



**SURFSIDE BEACH TOWN COUNCIL  
TOWN COUNCIL CHAMBERS  
SPECIAL MEETING MINUTES  
SEPTEMBER 15, 2016 ♦ 12:00 P.M.**

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6 **1. CALL TO ORDER.** Mayor Childs called the special meeting to order at 12:00 p.m. Mayor  
7 Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples and Stevens were in  
8 attendance. Councilmember Johnson was absent. A quorum was present. Others present:  
9 Administrator Fellner; Town Clerk Herrmann, and Public Works Director Adair.

10  
11 **2. PUBLIC COMMENTS – AGENDA ITEMS.** (3 minutes).

12  
13 Ms. Sandra Elliott, 5<sup>th</sup> Avenue North, said council was talking about repairing the 4<sup>th</sup> and 5<sup>th</sup>  
14 Avenue swash and asked what was being done on 3<sup>rd</sup> Avenue swash.

15  
16 Ms. Holly Watson, North Oak Drive, wanted to discuss cost, because beach renourishment was  
17 using all of our money. This morning I spoke with Ms. Jackie Mack, program manager for the South  
18 Carolina Rural Infrastructure Authority (RIA). The RIA will give the town an emergency grant, if an  
19 application is made. It normally takes eight weeks to get funding. We can apply for any kind of grant  
20 twice a year by August 31<sup>st</sup> for September funding, and then again in March. Ms. Mack accepts  
21 emergency funding applications. RIA grants funds for water and sewer, storm drainage projects. I  
22 explained to her that this was a project with expected cost of \$180,000 to repair a swash that leads in to  
23 the ocean and is part of our stormwater drainage system. Grant money is not awarded for bridges, so I  
24 suggest that you separate the projects. I have Ms. Mack's contact information, if you want to contact  
25 her. This is just one resource. There are many others out there, if there's any way we can get money  
26 for an emergency like this that wasn't any fault of our own, I feel like we should apply. Whether she  
27 says yes or no, at least we should try. Mayor Childs asked Ms. Watson to give Ms. Fellner the  
28 information after the meeting.

29  
30 Ms. Diana Taylor, 7<sup>th</sup> Avenue North, said this is a great council we have now. My only comment  
31 is at one point in time, this is from my personal research, the town was taking 5 mils for stormwater.  
32 Then that disappeared and now we're back to 2 mils. I wouldn't be against a 3 mil tax increase, but we  
33 should never mess with the money we have for stormwater. Thank you.

34  
35 **3. BUSINESS. Swash Improvements, Administrator Fellner.** Ms. Fellner said in response  
36 to the question about the 3<sup>rd</sup> Avenue swash, Mr. Adair was asked to contact the property owners of 3<sup>rd</sup>  
37 Avenue, because that swash bulkhead does not belong to the town; the owner of the southern bulkhead  
38 in the Myrtle swash that appears not be our property, and the Sea Cloisters Homeowners Association to  
39 make sure they install rain gutters before this project is completed. Ms. Fellner said she would be happy  
40 to apply for the RIA grant that was mentioned. The town has applied for three other RIA grants, but  
41 each time was denied on the basis that the town does not meet the "rural criteria." Any time the town  
42 can get free money, she loves it. Ms. Fellner presented the decision paper for the emergency repairs to  
43 the north bank of Myrtle swash and to repair the infrastructure damaged by the latest rain event, copies  
44 of which are on file.

45  
46 Mr. Courtney asked if the town owned the property on the north side of the Myrtle swash. Ms.  
47 Fellner said yes and explained that former Mayor Blue Huckabee signed a document accepting that  
48 property into the town's infrastructure. The town is responsible for maintenance. She believed the  
49 bulkhead on the south side is owned by Old Colony Realty. She can find no recorded maintenance  
50 easement or other document showing the south bulkhead is the town's responsibility.

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Town Council Special Meeting  
September 15, 2016

52 Mayor Childs believed that the swimming pool on the south end created a problem, but it was the  
53 owner's responsibility. Ms. Fellner reiterated that Mr. Adair was already instructed to contact the  
54 respective property owners.  
55

56 Mr. Courtney asked if setback requirements were in place for pools. Mr. Adair said there are  
57 building setbacks for any structure, but he was unsure of what might apply to pools. Mr. Courtney asked  
58 if the pool caused stress on the bulkhead. Ms. Fellner said yes, it did on their side. The engineer  
59 explained that their side was compromised by water building up behind the wall pushing it out. Mr.  
60 Courtney asked if the pool would be replaced after the repair. Ms. Fellner said she did not know, and the  
61 property owner would be asked to repair their side.  
62

