



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
November 27, 2007 ♦ 6:30 P.M.

TOWN COUNCIL MEETING MINUTES

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8 **1. CALL TO ORDER**

9 Mayor Hyman called the meeting to order at 6:30 p.m. Mayor Hyman, Mayor Pro
10 Tem Truett and Councilmembers Hiatt, McKown, Samples, Martin and Tuttle were
11 present. A quorum was present. Staff present: Administrator Booth; Clerk Pinnell; Public
12 Works Director, Kirk and Director of Public Safety, Christenson.

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

15 Councilman McKown said the invocation. Mayor Hyman led the Pledge of
16 Allegiance. Mayor Hyman welcomed all in attendance.

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18 **3. MINUTES APPROVAL**

19 Mayor Hyman asked for approval of the minutes from the November 13, 2007
20 Regular Meeting. Mr. Samples moved to approve the November 13, 2007 Regular
21 Meeting minutes as submitted. Mr. McKown seconded. **All voted in favor. MOTION**
22 **CARRIED.**

23
24 **4. PUBLIC COMMENTS – Agenda Items only**

25 There were no public comments.

26
27 **5. COMMUNICATIONS**

28 **A. Next Media Presentation** – (Needed to add to the original agenda). Mr. Samples
29 made a motion to add this item to the agenda. Mr. McKown seconded the motion. **All**
30 **voted in favor. MOTION CARRIED.** Kim Johnson gave a presentation to Council,
31 which is on file. Ms. Johnson presented various advertising price packages available to
32 the Town of Surfside Beach to advertise on their five radio stations. The package
33 presented also showed the areas these radio stations would reach. Ms. Johnson stated
34 that by advertising, the Town could get positive messages out to the public including all of
35 the local residents and many visitors. Ms. Johnson included in her presentation that one
36 of the options presented would include “branding your business” which is an awareness
37 campaign for anyone to use. This is where the Town would be included in the top of the
38 hour identification of the radio station. For example, every hour a radio station identifies
39 themselves and would include a business name being named as basically the owner of
40 the station and as a smoke-free Town, Ms. Johnson used as an example, could advertise
41 the hour as The American Cancer Society smoke-free studio; this message could be
42 changed frequently. Ms. Johnson stated that their radio stations reach different age
43 groups and lifestyles of families that the Town of Surfside would be interested in
44 reaching. Ms. Johnson stated that she would be available to answer any of the Town
45 Council questions they may have and included her contact information in her packet.

46
47 **B. Finance Report**

48 Finance Treasurer Hursey was ill, Mr. Booth presented the finance report that is on
49 file. Mr. Booth reported that the hospitality and the local accommodations are up by 9.3
50 percent; interest is down a little but will not effect the finances. Business licenses are
51 79,000 over last year at this time and we are well within the budget and should have
52 excess towards the end of the year.

C. Public Works Report

53 Director Kirk presented his report that was on file. Mr. Kirk reported that delivery of
54 the front-end loader, approved previously by Council, has been received. The old loader
55 will be put onto GovDeals.com. Mr. Kirk also reported that beach re-nourishment is
56 ongoing and they are currently working from 13th Avenue South and moving north. Mr.
57 Kirk stated that the Myrtle Basin project is about complete and should be finished within
58 the week. Letters have been sent out regarding the 50/50 projects and Mr. Kirk stated
59 that they do not have the participation that they once had; by April participation may
60 increase. Mr. Kirk stated that 3 or 4 letters are sent out at one time and they usually give
61 it 30 days and if they receive no response they move on. Athletics report included that
62 the regular football season has ended; the Redskins, coached by Rick Bray won the 7 to
63 8 year old league; Panthers, coached by Allen Armstrong won 9 to 10 year old league
64 and the Packers coached by Terry Thompson won the 11 to 12 year old league; the
65 tournament began on November 26th. Basketball registration was held on the 10th with 4
66 teams each in the 10 to 13 and 14 to 17 age league. Mr. Kirk reported that the Christmas
67 tree lighting will be held on Thursday, November 29th at 7 PM at Town Hall, the
68 Christmas Parade will be held Saturday, December 8th at 2 PM on Ocean Boulevard, the
69 employee Christmas luncheon will be held Friday, December 14th at 12 noon and
70 breakfast with Santa will be Saturday, December 15th 9 to 10:30 AM at Ryan's
71 Steakhouse. Mr. Kirk stated that the lakes went out to bid and wanted to state, for public
72 record, that they were directed to go exactly through the procurement procedures and by
73 doing this it would cost the Town \$225,000 to go this route. Mr. Kirk stated that he does
74 not agree with going this way. Mr. Kirk stated that he has made a recommendation
75 based on the one bid received but he does not think that it is good business to always go
76 for multiple bids and this, to him, proves it here and stated that this is his concern at this
77 time.

