



**SURFSIDE BEACH TOWN COUNCIL  
SPECIAL MEETING MINUTES  
JULY 31, 2015 ♦ 8:30 A.M.  
TOWN COUNCIL CHAMBERS**

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**1. CALL TO ORDER.**

Mayor Samples called the special meeting to order at 8:30 a.m. Mayor Samples, and Councilmembers Childs, Johnson, Mabry, Magliette and Stevens were in attendance. Mayor Pro Tempore Pellegrino was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann, and Public Works Director Adair.

**2. PUBLIC COMMENTS – AGENDA ITEMS.** (3 minutes).

Mr. Ron Ott, 7<sup>th</sup> Avenue North, asked if public comments could be heard after the discussion, so there is a voice on what the council tells them.

Ms. Beth Kohlmann, South Ocean Boulevard, said thank you to all the councilmembers, because she knew they had been overloaded this week with a lot of information from other areas about sanitation. She suggested that the town consider paying its own employees that work very hard the overtime for the next few weeks instead of outsourcing the trash pickup. This problem has existed for many years. It will not change overnight, and everybody knows that. Give the [administrator and public works director] a chance to consider the options so it can be done right the first time. Ms. Kohlmann said she and the mayor do not agree often, but she did agree with him that cleanliness is next to Godliness. She wanted everyone to know that she only can speak for that part of town, but she knows the residents clean up multiple times a week in order to help the sanitation department. Residents pick up the garbage on the beach and cigarettes that are tossed out of car windows. Residents are not the problem. They are very clean residents. We need to do some education with our visitors. Thank you very much.

Mayor Samples said for the record, "In fact, staff brought us recommendations, that recommendation about doing it in-house yesterday. It was shared with all of the council. That's one of the items we're going to have as a matter of presentation by staff after public comments."

Ms. Janine Gorline, 16<sup>th</sup> Avenue South, spoke and submitted her written statement for the record, which is attached hereto and made a part hereof.

Mr. Guy Lanham, Hickory Drive, said he did not know much about this problem, which is why he came to this meeting. In the over 20 years he has lived here there have been people complaining about "earth shaking events," but nine times out of ten, the problem did not amount to anything. He had never seen any rats, but there is some kind of problem. He heard that there was a possibility of adding feral cats to the town. He did not want to be disrespectful, but he said, "That's the most asinine suggestion I've heard in my life." The state parks and countries are trying to get rid of feral cats. The town has enough feral cats. Surely, we do not need any more. He suggested that if the garbage was picked up more often the rats would go away. Please, do not add more cats. Mr. Lanham commented on behalf of his neighbor who loves cats and feeds the feral cats that she thought this was the stupidest idea she ever heard.

**3. BUSINESS.**

**Sanitation.**

Ms. Fellner said these proposal were sent to Town Council, and read them for the benefit of the public:

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**Short Term**

- We would handle Saturday rollout and pickup in-house and incur overtime (total cost approximately \$5,500)
- We would continue to do the Sunday rollout and pickup to collect any overflow put out after the Saturday collection. Trucks have to leave the town by 1:00 p.m. to arrive at the landfill prior to closing
- We would remain on the same schedule throughout the summer. The pickup would be done for the next three weeks, because then there is a slowdown in tourism. Staff cannot maintain the schedule for much longer, because staff will be exhausted. Staff expressed a willingness to pick up the trash and they really do care about the town and know how important this is.

**Long Term**

- Cover beach cans
- Place additional cans in the access areas on the street side
- Continue baiting until feral cat colonies established (Council has asked for a workshop on this)
- Change the ordinance to tie number of cans to number of bedrooms in the R3 (Deferred to Visioning Meeting in November)
- Change the town schedule beginning January as needed to accommodate Saturday rollout
- Begin public notice in the fall (website, door-hangers, etc.)
- Create a brochure and flyer which includes sanitation best management practices and deliver to realty companies who rent properties in the R3 for distribution to their occupants via the check-in package. Also have it available in Town Hall and on website for viewing and download.
- Council would lobby through League of Cities for SWA to open Saturday until 5 PM and Sunday until noon from Memorial Day through Labor Day. If only one day was possible, staff would prefer Sunday so trash could be collected later in the day on Saturday.

Ms. Fellner said this meeting was called, because she did not think the instruction received from council was based on all the facts. She was hesitant to move forward, since there was additional information that would benefit council and perhaps change the directive to staff.

