Executive Session – 5:00 p.m.

Mayor Childs called Town Council to order at 5:00 p.m. Tuesday, January 10, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person or persons to a public body; and FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements for the proposed sale or purchase of real property, and to hear legal advice from the town attorney. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Others present: Town Attorney Mike Battle; Town Administrator Fellner, and Town Clerk Herrmann. Mr. Stevens moved to enter executive session pursuant to the code as stated by Mayor Childs at 5:00 p.m. Mr. Ott second. All voted in favor. MOTION CARRIED. Mr. Ott moved to reconvene regular session at 6:27 p.m. Mr. Stevens and Mr. Courtney second. All voted in favor. MOTION CARRIED. Mayor Childs said for the record that no action was taken during executive session. Any motions and/or directions to the town administrator will be made during the regular meeting that begins at 6:30 p.m. as noted on the agenda under Business Items 7.G. and 7.H. Mayor Childs declared the session adjourned at 6:27 p.m.

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER.

Mayor Childs called the regular meeting to order at 6:30 p.m. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann, and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Pastor Allen Rogers from the Life Church of Myrtle Beach gave the invocation.
B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. AGENDA APPROVAL

Mr. Stevens moved to adopt the agenda as presented. Mr. Ott second.

Mr. Ott moved to amend the agenda to defer Business Item 7.A. to a later date. Mr. Courtney second. Mr. Ott explained that additional time was needed to review the information and that he would prefer a full council presented when the matter is discussed. Motion to amend CARRIED.

All voted in favor of the primary motion as amended. MOTION CARRIED AS AMENDED.

4. MINUTES APPROVAL

Executive Session and Regular Meeting December 12, 2016. Mr. Stevens moved to adopt the December 13, 2016 executive session and regular meeting minutes as presented. Mr. Courtney second. All voted in favor. MOTION CARRIED
5. PUBLIC COMMENTS - Agenda Items Only. (3-minutes per speaker)

Ms. Holly Watson, Oak Drive North: Good evening. This is in reference to item number 7.C. We’ve been asked now to fork over another $19,000 for permit funding for the culvert infrastructure at the Myrtle swash. And I’m sorry, but I’m confused, because we already did that on September 13, and I quote, motion to authorize an unbudgeted expenditure for the engineering of the culvert infrastructure under Ocean Boulevard and extending slightly beyond the west side of the road and to proceed with the emergency repair of the northern Myrtle swash bulkhead. We would like to bid the nonemergency portion of the project in October to be completed in the off season. Both the AC Army Corp of Engineers and OCRM have authorized the work to proceed. So, it appears that we’re kind of double dipping here on the same project. I believe that our engineer probably has already got the permits for this, so why are we spending another $19,000 for permits when it should have been included back in September per the request that you all voted on then? I’d like for you all to table that until you can read the contract with DDC Engineers, and find out why it’s going to take another $19,000, especially since you loaded an additional $11,750 on a change order before the job even started. Part of that was engineering. And, I would like for the engineering design of this one little bridge to go out for bid as well as the construction for that. We don’t seem to be able to put these things out for bid, either engineering, nothing’s been put out for bid. Thank you.

6. COMMUNICATIONS

A. Comprehensive Annual Financial Report, Green Finney & Horton CPA.

Ms. Emily Sobczak presented the Comprehensive Annual Financial Report for the year ending June 30, 2016. The summary was that the town was in good financial condition as of June 30, 2016. A copy of the audit letter and PowerPoint presentation are attached to these minutes.

There were no questions or comments by Town Council.

B. Administrator’s Report.

Ms. Fellner presented the written report, a copy of which is attached hereto. The accommodations tax committee meeting was rescheduled for February 16th at 4:00 p.m. at the request of its chairman.

Consensus Items:

1. Blue Cross/Blue Shield employee health insurance premium increases for 2017 are 2.5-percent for the town, and 3.24-percent for employees. The Finance Committee recommends approving the increase. Town Council CONCURRED.

2. Accommodations Tax Proviso 106.2. It is time to notify the Department of Revenue (DOR) of the town’s intention to participate in the Accommodations Tax Proviso 106.2 for the 2017 Bike Events. Town Council was asked to authorize Mayor Childs to send a letter to DOR requesting $50,000 be withheld for these events. Town Council CONCURRED.

Mr. Ott suggested sending the United States Coast Guard a certified letter regarding the damaged piles at the end of the pier to ensure they know. Ms. Fellner said that was a wonderful idea.

Mr. Stevens agreed.

Mr. Ott asked who sat on the County Transportation Committee (CTC) and where they met. Ms. Fellner said it is a county committee, and meets in Conway. Funds are generated through gas taxes, etc.
The committee receives funds that are divided among local governments for road projects. Mr. Adair usually attends twice a year.

Mayor Childs said he attended a meeting and the committee did not object. The committee wanted to send a board member to view the projects being done by the town and then report to the committee. It sounded encouraging that the CTC would approve the town’s request. Ms. Fellner said the town is hoping for $275,000; CTC generally disallows draining and sidewalks.

Ms. Samples asked if an email message could be sent once she received the amount of CTC funds awarded. Ms. Fellner said it would probably be sent this evening. Ms. Samples agreed that the Youth Association was charged to get back with the town about their requirements and expectations. Since they have not responded and they do have registration open on line, could staff please reach out to them. Ms. Fellner said Ms. Ellis had already reached out to the Youth Association. Ms. Samples asked if they would be forthcoming with their list of requirements and expectations. Ms. Fellner said we don’t have a response on that yet; she would reach out to them tomorrow. Ms. Samples appreciated that, because she would like to have it settled. Regarding the public’s question about the FOIA request, how many requests are being processed now? Ms. Fellner believed only one remains to be fulfilled. Ms. Herrmann said there is only one to be answered. The department director sent the information to Ms. Fellner for approval so it can be sent to the requestor. Ms. Fellner explained the clerk was asked, because she keeps all FOIA requests; they must be funneled through the clerk. She logs requests; sends them to the proper department for response; records responses, and ensures responses are timely.

Mr. Stevens asked how long it normally takes to respond to a FOIA request. Ms. Fellner said she had responded within five minutes when the request was easy. If the request involves research and copying, it could take longer, because the town doesn’t have a big staff. Mr. Stevens asked if Federal Law dictated a time limit. Ms. Fellner said it does not.

Mr. Ott believed the request was for digital copies, which is good because they won’t have to be printed out. Thank you.

There were no other questions or comments.

7. BUSINESS

A. First Reading Ordinance #16-0834 to amend §2-131 Appointment and §2-133 Duties of the Town Clerk, Mayor Pro Tempore Otte and Councilmember Courtney, Liaisons.

This item deferred, see item 3 Agenda Approval above.

B. Resolution #17-177 to Support the RIA Grant for the Myrtle Swash Culvert Bridge, Administrator Fellner.

Mr. Ott moved to adopt Resolution #17-177 as presented. Mr. Courtney second.

Ms. Fellner explained the resolution was required as part of the grant application to confirm that Town Council was committed to the project.