63 Ms. Samples asked what the time frame would be for completion of the 4<sup>th</sup> Avenue swash. Ms.  
64 Fellner said the contractor had already inspected the site; permits are in hand, and hopefully, we can  
65 proceed right away and be done in the fall. Ms. Samples asked if a completion day would be available  
66 once the contract is executed. Ms. Fellner and Mr. Adair said yes. Ms. Samples asked where funds were  
67 coming from. Ms. Fellner said for now the funds would be coming from the unrestricted fund. She  
68 hoped by the time payment was due, that the reimbursement from the state for its portion of beach  
69 renourishment would be delivered and those funds could be used.  
70

71 Mr. Stevens said before the town found out it was responsible for this, several bulkhead  
72 construction companies submitted bids to Surfside Realty, all of which were much lower than the  
73 estimated prices of \$120 to \$125 thousand for the bulkhead. Bids were \$60 to \$80 thousand, including  
74 engineering. Both prices were for Redi-Rock. There is also a quote of \$25,000 for engineering. He  
75 asked why the prices were so much higher. Ms. Fellner said I think you get what you pay for. The Redi-  
76 Rock product and the contractor who stands behind it, who did the 3<sup>rd</sup> Avenue South swash, speaks for  
77 itself. The contractor did a great job. The wall allows for the weeping of water from either side into it,  
78 so it should not require the same kind of replacement that a wooden bulkhead would. Mr. Stevens said  
79 the prices quoted were for a shorter wall, and were almost double in price. He was speaking for the  
80 taxpayers who have to foot the bill. Ms. Fellner said she was sure she could go out and get some lower  
81 pricing, but she knows this contractor. He was used successfully before, and they do a really good job.  
82 When you are dealing with stormwater, she would not elect to use anyone other than someone that had  
83 done good work for us recently. We know the product works, and the engineers have said they would  
84 not go back to wood. Mr. Stevens said he understood that. This is the very same product was his point,  
85 and it was installed just like Lego blocks, except they weigh about 1,200 pounds. Ms. Fellner said with all  
86 due respect, it was not quite that easy. There were significant issues that they went through on the 3<sup>rd</sup>  
87 Avenue South bank project where the footings had to be repaired. Mr. Stevens asked several other  
88 questions about the process. Mr. Adair said the Redi-Rock calls for the installation of non-geotextile  
89 fabric and rock behind the wall in all cases; he did not know the exact specifications at this time. This  
90 contractor built the wall at \*Grand Dunes, which is about 50 times the size of the 3<sup>rd</sup> Avenue swash. He  
91 has a lot of experience with this product. \***North Beach Plantation**, (amended by approved motion  
92 09/27/2016, Debra E. Herrmann, CMC Town Clerk)  
93

94 Mr. Pellegrino asked what would happen if the town repaired the north side, but the south side  
95 was not repaired. Ms. Fellner said the property owners will be required to fix the bulkhead, because that  
96 is something that could endanger the town. People don't like to take money out of their pocket, but it's a  
97 process that we are going to have to work through. I will keep council apprised as we deal with the  
98 entities involved. I believe Portofino is a homeowner's association, and the other is Old Colony. Mr.  
99 Adair said they were already notified.  
100

101 Mayor Childs asked how the town could determine that the private owners had engineered  
102 structures that were built as well as the town's structure. Obviously, the private owners would look for  
103 the cheapest thing they could find. Ms. Fellner said her sincere hope was that they don't. If you use the  
104 cheapest thing, it will wash out and there would be a problem that they would have to fix again. Mayor

Town Council Special Meeting  
September 15, 2016

105 Childs asked if the town could oversee their projects, if we think their standards were not up to survive  
106 another storm. Ms. Fellner said that would be an attorney question. She was unsure as to the extent of  
107 the town's oversight in the face of them funding the construction cost.  
108

109 Ms. Samples asked if they would be required to get permitting necessary to do the work. Ms.  
110 Fellner said yes. Ms. Samples said the town would certainly oversee that. Ms. Fellner said we actually  
111 have the permits already from the Army Corp and from OCRM that includes the whole swash. The  
112 private owners would not have to make application for those permits. Mr. Adair said the private owners  
113 would have to apply for town building permits. For something of that crucial nature, we would require  
114 engineered drawings. There is no International Building Code for bulkheads. The engineered plans have  
115 to state the forces the bulkhead will withstand and the hydrostatic forces from the ocean waters. The  
116 project will have inspections by the building inspector.  
117

118 Mayor Childs said he did not believe that there was any one on staff qualified to inspect  
119 bulkheads. Ms. Fellner said DDC would be paid to ensure that the engineer's drawing for the private jobs  
120 were inspected and have a structural engineer inspect them before the build out.  
121