Ms. Mabry said that Town Council was a legislative body that gave direction. She trusted the director and administrator to develop a solution to the sanitation problems and she would support their solution. She supported staff, and staff knows better than she about this situation, because she did not have the experience that the administrator or director have. Ms. Mabry would support their recommendation 100-percent, and if changes were necessary, she would accept them as long as she received the information. The working cat program is a separate issue. That program has worked all over the coast. These cats are neutered; have their shots, and will belong to the town. They will not leave the beach, and will have a veterinarian, a home, and daily feedings. She could not support putting poison out at the beach because of the liability.

Mr. Childs said there was a long conversation about trash cans on the beach overflowing. He never heard any suggestions about adding a can at the crossovers where traffic was heavy.

Mayor Samples said that was an excellent comment and something that should be implemented. Mr. Adair said there are 65 cans at the 31 beach accesses. He believed there was some need for more cans on the street side of the accesses. All of the parking lots have trash cans. A South Carolina Department of Health and Environmental Control (DHEC) grant application was submitted recently for funds to purchase trash and recycling stations for the beach accesses. Mayor Samples asked what was available now. Mr. Adair said there are no extra cans. They can purchase some similar to the cans on the pier for placement on the street side of the beach accesses. It will take a couple of weeks to get them.

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112 Mr. Magliette asked if the cans would have hinged tops to prevent rats from entering them. Mr.  
113 Adair said yes, the cans have spring loaded, domed lids. Mr. Magliette thought it would be good to place  
114 the cans closer to the sidewalks which might encourage walkers to use the trash cans instead of littering  
115 the sidewalks.

116  
117 Ms. Fellner read the following statement for the record from Mr. Pellegrino:

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119 I have looked at the proposal and most of it looks good. However, there is one point in  
120 which I disagree. Why would we change the ordinance to tie it to the number of  
121 bedrooms? A Saturday pick up may solve the overflow problem. Therefore, we need to  
122 see if there is still an overflow problem at some properties after the schedule change.  
123 Then we can make any decisions on how many cans are mandatory for each property.  
124 There is no need to assign an extra can with the extra cost, if we resolve the problem  
125 with the schedule change. Also, starting...

126  
127 Ms. Fellner, said the remainder of the note was a question to which she responded.

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129 Mr. Stevens asked if he understood correctly that Saturday pickup was not being done because  
130 the Solid Waste Authority (SWA) closed at 2:30 p.m. Ms. Fellner said the trucks had to arrive at the  
131 landfill by 2:00 or 2:30 so that they can be dumped. The truck goes out for another pick up the next day.  
132 Mr. Stevens said according to the (SWA) website, the hours were 5:00 a.m. to 4:30 p.m. for municipal  
133 waste June through August, Monday through Saturday. He also verified the time by speaking with Mr.  
134 Hillan, director of operations at the landfill, who said the landfill was open until 4:30 p.m. Mr. Adair said  
135 his staff and the private contractor both told him that trucks had to arrive by 2:30 or they could not get to  
136 the landfill.

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138 Mayor Samples called recess at 8:50 a.m. so Mr. Adair could call the SWA. The meeting was  
139 called to order at 8:53 a.m.

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141 During the recess, Mr. Adair spoke with Mr. Bessant, an executive director at SWA, who  
142 confirmed that the SWA is open on Saturday until 4:30 p.m. only for bulk and yard waste. Mr. Bessant  
143 said the town has to dump its trucks by 2:30 p.m. when the solid waste landfill closes. Mr. Stevens  
144 reiterated his comments about the times posted on the website. Mr. Childs suggested that the website  
145 might need to be updated. Mr. Adair said he would contact SWA about the website posting.

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147 Mr. Magliette said more information with specifics about costs, housing, etc. on the feral cat  
148 program would be beneficial. Ms. Fellner said Ms. Blair at DHEC would provide that information once  
149 council made a decision. Mr. Magliette said regarding the trash pick-up days in R3 that the stakeholders  
150 would have an opportunity to comment on the days they believe were best.

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152 Mr. Childs suggested that Ms. Blair attend a workshop to discuss the feral cat program with  
153 council.

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155 Mr. Stevens agreed with Mr. Childs and Mr. Magliette as he would like to know all about the  
156 program. He wanted to ensure that an additional problem would not be created by introducing the cats.