Mr. Stevens understood that a grant was being sought, but asked if a price had been determined for the project. Ms. Fellner said $500,000 was being requested. With a contingency, the culvert will be slightly over $500,000. She explained that $500,000 is the maximum grant award. Staff estimates the cost will be somewhere around $400,000. But, everybody puts a 25-percent contingency in there, because depending on when you let bids, who the construction company is, and a “zillion” other factors like in water, until they get in there doing the project they are not exactly sure what has to be done.
Should the price go over $500,000, the additional part of the contingency would be about $38,000 that could eventually be the financial responsibility of the town. The engineering for this project is approximately $30,000 for the bridge and the two alignments. The permitting cost of $19,000 that is being requested later in this meeting is not for this resolution. Mr. Stevens agreed with the citizen that spoke earlier in that he thought Town Council already voted for permit funding. Why is another permitting fee being charged? Ms. Fellner explained that the permitting that was already done was for the emergency repairs. The Army Corps and OCRM require separate, additional permits because this work is not being done on an emergency basis. The engineer projected the permit cost at $10,000, if the cost is less, then the town would not pay that. Mr. Stevens asked what guarantee the town had that the $500,000 grant would be awarded. Ms. Fellner said there is no guarantee. Mr. Stevens asked if the project was put out for bids. Ms. Fellner said no; she would not let bids until the grant was received. Once the grant is awarded, then a construction bid has to be let.

All voted in favor of adopting Resolution #17-1777. **MOTION CARRIED.**

C. Permit Funding for Myrtle Swash Outfall Bridge Replacement Project, Administrator Fellner.

Mr. Ott moved to approve an estimated $19,000 permit funding for the Myrtle swash outfall bridge replacement project. Ms. Samples second.

Ms. Fellner presented the decision paper, a copy of which is on file. She explained these permits were required to replace the bridge and perform the necessary alignments on each side. Permitting would not move forward if the RIA grant is denied.

Mr. Pellegrino said emergency expenditures were approved after Tropical Storm Joaquim [sic] to repair the north side and also do the engineering for that project as well as this bridge. There was another incident recently where the engineering firm was asked for an estimate; a quote for costs. You just explained there were circumstances here with working under an emergency. Shouldn’t the engineering firm understand how this works and be able to provide better cost estimates? He was confused by this. Ms. Fellner said in a perfect world, yes. But I don’t think this is a perfect world. In the emergency situation, they’re asked to step up and give their best estimate, because the Army Corp and OCRM are granting emergency permits. So, you have a lot of work taking place and they’re trying to figure out all the cost to the best of their ability. There are adjustments. That’s all I can say. It’s like when you’re building a house. Sometimes there are change orders; things that happen when you’re building your house.

Ms. Fellner said she heard a lot of discussion about the engineering firm here. If Town Council wants to go out for RFQ for an engineering firm and consider a new engineering firm, she would be happy to do that. But, she would hate to change engineers in the middle of this particular project.

Mr. Stevens asked if the $19,000 was being paid to one engineer. Ms. Fellner said that was the best estimate; the cost may be less. Mr. Stevens thought anything over $10,000 is supposed to be put out to bid. There are many competent engineering companies. We need to exercise fiscal responsibility to the taxpayers; everything over that amount should be put out for bids. Ms. Fellner understood, but said that engineering, like an attorney, is clearly cited as a professional service which is an exception with regard to bidding. Mr. Stevens personally wanted to see these things going out for bids because there are many companies out here. We need to tighten our purse strings; use common sense. It’s being done on the national level; Air Force One was cancelled due to cost, etc. The town needs to do the same thing. If we don’t do bids, then we’re throwing money away. Ms. Fellner did not want council to think that bids were not done, because bids were certainly done. She reiterated that there is an exception for professional services, like attorneys and engineering, in the procurement law.
Ms. Samples said just to be clear, the $19,000 is for permits for OCRM and the Army Corp of Engineers. Ms. Fellner said that is correct. Ms. Samples said this was not a discussion about services, but we were talking about permits, and this is an estimate of what those permits may cost. Ms. Fellner said that is correct. Ms. Samples said right now, Town Council is being asked to authorize $19,000 just to make sure we are permitted and ready to act, if the grant is awarded. Ms. Fellner said yes, ma'am.

Mr. Stevens asked if that price was given by the engineering firm. Ms. Fellner said that is the engineering firm's estimate. If the permits do not cost $19,000, the town will only pay the actual cost. Mr. Stevens said that was quite a bit of money just to get permits.

Mayor Childs, Mayor Pro Tempore Otte, and Councilmembers Courtney and Samples voted in favor. Councilmembers Pellegrino and Stevens voted against. **MOTION CARRIED** to authorize permits funding for the Myrtle swash outfall bridge replacement and necessary alignments project carried.

**D. Kid's Fair, Supervisor Ellis.**

Ms. Ellis presented the decision paper, a copy of which is on file.

Mr. Courtney moved to hold the Kid's Fair jointly with the Easter Egg Hunt to be funded by accommodations tax funds. Mr. Ott second.

Mr. Ott said he did not understand why there was insufficient tourism in June for accommodations tax to pay for the event. He thought June was a big tourist time. Ms. Ellis explained that July usually is. There isn't really a set requirement. I've asked, and you just don't get the tourist; you get the locals. Mr. Ott said he was not against holding it at Easter, he was asking why accommodations tax would not fund the event in June, because there are a lot of tourists.

Mr. Pellegrino asked what the concerns were about holding the Kid's Fair right after the Easter Egg Hunt. Ms. Ellis said she had no concerns. At the meeting, council wanted to separate the events.

Mr. Courtney wanted the events combined. Kids are out of school in early June. Having the event in April makes it difficult for local school kids to attend.

Ms. Samples asked if Ms. Ellis like the idea of combining the Kid's Fair with the Easter Egg Hunt. Does that work better and there are more participants? Ms. Ellis said there are more participants, and as I stated before, if you have the Kid's Fair in June or July you are most likely to be rained out. During the past three years in a row, the Kid's Fair was cancelled twice each year because of rain. It doesn't matter to me either way. You will have more children participate if the two events are combined. The Easter Egg Hunt last for about ten minutes. Ms. Samples said she supports combining them.

Mr. Pellegrino said obviously the Easter Egg Hunt is at Easter time. I do think we should keep it in March or April over the Easter holiday. I don't understand the argument of kids not being able to attend, because the event it held on a Saturday. In fact, we have a lot of visitors during that time also.

Mr. Stevens asked if the event was held during Spring Break. Ms. Ellis said yes, sir.

Mr. Courtney believed that Easter falls on April 16th this year. Ms. Ellis said yes, sir.

Ms. Ellis asked if Town Council wished to combine the events for just this year or should the events be combined every year.

Mayor Childs asked if the events should be combined this year, and see how it works.
Mr. Courtney wanted to try it this year to see how it works. If it doesn’t work out great, then we’ll see what we can do next year.

Mr. Pellegrino said just for clarification, Mr. Courtney you’re saying combine it in June this year?

Mr. Courtney, no, in April.

All voted in favor to combine the Kid’s Fair and the Easter Egg Hunt to be held in April this year.

MOTION CARRIED.

E. Bar-B-Que Festival, Supervisor Ellis.

Ms. Ellis presented the decision paper, a copy of which is on file.

Mr. Ott moved to authorize Festival Promotions to sell beer at the annual Bar-B-Que Festival. Ms. Samples second.

Mr. Courtney wanted to see how this worked this year.

Ms. Samples asked if selling beer was the only recommendation that Festival Promotions provided. Ms. Ellis said they also recommended raising the vendor fees, which she already did. Ms. Samples asked if the town would receive any financial benefit. Ms. Ellis said a meeting would be held with Festival Promotions to discuss the contract. Town Council will decide whether to accept the contract terms. Generally, the percentages are 50:50. Ms. Samples said staff is in a position to negotiate. Ms. Ellis said the percentages could not be determined until Town Council authorizes the beer sales.

Mr. Stevens was familiar with Festival Promotions. A similar event was held at Market Common where draft beer was sold. The event was handled very well. Mr. Mike Shank is very reputable and does a good job. My concern is where will the beer be sold, and will the area in which to drink the beer be designated. Ms. Ellis explained that Mr. Shank will manage all aspects of the beer sales and service. Mr. Stevens asked if this was to be decided upon tonight.