78
79 Mr. Samples stated that he has a question which relates to an item discussed at the
80 last meeting and stated that he has had questions since the last meeting and wanted to
81 make sure that he has the correct information. Mr. Samples asked how many days of the
82 week are we picking up trash outside of Town and how many staff people are involved in
83 this task. Mr. Kirk stated that we are picking up trash 3 days out of the week and it
84 involves one person each day. It was determined that trash was picked up in Town 4
85 times a week this time of year and 5 times a week in the summer. Mr. Samples stated
86 that it sounds like we have a bit of excess capacity and Mr. Kirk stated that he did not
87 know what he was referring to. Mr. Samples clarified by stating that he is saying that we
88 have equipment and people available to go outside of Town and Mr. Kirk stated that it
89 takes one person about an hour or hour and a half to go through the out of town area.
90 Mr. Samples stated that we have projects in Town, and as he recalls, the past Public
91 Works Director suggested that some of the staff could do some of the dredging. Mr. Kirk
92 stated that in-house dredging could be done if you had the equipment and presently the
93 Town does not have any of the equipment to do it. Mr. Samples stated that he recalls the
94 past Public Works Director saying that the track hoe would be something that we would
95 need to dredge the lakes and added that he wants to make sure that the taxpayers in this
96 Town are paying for services performed in Town. Mr. Kirk stated that they were and it is
97 not costing the Town any money to collect outside of Town; the Town is actually bringing
98 in money. Mr. Samples asked Mr. Booth if we had a legal review and Mr. Booth stated
99 that he did and that he has spoken to the attorney about the out of Town collection. Mr.
100 Samples asked if we spoke to the Municipal Association and Mr. Booth stated that he
101 had not and Mr. Samples stated that he would suggest that he speak to the Municipal
102 Association because he thinks he will receive a different answer.

103 Mr. McKown stated that he noticed that half of the beach restored with the beach re-
104 nourishment has been washed away and Mr. Truett stated that he believes that most of
105 this will come back in and Mr. McKown asked Mr. Kirk to follow up on this. Mr. McKown
106 stated that this is a big concern and wondered if they were going to come back and do it

107 over or not. Mr. Kirk stated that he was out there and noticed the same thing and would
108 follow up on it.

109 Mr. Martin asked Mr. Kirk if the restrooms on the beach would be left open during the
110 winter. Mr. Kirk stated that they were just going to leave them open unless they got very
111 cold weather and at that point they would need to shut them down and drain them. Mr.
112 Kirk stated that they would just be watching the weather. It was confirmed that some of
113 the restrooms had no power at all and there was no plan to add heaters to keep them
114 open all year in very cold weather. Mr. Kirk stated that if we got 2 or 3 days of cold
115 weather in a row that would cause them to get closed down. There was some additional
116 discussion regarding the beach re-nourishment and how they have to follow the plan that
117 the Army Corp has laid out.