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158 Ms. Mabry said several South Carolina beaches use the feral cat program. Myrtle Beach  
159 released 22 cats that were tagged, neutered or spayed, and were vaccinated. Housing and food and  
160 water were provided daily, so they stay in the dune area. The cats were nocturnal and hunted at night.  
161 The misconception was that trash attracts the rats. Rats actually eat the berries that grow on the dunes,  
162 which is their favorite food source. This problem exists on every beach. She did not know the answer,  
163 but she knew what was successful in other towns. She could not support putting poison on the town's  
164 beach, and welcomed any suggestions that others might have.

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166 Mr. Johnson appreciated the comments, but believed council was rehashing the same  
167 conversation held at the regular meeting on Monday night. The focus should be on a short term proposal

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168 to get the situation under control. Mr. Johnson said once the immediate concern was addressed, council  
169 could consider a long term solution. He asked if staff could provide specifics for the short term plan.  
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171 Mr. Stevens said for the record, "I think what Ms. Fellner has done is, is very, very good. She has  
172 made a short term proposal that has short term impact. She has also adopted [sic] a long term proposal,  
173 which will have a long term impact, which is, which would go into the future. I will make one  
174 recommendation that we don't just go, that the League of Cities doesn't go just to 5:00 p.m., we shoot for  
175 6:00 p.m. If we get 5:00 p.m., that's good. But, if we get 6:00 p.m., that's even better. And, I think, I think  
176 you've done a good job on what you've done. I'll commend you on that. Just, I think that everything so  
177 far has been exactly what we want."  
178

179 Mayor Samples said Town Council would discuss sanitation after the season ended. They are  
180 not going to turn the town schedule upside down during the summer season, because that did not make  
181 any sense. As a long term measure, it certainly has merit to revisit the different collection dates. He did  
182 not think that any member objected to that, but the proper process would be to implement the new pick up  
183 days during the slower time of the year for the benefit of the year-round residents. Otherwise, there  
184 garbage would not be picked up throughout the rest of the town. He said, "Timing is everything."  
185

186 Mayor Samples asked Mr. Adair to present each short term solution for council consideration.  
187

- 188 • Staff would handle Saturday rollout and pickup in-house and incur overtime for a total cost  
189 approximately \$5,500 over the next three Saturdays, in addition to the 3-times a week rollout  
190 program.  
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192 Ms. Mabry moved to approve the recommendation as presented. Mr. Childs seconded. Mayor  
193 Samples believed that competition was healthy. He understood and supported providing the service in-  
194 house. He just wished it had been being done previously, rather than waiting until it was suggested to  
195 use a private hauler. He thought suggesting the private hauler had some influence on this  
196 recommendation. All voted in favor. **MOTION CARRIED.**  
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- 198 • Staff would continue to do the Sunday rollout and pickup to collect any overflow put out after the  
199 Saturday collection; and  
200 • Staff would remain on the same schedule throughout the summer.  
201

202 Ms. Mabry moved to adopt the two recommendations as presented. Mr. Stevens seconded. All  
203 voted in favor. **MOTION CARRIED.**  
204

205 Mr. Adair proceeded to present long term recommendations that would be implemented by the  
206 end of August or no later than Labor Day:  
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- 208 • Cover beach cans with self-closing lids, and  
209 • Place additional cans in the access areas on the street side  
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211 Mr. Stevens moved to accept the two proposals. Mr. Childs seconded. All voted in favor.  
212 **MOTION CARRIED.**  
213

- 214 • Continue baiting until feral cat colonies established.  
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216 Mr. Childs moved to adopt this recommendation. Ms. Mabry seconded. Mr. Magliette preferred  
217 to wait until after a workshop before deciding on this recommendation. Mr. Johnson agreed with Mr.  
218 Magliette. Mayor Samples believed baiting should continue and he would support the motion. Mayor  
219 Samples and Councilmembers Childs, Johnson, Mabry, and Stevens voted in favor. Councilmember  
220 Magliette voted against. **MOTION CARRIED.**  
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222 Mr. Childs moved to direct the administrator to schedule a workshop with DHEC about the feral  
223 cat program as soon as possible. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**

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- Change the ordinance to tie number of cans to number of bedrooms in the R3 (Deferred to Visioning Meeting in November)

Mayor Samples said this topic should be taken to the vision meeting. **COUNCIL CONCURRED.**

- Change the town schedule beginning January as needed to accommodate Saturday rollout

Mr. Stevens moved to accept this recommendation. Mr. Magliette seconded. All voted in favor. **MOTION CARRIED.**

- Begin public notice in the fall (website, door-hangers, etc.);
- Create a brochure and flyer which includes sanitation best management practices and deliver to realty companies who rent properties in the R3 for distribution to their occupants via the check-in package. Also have it available in Town Hall and on website for viewing and download.