Mayor Childs said yes. Ms. Ellis said there is a decision paper.

Mr. Stevens asked if the contract should be reviewed prior to approving beer sales. Mayor Childs explained that if the contract terms were not acceptable, Town Council did not have to approve it. Ms. Ellis said the contract could not be negotiated until staff knows whether beer sales would be allowed by Town Council.

Mr. Ott said last year we had our first bar-b-que festival that was two days. The event looked very successful; there were a lot of people there. He asked how much money the town lost. He believed it was a lot of money, based on comments he heard. Ms. Ellis said the event came very close to breaking even, and proceeded to explain the expenses. She would email the exact numbers to councilmembers. Mr. Ott asked if we lose money on the family festival. Ms. Ellis said the festival doesn’t pay for itself; no event does. Mr. Ott did not think the taxpayers need to be paying for events, which is why we asked for something that could help us break even. I would just like to break even on them. He asked how the town was compensated for the sale of the bar-b-que from the town event as compared to a restaurant making the sale. Ms. Ellis explained that the total price charged for the plates included the food cost, hospitality tax, and sales tax.

Mr. Courtney asked how many local vendors participated in this event last year, and were they given a discount rate. Ms. Ellis said there were 50 vendors; everybody paid the same price. Mr. Courtney said regarding the beer truck, he cautioned council on the location and where the beer will be
drunk. Very clear areas should be designated, because we don’t want beer going out of the zone and should stay in the food court. Ms. Ellis said yes, sir.

Mr. Pellegrino said the budget [vision] meeting is in two weeks. We can talk about what we want to fund in the future. But, one thing that is not mentioned with these events is they are an investment. We are a tourism community. Sometimes you have to spend money to give a nice event so people will come to town again, and again. [Marketing for the town] has to be part of the decision, too. These events make our community better.

Mayor Childs said that was a very good point, Mr. Pellegrino.

Mr. Stevens concurred with Mr. Pellegrino that it was good anytime people could be brought into town. Selling the beer, we will get 50-percent of the sales. Ms. Ellis said if that is what Town Council agreed to. Mr. Stevens asked if the bar-b-que could be negotiated with a vendor for a 50:50 split. Ms. Ellis said the town is no longer going to sell bar-b-que. The vendors will pay an entry fee to cook their own bar-b-que; they buy the product, cook it, sell it, and keep the money. Mr. Stevens asked if there were 50 vendors last year. Ms. Ellis said it was limited to 50 vendors because Surfside Drive was under construction, and the space was limited at the Yaupon Drive parking lot. This year Surfside Drive will be blocked off from Ocean Boulevard up to Myrtle Drive, possibly further, if necessary.

Mr. Pellegrino said $50 was charged last year, and asked what the new charge is. Ms. Ellis said the fee was raised to $75.

Mr. Courtney was concerned that the taxpayers were picking up the event cost. We need to break even. I understand Mr. Pellegrino’s position on this as tourism, but taxpayers have to at least break even on these events.

Mr. Ott said Ms. Ellis, you did a very good job on this for the first year. It was successful and why we are opening it up to see if we can bring more cash in so we can expand it and make it better. Ms. Ellis said thank you.

Mayor Childs said it wasn’t too long ago that we had a lot of kick-back; we can’t have it in March, it’s too cold. The days that the festival has fallen on have been absolutely gorgeous. Ms. Ellis said yes, they have.

Mr. Courtney thanked Ms. Ellis for the Breakfast with Santa. It was very successful. Good job. Ms. Ellis said thank you.

All members voted in favor of allowing Festival Promotions to sell beer at the Bar-b-que Festival.

**MOTION CARRIED.**

**Bid Award: FEMA Consultant Specialist Involving Structures in Water, Administrator Fellner.**

Mr. Ott moved to award the bid for a FEMA Consultant Specialist Involving Structures in Water to Hagerty Consulting [contractor’s name added by friendly amendment]. Mr. Pellegrino second. [Mr. Pellegrino accepted friendly amendment.]

Ms. Fellner presented the decision paper, a copy of which is on file.

Mr. Pellegrino asked for examples of work that Hagerty had done locally. Ms. Fellner said currently, Hagerty is working for the county and has constructed many marine structures. Information on local projects would be provided to councilmembers. Mr. Pellegrino asked if the feedback was very
Ms. Fellner said she called Mr. Justin Powell, the county assistant administrator, who deals with Hagerty. Mr. Powell's recommendations for ranking were almost identical to town staff's. Mr. Pellegrino asked if Mr. Powell's recommendation was based on the amount of money the county acquired from FEMA. Ms. Fellner said considerations were expertise, the amount of money the county could get back, work, hazard mitigation, and time savings to county staff. The county's problems are a much bigger scope. Sometimes they don't have someone to negotiate through the whole problem. For instance, FEMA will be assigned a new project manager so we will be starting all over. We don't mind because our scope will be one thing: the pier. Hazard mitigation for the town might include concrete casing on piers. Mr. Pellegrino asked if the consultant would find money for loss of revenue. Ms. Fellner said FEMA will not reimburse for loss of revenue.

Mr. Stevens referred to section (c) on the decision paper and asked if the cost reimbursement up to 75-percent was guaranteed. Ms. Fellner said nothing is guaranteed with FEMA. Hagerty is a consulting firm that works on FEMA issues; they have been very successful. Mr. Stevens asked if the consultants would consider all types of materials. Ms. Fellner said for hazard mitigation purposes that would be discussed with FEMA. However, FEMA generally replaces with the same materials you have. The first thing that has to be discussed is whether our pier is more than 50-percent damaged. This will be a process. It will not be let's sit down and three weeks later come out the back end. That is not the way this works. Mr. Stevens asked what the time frame is. Ms. Fellner said her best guess and her greatest hope is that in June FEMA agrees with our specialist, and us, and we've come to an agreement, and then we could begin the construction portion out for bids; plan to let our businesses finishes out this summer, which has been discussed with the businesses; and in October start construction with completion being done by the end of May 2018. That is the best case scenario. Mr. Stevens asked if there a possibility of getting concrete pilings. Ms. Fellner that would be hazard mitigation issue. There is always a possibility, but there is no guarantee. Concrete piling is more expensive than wood. In this area a wooden pier will normally last 20 to 30 years, unless a big storm destroys it. A wooden pier would cost less and would not be such a big burden on the taxpayers. During that time, a proposal will be made to set aside a minimum of $150,000 annually in the pier fund for catastrophic construction, once the pier has repaid the general fund, and to also annually pay $50,000 for beach renourishment in the capital projects fund from the pier fund. Mr. Stevens said concrete pilings were mentioned because he went to Jacksonville Beach, Florida in 1973 and saw the same concrete pier during a visit this past December, even though Florida has had many significant storms since then. The pier has wood planks, but the pilings lasted for the past 44 years. Ms. Fellner said the point was well taken; she would love to see a concrete pier. When the time comes, the Mayor has promised that there will be public input meetings. There are many alternatives when there is money set aside for reconstruction. Twenty years from now, if the pier is destroyed, the town will be in a position to pay extra for all the hazard mitigation they want and to build a concrete pier. Then there won't be a burden on the taxpayers in the short term. I'm just asking you to keep an open mind. There are many possibilities here, and I know that council will consider them all.

Mr. Pellegrino asked from a financial aspect, that we need to keep in mind the town is responsible for 25-percent of the cost, if the town does get money from FEMA. For a wood pier costing $2 million, it would be a minimum of $250,000. For a concrete pier, it would be around $500,000. That is what council needs to consider.