118 119 **C. Administrator's Report**

120 Mr. Booth presented his report. Mr. Booth stated that there is a survey from DP3
121 (copies also distributed to Council) that is being sent out to the fire and police department
122 and asked for Council to also input where they can. This feedback received by DP3 will
123 develop into workshops to help come up with a plan for the fire station. Mr. Booth stated
124 that Council would be a part of this process step by step. Mr. Booth stated that he would
125 like to schedule this workshop prior to the start of a council meeting. Mr. Booth reported
126 that the new phone system is currently being installed and we should be up and running
127 the following day; Verizon was not cooperative with HTC during the process and HTC
128 had a lot more work to do than originally planned. Mr. Booth stated that employee
129 Rachel McKown, Councilman Martin and himself would go to the Chamber tomorrow and
130 begin working on the new website visitsurfsidebeach.com; this will eventually be used as
131 our primary instrument for marketing. Mr. Booth stated that the Chamber will also be
132 assisting us in updating our current website as well. Mr. McKown stated that the
133 visitsurfsidebeach.com website needs to be addressed; he went to it and every link on it
134 currently goes back to advertising for Myrtle Beach. Mr. Booth stated that this is one of
135 the items they will be working on. Mr. Martin stated that he only wants to be involved in
136 this marketing web page project if Council is in full agreement to him being involved in it.
137 Mr. Booth stated that Mr. Martin was instrumental in the design of the current brochure
138 and is knowledgeable in website design and believes him to be the perfect person to be
139 involved in this project. Mr. McKown made a motion to appoint Mr. Martin to represent
140 Council and the Town of Surfside Beach with the Myrtle Beach Chamber of Commerce to
141 develop the Town's website. Mr. Truett seconded the motion. **All voted in favor.**
142 **MOTION CARRIED.** There was additional discussion as to the work which lay ahead in
143 developing this website. Mayor Hyman stated that Faye Creel, who is with the Myrtle
144 Beach Chamber, is with us tonight and he has known Faye a long time and knows that
145 she and the Myrtle Beach Chamber will work hard to assist Surfside Beach in any way
146 that they can. Mr. Truett stated that we would need to include marketing the non-
147 smoking aspect of the Town of Surfside Beach, which should help out the Town's
148 restaurants and rentals. Mr. Booth stated that A-Tax had sent a letter to let Surfside
149 Beach know that we can only continue to hold the reserved A-Tax money from one of
150 their meetings to the next, which is 90 days. Mr. Booth stated that he will be going to
151 their meeting on December 10th and if what the Town has designated this money for does
152 not go through then we need to find a project to put it towards, otherwise the Town loses
153 these funds. There was discussion as to where these funds could be designated and it
154 was stated by Mr. Booth that it could not go towards a fire department, infrastructure or
155 paving of roads; it would need to go towards tourist related items. There was additional
156 discussion as to funds being able to go towards sidewalks and beautification of the
157 medians on 17 and other beautification projects in Town. Mr. Booth reported that no-
158 smoking signs have been put up at all designated locations including the recreation
159 facilities. Mr. Samples asked if A-Tax funds could be used for parking and Ms. Hiatt
160 asked if it could be used for parking lot paving and Mr. Booth stated that he would check
161 to see what other projects A-Tax could fund. Mr. Truett asked if Council came up with

162 some project ideas to use the funds would A-Tax allow us additional time and Mr. Booth
163 answered that they would. The money has to be spent in a certain amount of time and A-
164 Tax in Columbia is just making sure it is done in a proper and timely fashion. Mr. Booth
165 stated that we would also need to begin, again, putting funds aside to pay for beach re-
166 nourishment because next time the State may not pay for it. Mr. Booth stated that the
167 offer made on the Pier, as suggested by Council, was rejected and the Town was given
168 until January 1st to come up with a better offer. Mr. Booth stated that there would be an
169 executive session on December 11th to discuss this. Mr. Booth stated that the Town went
170 to court regarding a restraining order issued from various businesses in Town claiming
171 financial hardship as a cause to restrict the Town from enforcing the smoking ordinance
172 and the Town was successful in defeating the request for the restraining order. Mr.
173 Booth stated that the Municipal Association was there to represent us and they made a
174 great presentation and were really on top of the defense. Mr. Booth stated that it was
175 also proven that the Town has the power to enforce ordinances, as does the police
176 department. Mr. Booth stated that they can come back after the Supreme Court and after
177 the Legislature has decided this issue. Mr. Booth stated that HTC has made an
178 application to take over the cable in our Town; they have applied with the State and the
179 State has taken this authority away from the Council. If the HTC application is approved
180 by the State then the Town will have to adhere.

181
182 **6. BUSINESS**

183 ***Issue Paper-Dredging of (5) Lakes***

184 Mr. Booth stated that this is the second time they have gone out to bid and he and
185 Director Kirk had attended a meeting with the Corp of Engineers and the Corp has
186 agreed that these lakes are simply stormwater retention ponds and has allowed the
187 project to be done without having to obtain permits. Mr. Booth stated that the Town had
188 received many inquiries but only one bid had actually come in. Mr. Samples made a
189 motion to suspend the rules. Mr. Martin seconded the motion. **All voted in favor.**
190 **MOTION CARRIED.** Mr. Samples stated that he is quite surprised that with construction
191 being as slow as it is that all the Town received was one bid. Mr. Samples stated that he
192 is not interested in awarding a contract tonight and stated that he wanted to make a
193 comment on Mr. Kirk's earlier comment and stated that we have not thrown any money
194 away; we have not yet spent a dime on this project. Mr. Samples stated that it is quite
195 clear that this is a non-competitive bid and after reviewing the documentation that was
196 provided, referencing the bid package put out, the Town clearly stated that the Town
197 wanted to have the option to award a portion of the package at the price submitted and
198 no one met that requirement. Mr. Samples stated that the single offer submitted was a
199 bid, which included a proposal for all five lakes and it was indicated that if this was
200 deviated then negotiations would need to be made. Mr. Samples stated it is not
201 uncommon to re-procure and stated that he would like to put this back out to bid. Mr.
202 Samples asked Mr. Kirk how long it was advertised. Mr. Kirk stated that it was put out for
203 at least two weeks and this was the second time out. Mr. Samples stated that he
204 checked SCBO and it showed up as going out on November 8th and asked for
205 confirmation on the due date of the 21st. Mr. Kirk stated that Ms. Lewis puts all of this
206 together and was not sure what the exact time frame was. Mr. Samples stated that what
207 he would do is move a little slower and take a little bit more time to ensure competition
208 and that is what he would like to recommend Council to agree to. Mr. Samples stated
209 that he thought that one million dollars to do five ponds was too high.