122 Mr. Ott said if the same product and construction style were available at half the price, he would  
123 like to investigate that option. Perhaps a wall was constructed nearby that they could visit. There has to  
124 be some kind of assurance and guarantee. I am not going to authorize paying twice as much when we  
125 can get the same product for half as Mr. Stevens said. I'm not sure that that is true or not, but I would  
126 like to take a closer look at those other bids that were submitted to Surfside Realty. If there's a chance, I  
127 want to save money for the people of this town.  
128

129 Mr. Stevens referred to paragraph 5.f. on the decision paper, and asked if it was factual that  
130 the town would receive reimbursement funds because the Army Corp overestimated the cost of beach  
131 renourishment. Ms. Fellner said yes. Mr. Stevens ask if there were any other fund sources, except the  
132 RIA grant. Ms. Fellner said not at this time that she was aware of. Mr. Stevens was all for getting money  
133 back. Ms. Fellner reiterated that she totally intended to apply for the RIA grant.  
134

135 Mr. Courtney thought as the Mayor said, that we should follow up on the work done by the  
136 private owners. It is necessary that our engineers ensure the work is done correctly as it is being done,  
137 and that the engineers inspect throughout the construction. Ms. Fellner agreed that the private owners  
138 had to submit engineered plans for review. At that point, at the town's expense, a structural engineer  
139 could review them to determine whether the plans were sufficient. Mr. Courtney said he had seen some  
140 really bad bulkhead work done in town, and some really good jobs, as well. It was very important that  
141 the contractors know what they are doing. Ms. Fellner agreed.  
142

143 Mayor Childs reiterated his concern that no staff member was qualified to do a final inspection on  
144 a bulkhead.  
145

146 Mr. Ott said he did not know whether these other bids actually exist. Mr. Stevens brought them  
147 up. He asked if anyone had ever seen them. Ms. Fellner said no. Mr. Stevens said the bids do exist.  
148 Mr. Ott said the council would take his word on it. We don't know what it is going to cost. It could cost  
149 \$100,000 or the amounts mentioned by Mr. Stevens. Ms. Fellner thought you get what you pay for and  
150 said the town used this contractor before and he did an excellent job. There have not been any issues  
151 on the work they did. When you are talking about stormwater infrastructure, going with the lowest price  
152 with the same material concerns her, because there is no guarantee of expertise. We don't want to  
153 have to do this job over. We don't want a problem with the swash when there is another big rain event.  
154 This is an emergency, and that's the criteria used to select the contractor. Normally, the job would be let  
155 for bids. Mr. Ott said the other bids were still hearsay. He wished more information was brought at this  
156 time, instead of just hearsay.  
157

Town Council Special Meeting  
September 15, 2016

158 Mr. Ott moved to authorize an unbudgeted expenditure not to exceed \$155,000 for the  
159 emergency replacement of the northern Myrtle swash bulkhead, including the engineering, oversight, and  
160 permitting of stormwater improvements to the northern bulkhead, culvert infrastructure under Ocean  
161 Boulevard, and west side swash basin. Ms. Samples second.  
162

163 Mr. Courtney asked if the roadwork would have to be done. Ms. Fellner said the road does  
164 belong to the town, and that portion would be bid, because it is not an emergency to fix that or the west  
165 side swash basin. The only thing authorized in Mr. Ott's motion is the work to the northern Myrtle swash  
166 bulkhead, the engineering, and everything for the whole project. Mr. Courtney asked if the road would  
167 have to be closed while the work was being done. Ms. Fellner said it would, and that was why it was  
168 important to get the project done during the off season. It is just critical; it can't be done any other time.  
169

170 Mr. Pellegrino said regarding the difference in prices was about long term versus short term fixes.  
171 It looks like the wood bulkhead lasted 40 years, so maybe this one will last maybe a 100 years. It will be  
172 interesting, because we will have a stone bulkhead on one side and most likely, there will be wood on the  
173 other side. I don't see the owners spending an extra \$100,000. That is something we will have to deal  
174 with. On the money side, obviously, this initiates a big challenge for this council over the next few  
175 months to figure out a budget, because we are pulling it out of the water [sic.] because we have other  
176 things to tend to. It is a good challenge for us.  
177

178 Mr. Stevens said he was familiar with the project on 3<sup>rd</sup> Avenue. That contractor used a  
179 subcontractor called Seven Seas. That was where he first got information about Redi-Rock.  
180

181 All voted in favor. **MOTION CARRIED.**  
182

183 Mr. Ott moved to authorize the administrator to immediately move forward with the permitting  
184 and bid for the replacement of the culvert under Ocean Boulevard and the improvements to the west side  
185 swash basin at Myrtle swash and bring back to council the bid results. Mr. Courtney second.  
186