Ms. Samples supported the recommendation for Hagerty Consulting. I am pleased to hear that they have been doing some local work. One of my concerns is that only local bid received was the highest bid, which was disappointing, because I really would've liked to use a local contractor. It does beg the question about the scope of work for these bids to be so different. I'm concerned about what was actually asked of them. There's a big difference between a $60,000 and $180,000 bid. Ms. Fellner explained the $180,000 bid was ranked fourth was because Thomas and Hutton is in Myrtle Beach, but they are subcontracting the work to ROSTAN. Ms. Samples said the responsibility and accountability was still local, and I liked that. Again, I support your recommendation, because of the price point. I think the
Mr. Courtney said I contacted Witt O’Briens and GP Strategies. Their concern about giving a bid was there was no scope of work provided. Ms. Fellner said there was a scope. It was in Exhibit A. Mr. Courtney asked for clarification. Ms. Fellner said there was an exhibit on the back of the last page that explained exactly what we wanted. They also had every opportunity through addenda to ask questions regarding the scope of work. That was in the bid, as well. We responded to everyone within the correct allotted time period, and the addenda were all posted on the website, as well. To just say ‘well, I didn’t understand the scope of work’ [is no argument,] because the name of who to call and the phone number were included in the bid package.

Mayor Childs said I hear what you’re saying, which is a great idea about putting money aside for pier reconstruction. Like Mr. Stevens, we all would like to see concrete pilings, because we know how long they will last. But, I also agree with Mr. Pellegrino. Hopefully, we can work it out. Everyone’s points were well taken.

All voted in favor to award the bid to Hagerty Consulting. MOTION CARRIED.


Mr. Stevens moved to appoint Ms. Terri Lauer to the Board of Zoning Appeals, and Mr. Jack O’Quinn to the Construction Board of Appeals. Mr. Ott second. All voted in favor. MOTION CARRIED.

H. Motions and/or Directions to the Town Administrator from Executive Session.

There were no motions or directions to the town administrator from executive session.

8. TOWN COUNCIL DISCUSSION

A. Proposed Ordinance to establish Saltwater Fishing Regulations, Administrator Fellner.

Ms. Fellner presented the decision paper and proposed ordinance, which are in file.

Ms. Samples said I have some real concerns about this. I’m very concerned about fishermen fishing in the height of our tourist season where we have thousands of people coming to use the beach and swim. I think it’s dangerous. I would certainly recommend that fishing be prohibited on the beach during the height of our tourist season.

Mr. Pellegrino said I disagree with Ms. Samples. We do have a lot of people that rent their houses to fishermen. With no pier to go to they will still want to fish. Obviously, there is a safety issue, but I think we should look at some compromise where they have morning fishing or something to that extent. If we prohibit surf fishing for the entire season with no pier, we’re going to lose customers for the rental houses. I guarantee it. When you watch renters taking five to ten fishing rods out of their cars, you know they want to go fishing. I would not agree on any fishing ban during the tourist season, but possibly some time limitations.

Ms. Fellner said she could look into it as there may be some regulations by the Department of Natural Resources (DNR), since it grants saltwater fishing licenses. We may have to have some places to allow fishing, but I don’t know that for a fact.
Mr. Courtney said this is a very tough decision. When the pier went down we had surfers out there, and people fishing. We had swimmers out there; tourists. I’ve surf cast for a long time, you have to be careful. When you have swimmers and surfers out there it could be a problem. It could be a liability issue. As it stands now, we have a pier that we have no swimming within 300 feet of each side of it. I have watched kids surfing where fishermen were trying to cast out. An argument occurred. It’s really a safety issue that comes down to liability. If someone gets hooked, it’s a liability issue on the town. I think we should really be cautious about this. I understand the fishermen have the right to fish, and the surfers should be able to surf. Kids should be able to swim, and our tourists should have a safe environment for swimming. I wish council would be cautious with this.

Mr. Ott said I agree with what everybody has said. I have an issue with the hooks being out there where people are swimming. Our main business is tourism. Taking two football field lengths, one on each side of the pier to allow for fishing means the town makes nothing on that. We used to make something on the pier, but now giving up 600 feet of our beach, we will make nothing. It is very dangerous to have fishing there, and like Mr. Pellegrino said they can fish after a certain time. But when we have our tourists here that is our main objective to cater to our tourists.

Mr. Stevens said I have a lot of mixed feelings on this. One is we have a lot of fishermen in town. We have fishermen that visit here. They are tourists, too. They come here to fish on our pier. All those who were fishing off the pier will now have to fish off the beach. If we outlaw them, basically what we’ve done is we’ve outlawed our own citizens to fish in the ocean. Secondly, you had the police checking people for fishing licenses, which is not their job. That’s the job of DNR. Thirdly, I understand about surfing and fish hooks. As a fisherman and former surfer, it’s something that we need to look into a lot better. I would like some legal opinions. Right now you’ve got no swimming within 300 feet of the pier on either side, right? Ms. Fellner said that was correct. Mr. Stevens asked if that was currently in effect. Ms. Fellner said it was not codified, so technically, it was not enforceable. Having said that, often times the police officers will tell swimmers to move along. Mr. Stevens said people like to go to the pier that is a central part of the beach where visit the restaurants in the area, and keep out of the sun. Keeping the people from swimming causes a problem. I’d like to see some compromise where we can designate an area for fishing only just like we have for surfers. Fishing is part of our tourism.

Mr. Ott said I agree with you on a lot of that, but we also have the Garden City Pier, and until our pier is repaired; there’s also a Myrtle Beach State Park pier that people can go on. There are plenty of other spots where people can surf fish. I think the time would be good to let them early in the morning, late in the evening and since you’re a fisherman, you know that the fish only bite during certain times of the day. You can figure that out pretty well. We do have 100 feet on each side of the pier that I would be willing to give up. But, I don’t want to see any young children with hooks in their eyes. We don’t usually have casting on the beach. When we had the fishing pier there was none. You don’t have to go far away to find great fishing spots.

Mr. Courtney said I do agree with Mr. Ott about surf casting on the beach. It is different from the pier. I’ve been on the pier for many years walking in the middle of the pier and teaching my daughters to watch for those hooks to ensure there is no accident. When you are on the beach, kids will be running around, people playing games, and they won’t be watching for surf casting. I urge that the town checks how other municipalities regulate surf casting. Ms. Fellner said the proposed ordinance was modeled after the North Myrtle Beach ordinance. Mr. Courtney said my concern is safety. I have nothing against surf casters. But, tourists will not be familiar with surf casters and how to stay safe. I am not saying surf casters are reckless, but the glare of the sun and many other contributing factors accidents could happen and I don’t want to see that happen to our tourists or our children.

Mr. Pellegrino said the proposed ordinance states that surf fishing will be allowed before 10:00 a.m. and after 5:00 p.m. Is that consistent with Myrtle Beach and North Myrtle Beach? Ms. Fellner said I believe that is consistent with North Myrtle Beach. I’m not sure that it is consistent with Myrtle Beach.
Mr. Pellegrino said Myrtle Beach has several piers. Honestly, I’m fine with that. You say they can go to Garden City or Myrtle Beach; they can go rent houses there, too, instead of in Surfside Beach. I run on the beach all summer in the mornings. I see fishermen there all the time all through the entire summer. They leave before it gets crowded and that’s good. I would agree with before 10:00 a.m. and after 5:00 p.m. I think that is a good compromise.