210 Mr. McKown stated that he agrees with Mr. Samples adding that Greenwall
211 Construction has a great reputation and they do a lot of work with the County and all of
212 the jobs are done well. Mr. McKown stated that he was under the impression that they
213 would be able to pick and choose the dredging of each lake as they have done in the
214 past. Mr. McKown stated that he agrees that renegotiations will cost the Town a lot more
215 than the proposed price. Mr. McKown stated that there is nothing to compare this quoted
216 price to and he would like to see other bids in front of him before deciding and stated that

217 he would have a hard time awarding this contract without seeing other bids. Mr. Kirk
218 stated that the Town has a good basis to go by with the previous company, which was
219 EnviroDredge, that came in at the Lake Dredging workshop. Mr. McKown stated that he
220 would have liked to see that information given to council again at this meeting to have
221 something to compare to. Mr. Martin stated that he believes that we have a bigger
222 problem and that it was touched on before and that is that the current Town purchasing
223 policy did not allow us to get the best deal for the Town. Mr. Kirk stated that it did not at
224 this point. Mr. Martin thanked Greenwall for coming out stating that this is not their
225 problem it is our problem and it is a big concern and it needs to be addressed. Mr. Martin
226 stated that if we need to go out to bid again then we should and if we need to change
227 Town policy then we should do that as well. Mr. Kirk stated that he agrees with Mr.
228 Samples in the fact that they had sent out about 20 packets and he would have thought
229 that the Town would have received more bids than the one they received. Mr. Kirk stated
230 that some of the people that were interested in bidding were some of the people they
231 heard from the first time the bid went out and the reason they did not bid this time was
232 due to the fact that they were currently working on projects and some where located too
233 far away. Mr. Kirk stated that he had received a fee of \$225,000 less from EnviroDredge
234 and stated that he had nothing against Earthworks, they do super work and the Town has
235 a great history with them and he personally loves to work with them, but it is just about
236 the value of our dollars in Town. Mr. Booth stated that once we go through the process it
237 must go to Council and staff does not have the choice to just resubmit it out to bid without
238 presenting it to Council first. Ms. Tuttle stated that the million dollar price tag was an eye-
239 opener and especially since it did not include the two major lakes, Elizabeth and
240 Dogwood. Ms. Tuttle stated that sometime back, within the last 3 years, a pond
241 restoration/dredging was done and it was a high impact project at 9th Avenue and the
242 cost was reasonable. Mr. Kirk stated that we had figures in front of us before and we had
243 the choice of taking any of those numbers at that time but, if we did them all, there was a
244 discount on top of that, it was not the other way around. Ms. Tuttle stated that we did
245 request it to be done in increments and they ignored this request. Mr. Truett stated that
246 about 4 or 5 years ago it was discussed at Pinopolis about the possibility of hiring two
247 staff people to dredge the lakes; it was discussed that we would rent the equipment
248 necessary and the two individuals could complete the dredging, which could take up to a
249 year to do. Mr. Truett stated that it was calculated as a drastic savings to the Town. Mr.
250 Kirk stated that you would need to put a lot of trucks in there because if you were to rent
251 equipment you would need to produce with that piece of equipment. Mr. Kirk stated that
252 he would want to do the job right and be productive and what we would need to do is get
253 in mechanically and pull the lakes down and then you would need to get into the lakes
254 and you would need mats to walk in there and it is very involved. Mr. Kirk mentioned that
255 you also have to know that one thing with the Army Corp is that once you dip into a lake
256 and start stirring all of the water you run into other issues and this is why we originally
257 wanted to use the system with the bags where the water goes back into the lakes and the
258 silt stays in the bags. Mr. Kirk stated that EnviroDredge was not available to bid they
259 took on other work. Mr. Kirk stated that they were also the company that gave the Town
260 the scoop on the permits; they did a lot of the legwork. Mr. Kirk stated that if we did it
261 ourselves we would also need to get pumps and there really is a lot to it. Mr. Booth
262 stated that many of the lakes are surrounded by homes and it would be difficult to get
263 some equipment in there to dredge. Mr. Truett stated that his concern is that they are
264 looking at a million dollar price tag and we would like to look into, at least, the possibility
265 of doing it ourselves. Mr. Kirk stated that he could run the figures for Council. Ms. Hiatt
266 stated that if we went back to previous minutes, dredging in-house was discussed and it
267 was decided by Council, at that time, that this would not be a wise thing to do on 9th
268 Avenue. Mr. Kirk stated there is a price to pay for doing these types of projects in-house
269 in that the roads will be dirty and there will be a lot of sweeping and cleaning to be done
270 as well. Mr. Kirk stated that he does not agree with the current price presented and
271 would like to look into other avenues. Mayor Hyman stated that he believes that if we

