

1. List of similar Projects completed within the last five (5) years:

Amount of Contract Award	Type of Work	Date Accepted	Final Contract Amount	Name & Address of Client
50,000 ⁰⁰	Re-Roofing	9/3/13	50,000 ⁰⁰	Lee County, 1235 Main St, Bishopville, SC
161,889 ⁰⁰	Re-Roofing	7/1/13	161,889 ⁰⁰	Columbia Housing Auth. SC, 1917 Harlow St, Columbia
145,000 ⁰⁰	Re-Roofing	8/20/12	145,000 ⁰⁰	Columbia Housing SC, 1917 Harlow St, Columbia, SC

2. List of Projects BIDDER is now engaged in completing:

Amount of Contract Award	Type of Work	Probable Date of Completion	Name & Address of Client



3. FACILITIES

BIDDER owns and has available for immediate use on the proposed Work, the following plant and equipment:

- Crew Cab Truck (4ea)
- 3 Hot Air Heat Welders
- 3 Dump trucks (trailers) (1) 6 Ton (2) 3 Ton
- Numerous hand tools, Ladders, safety equipment
- Barricades, & clean up tools

4. FINANCIAL RESOURCES

That information relative to the BIDDER's financial resources can and may be obtained from the following: (Give name, business, and address).

- NBSC 481 Pinewood Road Sumter, SC 29154
- ABC Supply Co. 855 Brookwood Dr. Columbia, SC 29201
- CCG PO Box 1756 Columbia, SC 29201
- Jefferson Barns & Lumber 615 S. Guignard Dr. Sumter, SC 29150

5. PERFORMANCE OF WORK BY CONTRACTOR

(List below the items that the BIDDER will perform with his own forces, if awarded this Contract, and the estimated total cost of these items.)

Items	Estimated Cost
<u>Set up, Permits</u>	<u>\$ 2,095⁰⁰</u>
<u>Removal of Existing Roof</u>	<u>\$ 8,380⁰⁰</u>
<u>Installation of new roof & warranties</u>	<u>\$ 10,475⁰⁰</u>

Estimated Total Cost of items that BIDDER states will be performed with his own forces.

(\$ 20,950⁰⁰).



PERFORMANCE OF WORK BY SUBCONTRACTORS

The BIDDER hereby states that he proposes, if awarded the Contract, to use the follow subcontractors on this project: List below all proposed subcontractors performing in excess of \$5,000 of work in this project. (List only one subcontractor for each item.)

Items	Subcontractors	Estimated Cost
N/A		

Estimated Total Cost of Items that BIDDER states will be performed by Subcontractor: (\$ N/A).

Note: Per Instruction to Bidders (Page 4, IB-1, 3.2: At least forty percent (40%) of the total dollar value of the work to be performed under the contract must be performed by the BIDDER and with his own organization.

Debra Herrmann

From: Micki Fellner [mfellner@surfsidebeach.org]
Sent: Monday, November 25, 2013 12:59 PM
To: 'Ann Dodge'; Bk374@aol.com; bkohlmann@surfsidebeach.org; 'Doug Samples'; 'Mark Johnson'; Mark Johnson; Mary Beth Maybry; Randle Stevens; 'Rod Smith'
Cc: Debra Herrmann
Subject: SCDOT Resurfacing Road Funds
Attachments: Balance of Funds - 11-22-13.pdf
Importance: High

Dear Council - Good news for the holidays ... see attached letter from SCDOT. They are finally processing a payment for the balance of the funds for the cancelled resurfacing project. They have already paid \$600,000 to the town and have now authorized a final payment to us for \$162,252. A total of \$17,748 was withheld on the project as expenses incurred. I will report this in my update tomorrow so the public can be informed. Please contact me if you have any questions. - Micki

MICKI FELLNER

Town Administrator

mfellner@surfsidebeach.org

843.913.6111

<http://www.surfsidebeach.org>

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South Carolina
Department of Transportation

November 22, 2013

Ms. Micki Fellner
Town of Surfside Beach Administrator
115 Highway 17 North
Surfside Beach, SC 29575

RE: Resurfacing of 2.26 miles of US 17 Business
SCDOT File Number 26.042294
Balance of Funds

Dear Ms. Fellner:

I am writing to inform you that we have initiated the necessary paperwork to refund the remaining balance of \$162,252.00 due to your request to terminate the contract to resurface a portion of US 17 Business. Please see breakdown of costs below:

\$780,000.00	Original payment from the Town of Surfside Beach (Surfside)
(\$600,000.00)	Refund to Surfside from SCDOT on 8/16/13
(\$6,108.00)	Testing lab charges for asphalt mix designs (further explanation below)
<u>(\$11,640.00)</u>	Payment to contractor for costs incurred (further explanation below)
\$162,252.00	

The lab fees of \$6,108.00 are SCDOT laboratory charges for review and approval of asphalt mix designs submitted by the contractor prior to contract termination. The contractor costs of \$11,640.00 are also for expenditures that the contractor incurred prior to notice of termination for bonds, CPM schedule, and project management.

I am sorry this project did not work out, but I want to thank you for your interest in transportation matters.

Claude V. Fuller, Jr.
Deputy Secretary for Engineering

CVF:mbw

ec: Mike Wooten, SCDOT Commissioner
Christy Hall, Deputy Secretary for Finance & Administration
Leland Colvin, Chief Engineer for Operations
Todd Steagall, Director of Construction

File: Con/CRE





TOWN OF
SURFSIDE BEACH

YARD OF THE MONTH
Mrs. Georgie Martin
1215 N. Cedar Dr.
December 2013



The Hon. Douglas F. Samples, Mayor

11-25-13

Date

Chairman Nancy Jo Weber, Keep Surfside Beach Beautiful

Date

Debra Herrmann

From: Micki Fellner [mfellner@surfsidebeach.org]
Sent: Monday, November 25, 2013 9:49 AM
To: 'Ann Dodge'; Bk374@aol.com; bkohlmann@surfsidebeach.org; 'Doug Samples'; 'Mark Johnson'; Mark Johnson; Mary Beth Maybry; Randle Stevens; 'Rod Smith'
Cc: Debra Herrmann; Sabrina Morris
Subject: Agenda Item 7 Ai
Importance: High

Dear Council - The public hearing for item 7Ai is on the 10th of December so the second reading will need to be deferred until that meeting. I apologize for any inconvenience this postponement may cause you. - Micki

MICKI FELLNER

Town Administrator

mfellner@surfsidebeach.org

843.913.6111

<http://www.surfsidebeach.org>

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