Ms. Samples said this is going to be a temporary situation. Eventually, the pier will be opened and there will be a place to fish. My concern about assigning times is monitoring. The recommendation is that life guards, town beach service personnel and police officers do the monitoring of people fishing on the beach. I think that is asking a lot. We can’t get our lifeguards to enforce no smoking on the beach; no drinking alcohol on the beach. Requiring beach services personnel to do this will not happen. I think our police officers are pretty busy on our streets. I’m concerned about setting times temporarily, and having somebody there to monitor surf fishermen. This is why I suggested prohibiting surf fishing all together. It is a temporary solution. I’m more concerned about safety than I am anything else, which is why I made the suggestion to prohibit surf fishing.

Mr. Pellegrino asked if there were any restrictions now. Ms. Fellner said no. The procedure and past practice has been to have the lifeguard ask fishermen to move on to less crowded areas when people begin water activities. If the fisherman refuses, then a police officer would respond. Mr. Pellegrino said during the summer months when the beach is busy at two o’clock in the afternoon, you don’t see people fishing. Again, I think this is a great compromise. There are very few people on the beach before 10:00 a.m. and after 5:00 p.m.

Ms. Samples said that was when we had a pier. Now that we don’t have a pier, my concern is that we will see surf fishermen on the beach.

Mr. Pellegrino understood it was an enforcement issue, but I agree with trying to enforce more than just saying no fishing.

Mr. Courtney understood both Mr. Pellegrino’s and Ms. Samples’ points. I’ve seen where our season of lifeguards gets narrowed down as they go back to college. It’s very hard. Our lifeguards get spread out throughout the beach. There’s very little coverage. Now, I’m going to tell you for a fact that I’ve seen surf casting at three o’clock; two o’clock in the afternoon. The last time I was down there before the weather changed my kids were out there surfing, and the older kids were getting into an argument when they asked a fisherman if he could move down. One family had young ones in the water and they were surf casting over them. It turned into an altercation where the police had to be called on to the beach. We just don’t have enough lifeguards to police this. When they’re selling chairs, they’re not watching the water.

Mr. Stevens said being a fisherman he understands that one of the things to consider is that most people will fish some in the summer. The best fishing is usually in the fall and spring. I agree, again, that we don’t have the manpower to police all this. I don’t think the lifeguards would be able to do it and I certainly don’t think the police will be able to do it. I think we need to work out a compromise that will allow some fishing at some time of the year. We can always suggest they go down to other piers, but like Mr. Pellegrino said, they may stay down there, too, until we get our pier rebuilt. We would just be sending our tourists to another beach, and possibly losing a few of our fishermen to Springmaid Beach or other areas where piers are operational. We need to fill the town’s rooms up during the off season. I think this is something that needs to be studied really well before we take any action. I understand the safety factor. I know what it feels like to get hooked.

Ms. Fellner said all I’m asking tonight is whether council wants me to bring back an ordinance for consideration.
Mayor Childs said there are a couple more who would like to speak.

Mr. Courtney said I believe there's a solution to it. If we work on it, we can find out what it is. Zoning areas that could be used for fishing, swimming or surfing for the time being is just a suggestion.

Ms. Fellner asked if council would be amenable to having a workshop and inviting the public to speak and give input. Several members agreed. Ms. Fellner said the workshop would be scheduled prior to the first meeting in February. Mayor Childs asked the clerk to find out a convenient date for councilmembers and publish the date.

Mayor Childs believed that all surf fishermen were very considerate. They don't want to see anybody get hurt. I like Mr. Pellegrino's idea of certain hours during the day and I don't think any fisherman would object to that. I also agree with Ms. Samples. I've spoken with them personally and found that the lifeguards do not think they have the responsibility to tell anybody to do anything, including smoking, drinking, etc. If we get to that point, we should have Mr. Bigham who is in charge of the lifeguards visit so he can be instructed that the lifeguards do have that authority and they should help the town by enforcing its beach codes. The workshop is a good idea. We can hear fishermen's input, swimmers, surfers, and the general public.

Mr. Ott said if our business is tourism, if you have 100 fishermen out there, we have 10,000 people sitting on the beach. If you're thinking people are going to go to Garden City and stay because they can fish there; well, if you hook one little kid with a hook, there's 10,000 people going somewhere else.

Mr. Courtney said we also have to take into consideration the swashes; the outfalls where signs are posted from DHEC (South Carolina Department of Health and Environmental Control) do not swim. I believe it's a hundred feet. With that being said, there's very little room for all these activities. Food for thought.

B. Any matters of concern or information to be discussed.

Ms. Samples said I would like to talk about the pier, not that we haven't talked about that a lot tonight. I know that we are working on getting a consultant so that we can maximize the amount of reimbursement that we're going to get. I feel, and I am curious to hear what other councilmembers think, that we need to start discussions now on the pier, and what our intent is. Most importantly, because our pier is publicly owned, the pier belongs to all of us. We have talked in the past about having workshops so that the public can have the opportunity to provide their ideas, recommendations, and solutions. I don't see why we can't start doing that now. I would love to hear some ideas, because we need them. I have an idea of what I would like to see happen, but I don't know if it's going to be feasible or whether council would agree with it. I bet there are many citizens who have great plans and ideas. When this was brought up before, the Mayor suggested that we have a series of meetings for public input. I don't see why we can't start the public meetings now so that when we are ready financially, we can start the process right away and make things happen quickly.

Mayor Childs said I totally agree with Ms. Samples. I've asked if we can have three public meetings. If you can't make the first one, you could possibly make the second one or the third one. I think Ms. Samples has a great point. Let's go ahead and get these workshops scheduled to find out what we all would like to do. One factor is the amount of money we might have. But when we decide what we want, we can chop away if the plan is too dreamy. She's right, it would stop any further delay. I think even in the best case scenario that the pier will be finished as soon as we think. I think FEMA is probably loaded up right now with all the damages that were done. I'm sure that the town's pier might not be on the top of its priority list. I would like to start the meetings. I hope that council would agree
to schedule the workshops, possibly one a month to give the public plenty of time to think and plan to attend.

Mr. Courtney agreed with Ms. Samples that we do have to act now, and start moving forward. Again, this will take some time. If we start now we'll get a lot further. Putting it off and waiting for another year or two, it will still have the pier hanging off at the edge.

Mr. Stevens agreed with Ms. Samples. We definitely need to get started on the pier. I thought we would've already had a meeting by now. It is our focal point for the town. We need to find out what the citizens want. I'd like to get citizens’ feedback as soon as possible.

Mr. Ott said you have my consensus on this.

Mr. Pellegrino said yes, I agree a hundred percent. We do need ideas. We’ve talked a lot over the years about how to make the pier a destination; something that people staying in in Myrtle Beach or Garden City would want to come visit. We honestly haven’t come up with any great ideas; some ideas, but not great ideas. We do need you help coming up with great ideas.

Mayor Childs thought that the workshops should be scheduled after the meeting in Columbia that is the end of the month. Ms. Fellner said the workshop for the proposed fishing ordinance would be on the same day as the first meeting in February before the regular meeting. Later in February we can start the scheduling for the pier workshops in the succeeding months.

Council CONCURRED.

9. PUBLIC COMMENTS – General Comments. (5-minutes per speaker)

Ms. Holly Watson, North Oak Drive: There are several bridge building companies in this state and nationwide that do design builds. All I need to know is how long you want the pier. There’s also some associations where concrete or cement manufacturers are involved with. We can put an ad in the association to ask for ideas and presentations. I think that a concrete pier would be much better than a wood pier. I understand that FEMA will only give us what we had before as far as the allowance for money. So, when we take bids, we should ask for a bid on a wooden pier so that we can get our money back from FEMA reimbursement whatever for that amount. But, I really believe with all the problems we’ve had with this wooden pier, all the maintenance money that we’ve spent and everything else involved with it, and this is twice now that we’ve rebuilt this pier. So, let’s see if we can’t go for something that’s a little bit more stable. Something that will be there for many, many years. You still see a lot of old concrete bridges that are standing all over where they’re old. They were built in the 30’s and 40’s. They’re still viable. That’s for vehicular traffic. You know that there’s all kinds of things we could do with the pier. There’s floating piers. There’s concrete piers. To me, I would prefer concrete.