272 could get a reasonable price from a contractor then this would be the better route to go
273 as opposed to doing it in-house beside these contractors are experts in what they do and
274 we are not. Mayor Hyman stated that he would be willing to do it in-house only if there
275 would be a significant savings. Mr. Kirk stated that along with everything else there is
276 also risk and liability with untrained staff that are not qualified to perform these type
277 duties. Mr. Samples stated that he agrees with the Mayor, if we could get a reasonable
278 rate on a turnkey operation then this would be the way to go, which is what we did on 9th
279 Avenue; the cost was \$25,000 to “take that mud pit and turn it into a pond”. Mr. Samples
280 stated that the previous Public Works Director Bobby Radford had the contractor come in
281 and they were out in three weeks. Mr. Samples stated that we are not talking about lakes
282 here but five of the smallest ponds in Surfside Beach and asked if the five-foot depth
283 requirement was even the right number. Mr. Samples stated that with Stormwater a 6
284 foot depth was discussed. Mr. Samples stated that the water table was also discussed
285 and he also remembers the discussion in Pinopolis, as Mr. Truett did, where Council took
286 their time, developed the capacity in Town to maintain these ponds on a regular basis.
287 Mr. Kirk asked what happened to that. Mr. Samples stated that he believes that we had
288 put the bid out for too short of a period of time and at the wrong time of the year and
289 thinks that we need to change the language and specifications of our bid. Mr. Samples
290 stated that the policy in this Town is that we openly compete and we do not do deals and
291 handshakes with the taxpayer’s money. Mr. Samples stated that he could guarantee that
292 he has contracted for a lot more public money than anybody on Council and he has seen
293 it wasted and he has seen people go to jail. Mr. Kirk stated that he has seen it go both
294 ways. Mr. Samples stated that one of the reasons that he ran for office was because he
295 personally wants to make sure that his and everyone else’s tax money is being used
296 properly and correctly and this is done through competition. Mr. Samples stated that if
297 we do not currently have competition on a bid then we need to go back out and get it or
298 we need to develop it in house. Mr. Kirk stated that this is why he brought this up to
299 Council. Mayor Hyman stated that he does not believe that there is one person in this
300 entire room that does not want to save money but included that we also want a project
301 done right. Mayor Hyman stated that we are a very conservative Council and he stated
302 that he appreciates Greenwall presenting a bid and coming out but we need to look out
303 for our dollars in Surfside Beach because we only have so much to use to get done what
304 we need to get done. Mr. Martin addressed Mr. Samples’ comment by stating that he
305 has also contracted for public money in the aerospace industry for many millions and
306 billions of dollars and stated that they had always been careful how they spent public
307 money. Mr. Martin stated that he feels that we are somewhat flexible on the lake
308 dredging schedule and sometimes when one is flexible it is not apparent in the bid
309 package and thought that perhaps if we indicated that we were flexible on the work
310 schedule we would get many more competitive bids. Mr. Kirk stated that he did mention
311 to everyone that called regarding the bid package that time was not really of the essence
312 and we just needed to have something to base the bid on. Mr. Kirk stated that he did get
313 a call from one contractor that stated that he did not get his lake test samples back in
314 time to bid. Mr. Kirk stated that another problem is that a contractor does not need a
315 license to dredge lakes and anyone with the equipment can go out and dredge lakes.
316 Mayor Hyman stated that it seems that the consensus of Council is that this one bid will
317 be denied this evening.

318 Jimmy Erbe, Greenwall Construction, who is also a DHEC Inspector, stated that he
319 has spent quite a bit of time in the Surfside Ponds and is very familiar with the problems
320 with the growth and leaves that currently exist there. Greenwall stated that several of the
321 ponds will be very difficult to dredge; they contain a lot of sticks that are nearly impossible
322 to dredge and this will entail a lot of work to remove a lot of this debris. Greenwall stated
323 that they had gone in with a very low impact proposal, their process would keep the fish
324 alive, remove all of the algae and it would also be a very clean project. Greenwall stated
325 that it also would involve trucking all the spoils out and that they would do a good job for
326 the Town. Greenwall stated that he had seen other contractors out there looking at the

327 job when he was looking at the job and he thought that there would be seven other bids;
328 he did bid low and the only upper hand that he thought he may have had was that the
329 other contractors out there not local and that he was local and he would not have to pay
330 for a place for his workers to stay.