187 All voted in favor. **MOTION CARRIED.**  
188

189 Mr. Courtney said he thought it was very important that we designate mills for stormwater. As  
190 you can see, we are running into problems with stormwater projects. I do not want us to come down the  
191 road in a year or two years with the same problems.  
192

193 Mr. Pellegrino said we need to schedule some type of budget workshop to talk about funding  
194 stormwater, because adding 3 mills is not an easy thing. One citizen said they did not mind a 3 mil tax  
195 increase, but they are probably the only citizen. We can do a lot with the budget, and we can look at  
196 different things. We need to have those discussions, because we are going to get hit with other projects  
197 like the pier, the culvert project just authorized, and other huge expenditures approaching. At some  
198 point, probably sooner than later, we need to schedule a budget workshop to figure out how to fund  
199 these projects.  
200

201 Mayor Childs thought Ms. Fellner was working with someone to see what amount a stormwater  
202 [utility] fee would be to dedicate to stormwater projects. As I recall, we are the only city or town along  
203 the coast that does not have a stormwater [utility] fee. It is something that I think all residents would go  
204 along with. If they did not agree, I would send them to Mr. Kawa's house so he could talk to them. It is  
205 certainly something that we have to have. As I stated to the press a few days ago, these stormwater  
206 projects are not \$100 or \$200 projects; they are hundreds of thousands of dollars. The town just does  
207 not have that kind of money sitting in the bank. Being as we do live in a coastal area where hurricanes  
208 and [other weather events occur,] we have to protect ourselves. In order to do that, we have to look at  
209 some type of dedicated revenue source for stormwater projects.  
210

Town Council Special Meeting  
September 15, 2016

211 Mr. Pellegrino agreed saying that was one possibility. I don't take extra fees lightly. But, before  
212 going down that road, we need to understand the budget. We have new people on council now who  
213 have taken more interest in the budget, and they are looking deeper into it. We need to make sure we  
214 look at opportunities there. Honestly, I think there are opportunities in services and the way we manage  
215 those. We need to discuss this in a workshop at some point.

216  
217 Ms. Samples agreed with Mr. Pellegrino a hundred percent. I wanted to thank staff, Ms. Fellner  
218 and Mr. Adair, for reacting so quickly. It's a shame that we are in a position to have to react as opposed  
219 to being proactive. I understand why we are in that position. Hopefully, we can work to be more  
220 proactive. I also wanted to thank Ms. Watson for looking outside the box for other money sources.  
221 Whether we can participate in those types of grants, obviously, the administrator will follow up and find  
222 out. But, it does not negate the fact that she took the time and put the attention into it. I, for one,  
223 really appreciate Ms. Watson's effort. I'm sure all of us appreciate it. We hope that she continues to  
224 provide us with support and input.

225  
226 Mayor Childs agreed with Ms. Samples. Any kind of money that the town can get free, certainly  
227 we all agree with that. I thank Ms. Watson for taking the time to look into that.

228  
229 Mr. Ott said he would like for Ms. Fellner to look into the RIA grant and advise council. Ms.  
230 Fellner reiterated that she would certainly do so, and would provide the information to council as soon as  
231 it was received.

232  
233 **4. ADJOURNMENT.** Mr. Courtney moved to adjourn the meeting at 12:36 p.m. Ms. Samples  
234 second. All voted in favor. **MOTION CARRIED.**

235  
236 Prepared and submitted by,

237  
238 \_\_\_\_\_  
239 Debra E. Herrmann, CMC, Town Clerk

240 Approved: September 27, 2016

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242 \_\_\_\_\_  
243 Robert F. Childs, III, Mayor

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245 \_\_\_\_\_  
246 Ron Ott, Mayor Pro Tempore

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248 \_\_\_\_\_  
249 Timothy T. Courtney, Town Council

250  
251 \_\_\_\_\_  
252 Mark L. Johnson, Town Council

253  
254 \_\_\_\_\_  
255 David L. Pellegrino, Town Council

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257 \_\_\_\_\_  
258 Julie M. Samples, Town Council

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261 Randle M. Stevens, Town Council

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263 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,  
264 and not intended to be a complete transcript. Appointments to hear recordings may be made with the  
265 town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance  
266 with FOIA §30-4-80(E), meeting notice and the agenda were distributed to local media and interested  
267 parties via the town's email subscription list. The agenda was posted on the entry door at Town Council  
268 Chambers. Meeting notice was also posted on the town website at [www.surfsidebeach.org](http://www.surfsidebeach.org) and the  
269 marquee.