Less maintenance, more stability, you can get insurance. So, anyway, I think that we ought to get design build firms to come in and give us proposals of what they are able to do. Then also go and look on our own to see what other cities are doing. There’s some Florida places that have concrete piers. It’s not impossible, and as far as some of our engineering in town, as well, bridge builders. There’s several of them that are design build. They work in water, and they’ve done bridges in water and that’s what they do. Okay. I just need the length of the pier. I’ll be glad to make the contacts for you.

Mr. Ray Miller, Portofino III Homeowners Association President: We’ve been in discussions with Ms. Fellner for the past four months about the damage to the bulkhead south side of 3rd Avenue South swash. We’d like to know when we’re going to have an answer, because every high tide makes that a little worse. A little more washes out from underneath from one of the houses. I’ve sent each of you a letter. Emailed each of you. Do I need to leave it to get it on record? Okay, let me start there. This is to the Town Councilmembers. The members of the Portofino III Homeowners Association wish to bring
to the attention of the Town Council a matter which has been unresolved for the past four months. A
matter which we believe will be brought before the council in a closed session on January 10th, 2017.
During Tropical Storm Hermine in September 2016 the southern bulkhead on the 3rd Avenue South swash
was undercut by the force of flowing water and washed away the ground behind the bulkhead and under
the carport of 311-A South Ocean Boulevard, one of the ten homes in Portofino III. A few days following
the storm we went with Micki Fellner and John Adair at the site and were told that the bulkhead was on
Portofino III’s property, and that the town would not be responsible for the repairs. We strongly
disagreed with that conclusion. Several weeks later during Hurricane Matthew, the bulkhead actually
came apart and more ground was washed away behind the bulkhead and further compromising the
home at 311-A South Ocean Boulevard. In the months that have passed since our first meeting with
Micki Fellner, we’ve had several more meetings with her to try to convince her that the bulkhead could
not possibly be the responsibility of ten Portofino III homeowners. She is now bringing the matter before
the Town Council. Our research on this matter has uncovered documents which support our position.
We have discovered a plat from 1995 which clearly shows a five foot easement on the south side of the
bulkhead. We are also in possession of the 1995 letter on the Town of Surfside Beach letterhead which
states that the builder of the Portofino III community that until the easement is granted to the Town the
project cannot go forward. The project went forward and the houses were built. The longer the repair is
delayed, the worse the situation becomes. Every high tide washes a little more of the ground behind the
bulkhead. The washout is slowly working its way east where it will be soon compromising the parking
lot. Another storm would be devastating. The rental season will soon be upon us and the damage to
311-A South Ocean Boulevard makes the rental of that home impossible. It has been four months since
the initial damage. We find it hard to believe that the town expects ten homeowners to be responsible
for a bulkhead in which the town diverts millions of gallons of water annually. We believe it is time for
the Town of Surfside Beach to step up and do the right thing. The longer that repair is delayed, the
more costly the repairs will become. We are hopeful that the town will begin the repairs quickly and that
we will not have to resort to legal action, which would only increase the cost for all concerned. Time is of
the essence. If any of the board members wish to meet with us at the site and first hand go [sic], the
damage of the bulkhead, we’re more than willing to do so. And, here we are. So it’s been four months.
We have a copy of the easement here, and it states that the town of Surfside shall have the right to dig
ditches, channels, and to take other such actions as necessary to ensure the proper
operation of the drainage facility located on the grantors’ property as described herein. I find it difficult
to believe that the Portofino III Homeowners Association could be responsible for that bulkhead. The
bulkhead was there prior to those homes being built. According to what we have here, I don’t
understand what the problem is. I really don’t. How by those homes being built we’ve somehow
inherited the responsibility of that bulkhead. I can’t see the town putting the responsibility on ten
nonresident homeowners to keep that water flowing through (time ended) that swash. I don’t know. It
just doesn’t make sense to me. I know you guys met earlier tonight. This was discussed, hopefully.
We’re just looking for a definitive answer so we can proceed or not proceed, because we cannot accept
the responsibility for this.

Mayor Childs asked Mr. Miller to keep in touch with Ms. Fellner, as she was the person to speak
with about this situation.

Mr. Rob Ganassa, Portofino III homeowner: I’m not an attorney, but Mr. Miller and I went over
to the courthouse, and I do have some documents for you, in case you haven’t seen them. (Mr. Ganassa
distributed copies of letter and survey, which are on file.) This is a copy of the plat with the easement
before any house was built, Mr. Mayor. A copy of the letter from Surfside Beach to Scalise Properties. I
hope you’ve all seen these, but if you haven’t, these are copies. You’re welcome to keep them. Mr.
Miller, I think, did a fantastic job explaining how we’re just in shock and awe how ten homeowners can
be responsible for all that water coming through the swash, and time is of the essence. The gentleman
is not here who owns the house that is in jeopardy. That area where the bulkhead was compromised
further, we also took measurements. The measurement was originally 20 feet by 5 feet wide, six feet
deep. Under the man’s concrete carport sand has been washed out. It is now up to 35 feet long, still 5
feet wide, six feet deep and half way under his carport. So the more time goes, this man’s house might start going into the water. To think that these homeowners are going to be responsible for this; one,
you’ve got to think about a couple of other things. If I may just kind of brainstorm, who’s ever going to be able to buy, sell one of those houses with some kind of liability over your head that you’re going to be responsible for some swash and the bulkhead? It’s never going to happen. So, the next thing is somebody is going to say well, why am I paying $14,000 a year property taxes when I can’t sell this house for half of what I paid for it? So, the next thing you know there’s less revenue for the town. It’s just not a very good situation. My experience in the 12 years I’ve been an owner is Surfside Beach has been nothing but fantastic. I mean, what a great place. I preach to everybody. Listen here to you guys, great comments back and forth on everything. But this is just absurd. It’s absurd. We, I’d like to know when we might expect some decision from you, and then what you base it on, if we need to get counsel. But, we tried to do it ourselves, but over at the courthouse trying to find things, but this has got to be solved before the rental season. This man, he’s livid. I think one or maybe more of you have spoken to him. But, he’s a West Virginia owner, he just can’t make it all the time to come to these things. So, any questions for me. Mr. Stevens called for the floor. Mayor Childs said no, this is not the time to do that, Mr. Stevens. I’m sorry, sir. Mr. Ganassa: How would we proceed, Mr. Mayor? Mayor Childs said he should keep in contact with the administrator. She’s the one you want to contact. Mr. Ganassa: She’s been wonderful, very helpful. But, you all make the decisions. Mayor Childs said Ms. Fellner is the council’s contact, also. Mr. Ganassa: Okay, no idea of time tables? Are we going to just keep waiting another month; two months? Mayor Childs asked Mr. Ganassa to meet with the administrator. We’ll do everything we can to expedite things. Mr. Ganassa: Okay, thank you very much. Let’s make it a great year.

Frank Farrino, South Ocean Boulevard: We love Surfside. Been here for 20 years. I was instrumental in getting the other side of the swash, okay, where you guys did a fantastic job with those blocks, okay. At the time, I spoke to John Adair and I said why don’t you just continue it, okay? Those beams are rotten. They’re falling apart. It’s a hazard. You’re talking about hazards with fishing, et cetera. That driveway is ready to collapse. It’s right here on 3rd Avenue up the street. Take a ride; take a look. Park in the lot and see. I wouldn’t want my kids even on the cement. You know, we all pay taxes; a lot of taxes here. You’re talking about little bar-b-ques. We’ve got $14,000 in taxes every year on these houses. Am I, am I preaching to nobody here? You know, just get out and look. It’s your swash. This doesn’t make sense. That’s all I’ve got to say. Please, this is mine [sic.]