331 Ms. Hiatt asked whether Greenwall took the boat out when checking the lake to see
332 what was at the bottom and Greenwall responded that he went out in Cherry only and
333 took a spoil sample out of Floral Lake. Greenwall stated that he knew the bid was going
334 to be going out for some time and it was not sent out over the Holiday weekend it was 2
335 or 3 weeks prior. Ms. Hiatt stated that many trees have fallen into the lakes during
336 storms and asked how they would be removed. Greenwall stated that he has two
337 employees that would concentrate on removing trees and anything else the dredging
338 could not get out; they would physically remove them. Mr. McKown stated that Greenwall
339 should not get discouraged and once the Town receives other bids then they would
340 consider his bid as well and that he may still get the job. Greenwall stated that the only
341 problem with that is that everyone now knows the price he came in at and stated that he
342 thinks that would be unfair. Mr. McKown agreed that this is a concern he understands
343 and that this would now not be a fair playing field for him. Greenwall stated that there is a
344 difference in pricing on ponds due to their locations of which some are difficult to get to.
345 Mr. McKown stated he agrees with his points but he feels that it is the responsibility of
346 Council to get together additional information to make this decision and he apologized to
347 Greenwall that he had to expose his price. There was additional discussion as to
348 Greenwall's pricing and if he felt that it was low to begin with it then it still may be low if
349 others come into bid because, Mr. McKown stated that other contractors can only go so
350 low before it no longer becomes worth it to do the job. Greenwall stated that these ponds
351 have never been dredged and dredges to not like sticks; there is a lot of debris to
352 remove. Mr. Samples stated that although Greenwall was expecting other competitors
353 he submitted an all or nothing package, which was not requested. Mr. Samples stated
354 that he would like to see a price from Greenwall that reflected a unit price. Mr. Samples
355 stated that his view is that we should treat the Town like a business and we should treat
356 the Town's money like we would treat our own. Greenwall stated that there were
357 mobilization fees for equipment and a one-time charge for equipment coming from out of
358 state and it was split between five lakes whereas if one were being done the fee would
359 have been higher. There was additional discussion as to the high price and Greenwall
360 stated that there was no markup on the price it was all calculated with labor, labor burden
361 and equipment.

362 Mr. McKown made a motion to direct staff to put out other proposals for the same
363 project. Mr. Samples seconded the motion. Mr. McKown stated that everyone is in
364 agreement that the ponds need to be dredged and cleaned up but we need to determine
365 if we want to do them all during one fiscal period, what the time period will be and which
366 is the priority of each of the ponds. Mr. Samples stated that he agrees with Councilman
367 McKown and also wanted to state that the spec package needs to be very clear; that we
368 are not interested in all or nothing pricing. Mr. Kirk stated that this was specified on the
369 original bid request and Mr. Samples answered that we then would need to make it clear
370 that we would be non-responsive to anything that did not meet this criteria. Mr. Kirk
371 stated that he thinks that requesting pricing on individual ponds will more than likely drive
372 the price higher and Mr. Samples stated that he sees what Mr. Kirk is saying but that he
373 would also request that we listen to what Mr. Martin suggested about adding the
374 indication of an acceptable flexible schedule from contractors. Mr. Samples told Mr. Kirk
375 that he needs to help Council to do their job in taking care of the taxpayers in Town and
376 taking care of the ponds and infrastructure and saving money and Mr. Kirk stated that he
377 agrees and this is why he spoke up. Mr. Truett stated that we need to listen to Mr. Kirk
378 and added that he has no problem with the same company doing all of the dredging and
379 believes that once they get all of their equipment in and do not have to move it then it
380 would be more cost effective; one company will not bring in all of their equipment to
381 dredge one lake for \$100,000, and Mr. Kirk agreed that they wouldn't. Mr. Truett stated