Mayor said staff should begin the education process as soon as possible. Ms. Mabry moved to direct staff to begin developing educational materials as necessary to inform visitors and residents, alike. Mr. Magliette seconded. All voted in favor. **MOTION CARRIED.**

Mr. Stevens believed a mandatory time should be set for visitors to have their trash emptied. Mr. Adair said that was not an issue with the roll out program, because staff takes the carts to the roadside. The remainder of the town is required by ordinance to have Moby carts curbside before 6:00 a.m. on pick up days.

- Council would lobby through League of Cities for SWA to open Saturday until 5 PM and Sunday until noon from Memorial Day through Labor Day. If only one day was possible, staff would prefer Sunday so trash could be collected later in the day on Saturday.

Mayor Samples said he had already spoken with Mayor Rhodes, and this would be discussed by the League of Cities. Mr. Stevens reiterated his suggestion to lobby for a 6:00 p.m. closing time.

Mayor Samples suggested opening the floor for public comments. There were no objections.

#### **PUBLIC COMMENTS**

Ms. Janine Gorline, 16<sup>th</sup> Avenue South, said she spoke at length with Ms. Blair from DHEC. DHEC does not have a feral cat program any more. The State of South Carolina defunded that program and it is no longer active. She was curious as to which program was being discussed; who would take care of the cats, and asked where their homes would be located. She did not want them under her patio again. Why would the cats hunt rats, if they were being fed regularly? The town already has a huge number of stray cats. Why are those cats not hunting the rats? Who is to say the new cats will hunt the rats? The whole program does not make sense. A discussion was held about baiting on the beach. There are commercial baits that cannot be seen to bait the rats that kids and birds cannot get into. The rat is captured when it enters the trap to eat the bait. That is the more successful process, instead of having anti-social feral cats, which bring in another set of issues. She hoped that the town would distinguish between those who rent their homes to tourists, because she has six bedrooms, but her house has never been full. She did not need two trash cans, and hoped that changes would be based on whether the property was rented. Thank you.

Mr. Guy Lanham, said his daughter has a condominium in Panama City Beach that she rents out. There are feral cats around the condo. Her tenants complain about the cats all the time. He commented that the councilmembers should think hard about this. As Ms. Gorline just pointed out, if the cats are going to be fed, why would they chase rats? Mr. Lanham said rats would fight the cats. It just did not seem like a good idea to him. Thank you.

280 Ms. Patricia Magliette, Harbor Lights Drive, said in New Jersey where she came from there was  
281 trouble picking up garbage at her apartment before she was married. The rats were coming because of  
282 the garbage. She was glad the town was dealing with the sanitation issue, because as she walked along  
283 Ocean Boulevard there was overflowing garbage. Some of the dumpsters were rusted and rotted out at  
284 the bottom. If it rained the garbage runoff came out of the dumpster and eventually ran off into the ocean.  
285 The rats would not be effectively tackled by feral cats. You are bringing in feral cats that may not have  
286 rabies shots, which brings the threat of rabies. Being bitten by a feral cat or a rat creates the chance of a  
287 lawsuit. She was glad the options were being considered. Rest assured, feral cats were not entirely the  
288 answer. The real estate people have made an investment in our town. It is up to us to respect them for  
289 that and to show good faith to our visitors and to have the garbage picked up so that when the 90-percent  
290 arrive or leave on Saturdays there are not ugly, smelly trash cans overflowing on the boulevard. Rats do  
291 like garbage cans. Thank you for all you are doing. God bless you.