Ray Horoho, South Ocean Boulevard: (**speaking as he approached the podium) ...although I do feel their pain, and if it were me I would probably be as passionate about it. First off, [this is] my first Town Council meeting, and I appreciate all that the town does, and all of your support. [It’s] a wonderful place. We’re going into our sixth season here in Surfside, so we’re relatively new. But, I just had two observations, and a question. First, I think when you were talking about the permits and the $19K, perhaps you were talking past each other, because I bet cha [sic] if you look into those permits, the engineering firm is getting a small piece of the money for facilitating the application. But, the permit is being paid to whoever is letting the permit. I’ll bet cha [sic] the two pieces equal the $19K and the engineering firm is taking far less $10K, but I do appreciate Mr. Stevens’ concern that we have clarity on that. Second question from the meeting that entered my mind was the increase in cost on the Blue Cross/Blue Shield for the employees. If I got that right, you add the two pieces together and it’s about a 6-percent increase in the cost of that health care for a year. I wondered if there was any pushback or any analysis done on whether or not there was an increase in claims filed by the employees. Whether our employee base entered into a higher risk population by way of age. We added more employees. Because, I think in this day and age of negotiation, I know from personal experience in business there are companies that are actually negotiation down their premiums based on cultures of health. So, I just wonder if we just took that 6-percent as hey, this is it. Here’s your increase or did we, do we have any leverage there? Finally, and I’ll try, if I’m in town to attend some of the meetings on the fishing, but this is purely anecdotal, but in subsequent seasons since we’ve been here, at least on the 8th Avenue entrance to the beach, we’ve seen an increase in the sightings of sharks. The more you surf fish off of a
pier [sic], the more you’re drawing the sharks in. Excuse me, off the beach. I know that we would
take the kids down, younger family members to the pier, because you could watch the sharks swimming
around the pier, and so I think amongst the safety risks you have to ask yourself are we going to create
more of problem in that regard. Again, I thank you for your attention and all your hard work on behalf of
us.

Ms. Terri Lauer, Harbor Lights Drive: Good evening, again, I would like thank council for all your
support and all that you do. One thing that I want to mention that this gentleman just did is the sharks.
Pier fishing, we all know. I’ve taken a picture of shark. A fisherman catching a fish, and a shark jumping
up getting it. I saw that and I am worried about the sharks with children on the beach. We’ve lived here
only five years, and about last year, my husband and I went to Charleston and at that time there was a
food festival; food truck festival, which was amazing trying different foods and stuff. So, I was
wondering at the bar-b-que if that ever came up to ask the food trucks to come in. They would pay $75
to come here. I increase the revenue and the town getting different kinds of foods to taste. It worked for
Charleston. It was a neat thing to experience. So, maybe the Town Council and Ms. Ellis could consider
that. That’s all I have to say. Thank you again.

Ms. Sandra Bundy, Surfrider Foundation: I’m not here to ask for anything. I’m here to offer
something. I’m a volunteer with Surfrider Foundation Grand Strand Chapter. In case you don’t know
about Surfrider Foundation, our mission is to protect, the protection and enjoyment of the ocean's waves
and beaches. I wanted to talk with council a little bit tonight about some of our campaigns that we have
coming up that might just benefit the town. One of the programs, we have an ocean friendly garden. It
seems like during [Hurricane] Matthew especially there was a lot of flooding in the area, and that
program is based on conservation permeability and retention, so that ocean friendly garden program
we’re looking for some sites, and if any homeowner tonight might be interested, we’d love to talk to them
about it. We’re getting ready to our first school project at Seaside Elementary. Our next program that
we’re getting ready to roll out is ocean friendly restaurants. That is meant to help us reduce the plastics
getting into our ocean. So one of the things that we’re going to be approaching the restaurants in the
area and try to get them certified as ocean friendly if they have recycling programs, if they do not use
Styrofoam, and that they serve straws by request only. Those are just a few of the things. But, we
would love to have the support of the community. Thank you very much.

Ms. Fellner said before council comments started she would like to report that Mr. Adair just sent
a text message saying the town received $225,000 from CTC tonight.

10. TOWN COUNCIL COMMENTS

Mr. Ott: I want to thank everybody for their comments. We do appreciate everybody’s input. I
do, especially. And things that go on in the town, we try to handle as much as we can. There are some
things that we're restricted from at this moment. Thank you for these papers. I appreciate it. I didn’t
see those before. It’s a new year, and I hope everybody has input for us as we’re going to rebuild that
pier. Thank you again for coming out. It’s good to see everybody.

Mr. Courtney: Yeah, I’d like to thank everyone for coming out. I like the idea of the food trucks.
I think it’s a good idea. We had spoken very clearly with the problem we’re having with the fishermen on
the beach surf casting, surfing and the swimmers. So, we will address that in a workshop to get more
detail into it. As far as the Surfrider Foundation, I was paying attention. I did receive an email, and I did
contact five local grocery stores. I reached out even to Dollar General; talked to the corporate office, and
it’s really based on what the local community wants to do with it. Pretty much what it comes down to is
they’re willing to go along with the community. There’s many communities throughout the coastal areas
that do this. The cost does impact the consumer. Plastic bags go for a penny. Paper goes for five.
Trader Joe’s uses a different type of paper, which is a little bit less. But, it’s something that we should
look into to keep the garbage [controlled.] It also helps keep our storm drains free of debris. These are
great ideas. I really appreciate the input from everybody. It's not easy. We're faced with a lot of tough things coming up. It's going to be a hard year this year. But, we're going to work together as a community and we're going to make it happen. I really thank you for coming out. See you next time.

Thank you.

Mr. Pellegrino: Thank you for coming out tonight. Thank you for the good input. Certainly we all learn a lot when you guys speak to us with your ideas and concerns. Thanks to Ms. Ellis for Breakfast with Santa. My son enjoys it thoroughly every year. Talking about our events, that's an ultra-organized event. I don't know how many of you have children, or grandchildren, who are involved with [Breakfast with Santa;] but it is very well done. Very organized. And, there's a really good Santa, too, so that helps. Certainly, ideas for the pier, I mentioned that. We need your ideas. We need some good ideas. It would be great if people saw our new pier as a destination and came and ate dinner at our pier from Myrtle Beach, and came and ate dinner from Murrells Inlet to bring new people in the area and see how great Surfside is so they can come vacation here, possibly live here. Other than that, we have a lot of things to follow up on and we will follow up on them. Happy New Year, and I hope this is a good year for you. How about those [Clemson] Tigers!