382 that they are basically on the last year of their stormwater fee and this money is there and
383 that we need to spend; it is the reason it was set up five years ago to spend the
384 taxpayers money wisely. Mr. Truett stated that we have obviously done many great
385 things with the stormwater and the next process should be the dredging and he agreed
386 that we need to tweak the bid process. Ms. Hiatt stated that she agrees with all Mr.
387 Truett commented on. Mayor Hyman stated that he does not think that we need to drag it
388 out but that we do need to re-bid it. Mayor Hyman stated that he thinks we are lucky to
389 have Mr. Kirk on the team in that he spoke up about this. Mr. Kirk stated that we now
390 have the Holidays approaching and we may want to give the next bid some more time;
391 we could put it out for 60 days. Mr. Samples stated that at the Veteran's Day Ceremony
392 some women that live on Lake Magnolia told Mr. Samples that this lake has never looked
393 better. He stated that he supports the ponds that need to be done and wants us to have
394 the option. Mr. Kirk stated one of the reasons the lakes are looking clean is that the
395 Town has been spraying much more than they should be. Mr. Samples stated that he
396 believes the bubbling system installed made a huge difference in the appearance of the
397 pond and Mr. Kirk agreed that it made some difference but it is still not a guaranteed fix
398 by any means. Ms. Tuttle stated that she too has some concerns regarding the ponds
399 and thinks that we should look at each case, pond by pond, and really justify the
400 expenditure. Mr. Kirk stated that Council has the final say in the final decision and Ms.
401 Tuttle stated that she realizes this but she thinks that it may save some time if we get it
402 right before we go out for proposals and determine what is actually needed and what we
403 want to do. Mr. Kirk stated that he thought that this is what they did and asked what she
404 would like to see done differently. Ms. Tuttle stated that tonight we are discussing the
405 five ponds and it sounds as though we are not getting the complaints that we used to get
406 and there was a time that we were receiving calls from resident after resident and Mr.
407 Kirk stated that that Public Works still gets all of the calls and what he thinks is that the
408 residents have gotten used to hearing from everyone that until the lakes have been
409 dredged they will just need to deal with it as it is. Ms. Tuttle asked what problems we are
410 having with the lakes. Mr. Kirk stated that they are too shallow and they grow all sorts of
411 algae plants and they cannot keep them clean; the Public Works Department sprays
412 every other Friday and that is a lot more spraying than should be done; it is not any more
413 healthy for the environment than allowing ducks and dogs excrements there. Mayor
414 Hyman stated that we could not justify dredging one lake and not another since everyone
415 has been waiting for them to be dredged. Mr. Kirk stated that we had taken the most
416 important lakes that needed to be addressed and this is how we came to where we are
417 today. Mr. Kirk stated that he was under the impression that everyone was in consensus
418 that these were the lakes that needed to be addressed and stated that if he is wrong then
419 he needs to be corrected but this is why we are where we are right now. Ms. Hiatt stated
420 that the lake behind her house was covered with algae and is currently in the worse
421 condition it has been in and she is aware that there is no point to keep calling to complain
422 about the same thing over and over. Ms. Hiatt stated that she knows trees have fallen in
423 the lake and there is a lot of pine needles, pine cones, branches and leaves all in there
424 that need to be taken care of. Mr. Kirk stated that he could have walked across Ms.
425 Hiatt's pond this past summer and Cherry lake you probably could ride a bicycle through;
426 there was no water available to even flush them this year. Mr. Kirk stated that he thought
427 they were going in the direction he was told to go in but if there was another direction he
428 needed to go then Council would need to please tell him. Mayor Hyman told Mr. Kirk that
429 he was going in the right direction. **All voted in favor. MOTION CARRIED.**

430
431 **7. PUBLIC COMMENTS – General. – 5 Minutes**

432 *Tom Dodge, 15th Avenue North:* "Thank goodness for Councilman Samples. The Town
433 is going out of Town with garbage pick-up and no one on this Council except Councilman
434 Samples knew about it. No one seems to be concerned about it. Our tax money is going
435 out of Town. Thank you, Councilman Samples."
436

437 *Ron Ott, 7th Avenue North:* "You wanted to know what was wrong with the lakes, I'll tell
438 you. I have one behind my house and you know about it because I've been talking to you
439 for six years about it and the trash is just about gone. I've got to applaud that, but it
440 stinks and I'm the one that called DHEC last July because it smelled like human waste, it
441 smelled like human defecation and when it smells like it, it is. It was really bad, it was
442 gagging. I mean, you'd come out of my, I had my lawn sprinkler on and that's where the
443 water comes from and you'd start gagging, it was that bad. That's the problem with the
444 lakes, whatever's in there, we know what's in there, it's no good for us, it's no good to be
445 even spraying on the lawn, and DHEC sent out the water people, Grand Strand Water
446 and they smelled it too so they went around and they checked all the pipes and
447 everything, they didn't find anything, but, it still smells. I want to thank everybody
448 because everybody's looking at our money and that's what we want, that's what the
449 people in this Town want. We don't want you to just, a million dollars is a million dollars,
450 it's a lot of money no matter what. The other thing that scared me was changing over to
451 HTC because when you do that you're going to change the internet and everybody in
452 Town is going to have a new internet and a new address and it's going to (SIC) a lot of
453 people. If you go to HTC you're going to go to DSL, we're going to downgrade ourselves,
454 if we want to upgrade let's go to Verizon and we'll go to fiber optics and (SIC) through the
455 front door. I'm not here to publicize them but I know what they do, so, maybe we can get
456 something from them, maybe they'll give us something for free, too, to let them run the
457 fiber optic lines in, and I think we should have competition, some kind of competition, not
458 just Time Warner, let them all bid and I guess we're not allowed to do that, we're not
459 allowed to do that for some reason and I thought about the brochure, you can look
460 through a brochure, I know we have one heck of a Safety Department here because
461 everywhere you go during the summer, the police are always around, so, I don't know if
462 there's data or information we can use, we have our own guns and hoses here, so we
463 should publicize that, somehow, because not every town that you go to at the beach has
464 that much presence and safety. Thank you very much."