292  
293 Ms. Beth Kohlmann, South Ocean Boulevard, said thank you very much as she had been one of  
294 the more vocal citizens about the issues. She apologized, if at times she was emotional. She reiterated  
295 her thanks for each of them for looking at the situation. Especially when it comes to paying our  
296 employees overtime, \$5,500 is really not a lot of money for what these people do every day, because  
297 they do a good job. She had never seen anything like it. When she puts brush roadside, the staff rakes  
298 up the small debris after they pick up the brush. There was never a complaint about the town employees;  
299 \$50,000 for outsourcing, \$5,500 for in-house. She thought maybe staff could be paid a little bit more than  
300 that \$5,500. Thank you.

301  
302 Mr. Tom Dodge, 15<sup>th</sup> Avenue North, said he came here at nine o'clock thinking that was the time  
303 of the meeting. That was the time he was told. Apparently, it got changed.

304  
305 Mayor Samples said for the record, "The meeting did not get changed."

306  
307 Mr. Dodge said that was what he was told. He said at the bocce ball court yesterday a man  
308 referred to the town as "clown town." A couple of years ago there was a battle with Atlantic Beach to see  
309 who was the worst town. Now, we are being called clown town, because of this asinine thought over  
310 bringing cats to kill rats. He had more feral cats in his area than they have grass. We did not need to hire  
311 more feral cats. The drive over at Melody Lane is broken in pieces. He thought maybe the rats had done  
312 that. He saw rats yesterday when he was talking to a girl from WMBF who was down here to make a  
313 story. We get new garbage trucks, it seems like every year. The guys on the street doing the job do a  
314 great job. There is no problem at all with them. We have a leadership problem. This trash thing has  
315 been going on for three years now. Nothing has been done for three years. If the leader of that  
316 department cannot do the job, he should look for a new job. It is time we get somebody hired that would  
317 do the job.

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319 Mayor Samples said Mr. Dodge's comments were out of order.

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321 **COUNCIL COMMENTS.**

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323 Mr. Stevens hoped that council was taking the rights steps. In reference to Mr. Dodge's comment  
324 that we are called clown town, he was the brunt of that comment. Nobody else was there. Mr. Stevens  
325 said for the record, "It wasn't Mr. Dodge who said it. It was somebody else." Everybody looks at what we  
326 are doing and we have to do a good job. It was our duty as elected officials to make sure we solve the  
327 problems. He thought that the administrator and public works director were doing the best they could.  
328 We are human; we are not perfect. When we get perfect, that will be the day the world will end. He  
329 thought everything done this morning was positive steps to alleviate a problem that has been complained  
330 about for a couple of years. He knew that cats would catch things. His cat caught moles and squirrels  
331 and brought them on his porch. Whether the feral cat program would work, he did not know. He would  
332 like the administrator to get all the information possible and to also contact other cities that used similar  
333 programs. We certainly do not need to go from a rat problem to a cat problem. Mr. Stevens thought  
334 council made positive steps, and staff showed leadership in making the recommendations. He  
335 commended them for that.

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Mr. Magliette thanked everyone for coming out at 8:30 in the morning, because citizen participation is critical. He appreciated their comments. This council was transparent; everyone there was proactive, and he thought it was wonderful that a council meeting was held on [Monday;] staff was given orders on what needed to be done, and here we are on Friday and council has already given consensus on short term and long term proposals to solve the problem. We are trying to be ahead of the curve. He thought that was a wonderful thing. We can hear all the different viewpoints and come together to reason and build consensus to solve the problems. He thought it was wonderful they were able to do that. This is a wonderful town that is full of wonderful volunteers. There are many anonymous volunteers who pick up garbage on the beach that do it because they love Surfside Beach and they care about their neighbors. That was why he thought this was such a wonderful place, a little gem. He thanked everyone for coming out and providing input. God bless you. Have a good day.

**4. ADJOURNMENT.**

Ms. Mabry moved to adjourn the meeting at 9:26 a.m. Mr. Johnson seconded. All voted in favor.  
**MOTION CARRIED.**

Prepared and submitted by,

\_\_\_\_\_  
Debra E. Herrmann, CMC, Town Clerk

Approved: August 10, 2015

\_\_\_\_\_  
Douglas F. Samples, Mayor

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David L. Pellegrino, Mayor Pro Tempore

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Robert F. Childs, Town Council

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Mark L. Johnson, Town Council

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Mary Beth Mabry, Town Council

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Ralph J. Magliette, Town Council

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Randle M. Stevens, Town Council

Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded. Appointments to hear recordings may be scheduled with the town clerk, or you may bring a flash drive to obtain a copy of the audio recording. 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 and the entry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.