Ms. Samples: Thank you, Mr. Mayor. Ms. Bundy, I am a supporter of Surfrider Foundation, and I certainly support your campaigns and wish you all the luck in the world. Ms. Lauer, I love the idea of food trucks. We talked about it during the 50th Anniversary planning, and I would love to see us have food trucks come into town at a number of events. Maybe we could have a food truck event. I don't know. I did not get your last name, I'm sorry. (From the audience: Ray Horoho.) Mr. Ray, I appreciate your comments, and without responding to you directly, I know that our administrator has that information available and can certainly share with you. She's our point of contact. So, I encourage you to talk with her. The gentleman that took the time out of your busy day and your vacation to come speak to us about Portofino, we were briefed tonight, and I do have some concerns. Hopefully, Ms. Fellner will share with you the up to date information that we have. But, I do not want the night to go by without acknowledging that you were here and that you have some concerns, and that they are certainly validated. The most important thing, I think, tonight was the presentation of our CAFR, our audit. Clearly, this council has been operating effectively and efficiently when it comes to monies. That is due in large part to our staff. Ms. King, Ms. Fellner, thank you. Some of the notes that I've put together that I would just like to refresh is this: the CAFR, the audit, was good up till June 30th of [2016]. Things have happened. We had a hurricane in since then, so some things have changed. But basically, leading up to and including this past year, this town has paid off a bond, roads, the building of a police department, we've paid paved (scrivener's error) roads, we've purchased land, we've updated and/or replaced equipment and vehicles, we reduced the debt and we set aside funds for beach renourishment. We also assigned three mills to capital replacement, which is what helps us replace our vehicles. We set aside two mills for stormwater. As of July 1st of 2016 in our general fund, as you saw up here [on the PowerPoint], unassigned funds we show $1.8 million. Hospitality $600,000 plus. Accommodations $140,000 plus. Disaster recovery program, we have $400,000 sitting there. Capital replacement fund, we have $400,000 plus. Capital projects $200,000 plus. We pay over a half a million dollars just in retirement for our employees. Since the CAFR, we sent off $1.3 million for beach renourishment. Moving forward, we had a hurricane. We have a pier to rebuild. We have swashes to repair. We need to maintain our level of services. Keep our current infrastructure maintained and operational, and anticipate this year's potential next hurricane. So, having said all of that, and we got our audit the very end of December. It was great timing because I was able to spend the holiday reviewing a lot of this information, and again, we've been operating effectively and efficiently. The numbers don't lie. But, we do have to be prudent in our spending from this point forward. We have a lot of things coming up. I am confident in this council's ability to make some tough decisions along with the support of our staff, which I think are unmatched in their abilities. So, I'm looking forward to the next year. I'm ready to get to work. I know my fellow council people are ready to get to work. We ask for your support, your input, and your patience. We are fallible. We don't always have the right information. I can assure you, though, we all want to do the right thing. There's not one of us up here who doesn't want to do the right thing. We just need to get
Mr. Stevens: Thank you, Mr. Mayor. I’ll agree with everything Ms. Samples said. She made some good points. One thing we have to do as citizens, for you as citizens, is we have to watch your money. We have to make sure that we’re financially and fiscally responsible. We’ve got money, but we don’t need to blow it. We don’t need to throw it away. We need to watch our dollars and cents. We need to make good deals. We need to be more active in making the best deal possible for all the citizens in town. We’ve got a pier that we’ve got to rebuild, and that’s going to cost a lot of money. I look forward to hearing your input and getting all the information that you think we should do for the pier. We’re only seven people up here. We’re not all here tonight, but anyway, we’re seven people that listen to you and that’s our job; to listen to you and get that information from you. There’s a few things we have to live with. You may not know this, but this is a little history about this area, and in the 1970’s the world’s largest tiger shark was caught off the pier at Cherry Grove Beach not far from our area, 1,780 pounds. We’re going to have sharks no matter what we do. They’re out there. That’s the ocean and that’s where they live. I don’t want to see any of them bite anybody, but unfortunately, when you have piers, when you fish, when fishermen go out there, sharks are going to be around. Wish we could do something about it, Ms. Lauer. (**) we are. As far as the lady that came up here, I like what you said. I hate to see plastic in the ocean, and plastic polluting the rivers. As a sportsman, I like to go out and fish in clean water. I don’t like to see things floating up and down the river or on the ocean. It’s one of things we like; our beaches are important. We have things like the turtles, Loggerhead Turtles, who come and nest. Those type things we have to appreciate. We’ve got a nice little beach here. I appreciate the folks from Portofino giving us the information. I’ve got your information. I’ll definitely look over it. I wish I had some more information on that, but I don’t. I hope that everybody had a good Christmas, and a good New Year. For the [Clemson] Tiger fans that are out there sitting in the audience, I’m a [South Carolina] Gamecock by the way, congratulations. Congratulations. Hunter Renfrow from Socastee High School, where my daughter went to school, caught the touchdown pass. You should be very proud that a local fellow won a national championship for a school in South Carolina. I Mr. Pellegrino said that’s he’s proud, because he’s a Clemson alumni. I pulled for Clemson, by the way, even though I’m a Gamecock. Congratulations. Thank y’all for coming out. It’s so good to see a good crowd. A lot of people are here. We like to hear your opinions. We like to hear your ideas. So, please come to our workshops. Let us know what you want. The best way we can help you is you helping us by telling us by telling us what you need. Thank you for coming out. Have a good evening.

Mayor Childs: I just had a couple of comments. One, for the first time since I’ve been here, the county is actually taking notice of the plastic bags. I’ve never heard it before. But it’s come up in conversation over the last few weeks. I’ve read a couple of things. I think we’re getting closer to what you want for the first time. Ms. Lauer, I think you’ve got a good point. Sharks are like dogs, like any animal. They’re going to go where the food is, and certainly if you draw them there, and I think we’ve all been on the pier and seen the sharks looking for when they are throwing things over. So, that is something to take into consideration. For everybody that heard the administrator just before we started talking about we have some from the County Transportation [Committee] that is to do 3rd Avenue South. What we want to do is we want to try to mirror Surfside Drive for the businesses over there. It’s really a kind of worn area. Almost looks like a third world country, really. So what we’re going to try to do is try to organize the parking, stormwater, lamp posts, and everything so they can really feel like they are a part of the business district. It’s going to really be a nice area. I know the businessmen over there for some time have asked the town when the town is going to do something about this 3rd Avenue. So now we pretty much have what need money wise. We need a little more, but we do have a good start. Our State Senator Cleary was a big, big help in getting $100,000 to kick off the project, along with our District 106 House Representative Russell Fry. So we have to thank them, too, for the first $100,000. Mr. Adair was able to get the other $225,000. We’re doing good. We’re starting off well. I agree with everything Ms. Samples said. We are doing good. I think we just have to watch where we go. We’ll probably, I would think we’re about the only town or city in the State of South Carolina that is as well off
as we are considering we are a beach community and we have to tolerate storms. We're really doing good. We have a little hiccup here and there. Things that maybe we can improve on, but we do try, this council tries to improve and we spend a great deal of time every day and every week. We don't just come in here a couple of nights a month and that's it. The time that these councilmen put in during the week, most everybody has no idea of the amount of meetings, the night meetings, we're meeting tomorrow night at six. It'll probably run till nine; get home at ten. That's quite often, so they really are working hard for you. We'll just keep things going well. Thank all of council for everything you did. Thank you for tonight. I wish everybody a very Happy New Year.

Ms. Samples reminded the public of the sign workshop on Thursday, January 12th at 6:30 p.m.

Mayor Childs said notices are published for the various meetings and workshops. He encouraged everyone to attend the various board, commission, and committee meetings, because those are other venues where the public can offer input. Your neighbors make up the members of the various committees. They have the same concerns you have. They are looking for input. Again, he encouraged everybody to attend all the meetings. The sign ordinance is very important. There have been many complaints about it, so we would like to have your input.

11. ADJOURNMENT.

Mr. Ott moved to adjourn the meeting at 8:53 p.m. Mr. Courtney second. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

_______________________________________
Debra E. Herrmann, CMC, Town Clerk

Approved: January 24, 2017

_______________________________________
Robert F. Childs, III, Mayor

_______________________________________
Ron Ott, Mayor Pro Tempore

_______________________________________
Mark L. Johnson, Town Council

_______________________________________
Julie M. Samples, Town Council

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Timothy T. Courtney, Town Council

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David L. Pellegrino, 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, and not intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local media and interested parties via the town's email subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org and the marquee.