465
466 *Rhea Lowe, 116 A 9th Avenue North:* "My problem sounds pretty small compared to
467 some of the lakes but mine is confined to a pool that backs behind and to the side on 10th
468 Avenue North at 115 A and it seems for months that this pool has grown algae and it's
469 black, you can see it from an upstairs window and it seems to get blacker and blacker.
470 We called the number, because it says it's for sale, and all we got was a message
471 service or an answering machine and since then the neighbors, our neighbors in the
472 duplex have called and nothing has been done about it. They did come and they turned
473 on the pump but we even told the management company, they turned the pump on but
474 they didn't put any chlorine in the chlorinator, it got a little bit less black but then while we
475 were gone this weekend they came in and the pump is off and they put a tarp over the
476 top of the pool and weighted it down with plywood and when we saw it before, we could
477 see mosquito larvae swimming around on the surface. Now that it's rained the tarp has
478 taken a dip and we just want, and it smells, too, but that's all."

479
480 Mayor Hyman told Ms. Lowe to see the Administrator after the meeting about the pool.
481 There were no other public comments and Mayor Hyman thanked everyone for their
482 comments.

483 **8. COUNCIL COMMENTS**

484 Mr. McKown: "The only comment I have is to address Ron's question in reference to the
485 Internet. The problem we have with that, Ron, is the General Assembly has taken away our
486 authority towards local franchise agreements and that the Secretary of State now oversees
487 that, so you would have to actually voice your concern through their office. You've made
488 some good points, you're right, I don't see us downgrading to DSL concerning the Internet
489 and stuff . . ."

There were no other Council comments.

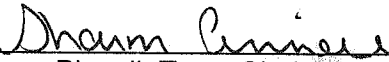
9. **EXECUTIVE SESSION- Pursuant to FOIA § 30-4-70(a)(1)** Mr. Truett made a motion to go into Executive Session. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.** Mr. McKown made a motion to reconvene in regular session. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.**

10. **REGULAR SESSION**

Recommendation from Mr. Truett was made regarding the Stormwater Committee selections. Mr. Truett made a motion to appoint Ken Harbin, Daniel Sine, William Blankenship, P.L. Mabry and Jerry Strange to the Stormwater Committee. Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.** Mayor Hyman instructed Ms. Pinnell to notify the individuals chosen of their acceptance to the Stormwater Committee. Ms. Tuttle suggested that a letter be sent to the individuals not chosen thanking them for their application.

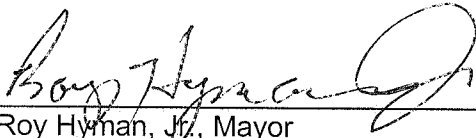
11. **ADJOURNMENT**

Mr. McKown moved to adjourn the meeting at 8:13 p.m. Mr. Samples seconded. **All present voted in favor. MOTION CARRIED.**



Sharon Pinnell, Town Clerk

Approved: December 11, 2007



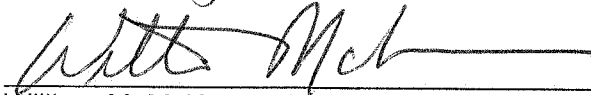
Roy Hyman, Jr., Mayor



Rebecca J. Hiatt, Town Council



Joseph P. Martin, Town Council




William M. McKown, Town Council



Douglas F. Samples, Town Council



James S. Truett, Mayor Pro Tem



Judith K. Tuttle, Town Council

Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting notice and the agenda were faxed and/or emailed to local media and interested parties. A complete list is on file in the clerk's office. The agenda was posted on bulletin boards outside Council chambers and in the town hall reception area. Meeting notice was also posted on the town marquee.