Executive Session - 5:30 p.m. Mayor Childs called Town Council to order at 5:30 p.m.
Tuesday, May 23, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to
discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an
employee. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino,
Samples, and Stevens were in attendance. A quorum was present. Mr. Johnson moved to enter executive
session at 5:30 p.m. Mr. Ott second. All voted in favor. MOTION CARRIED. Mr. Stevens moved to
reconvene regular session at 6:14 p.m. Mr. Pellegrino 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 Item 8.I. and Mayor Childs declared the session adjourned at 6:14
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, Johnson, Pellegrino, Samples, and
Stevens were in attendance. A quorum was present. Others present: Administrator Fellner; Town Clerk
Herrmann; Finance Director King; Fire Chief Otte; Planning Building & Zoning Director Morris; Interim
Police Chief Hofmann; and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Reverend Jeff Wood from
Oasis of Hope Church gave the invocation. B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. PUBLIC HEARING on Ordinance #17-0845 to adopt Fiscal Year 2017-2018
Municipal Budget. Mayor Childs opened the public hearing at 6:31 p.m.

Ms. Holly Watson, North Oak Drive: I’d like to urge you to send this back to the drawing board. I
was in attendance at the budget meeting. The reason I’m asking for this is because at the budget
meeting we had several typos and things that were on the wrong lines, and there things that were
missing. There were people that were missing. There was engineering charges that were missing on
projects and I would like for all those items to be cleared up so that you could get an actual picture of
what you’re looking at. I would also ask that all of your capital projects, when you get grant money that
your projects meet the amount of your grant money; not exceed it to begin with. Don’t plan on spending
500,000 on the 3rd Avenue promenade if you only have grants worth 350 from the get-go. Tell your
engineer this is what you have. That’s all you have, and match the job to the monies that you have.
Don’t start off saying well, I’m gonna throw another 150,000 in there just because, well, I think it might
take. Stick to your budget. Stick to the money that you have. The same with the Myrtle swash culvert
bridge. We have a grant for 500,000, yet in the budget you’ve budgeted 625,000. As we all know, you
approved those 155,000 on the swash and it ended up cost a 170. So, please try to stick to a budget.
That’s what the word budget means is we have this amount of money to spend and we’re trying to get
our work done for that amount of money. The other thing is when I asked about the road paving
engineering costs, I got well, I think it might have been or I think it was, so can we narrow that down so
you know what you spend or what you plan on spending on the road paving projects. The contractor’s
price was 614 that did not include the engineering cost. So you really don’t have a correct number there.
I was there at the budget meeting also when you looked at the planning and zoning department. The
budget writers left off an entire person, and what’s so, then when you have a budget and you left off
personnel then that’s not really correct. The last item, and I don’t want to take all of your time, ‘cause I
don't wanna go line item by line item, however, I was very disappointed that this for the second year when you met on the budget workshop you did not go line by line. Everybody has to go line by line. If you don't you'll never get anything ironed out. The other thing I'd like to remind you of is we're trying to rebuild our pier. I don't want to see funds taken from our pier fund and put over into beach renourishment. It needs to stay with the pier. It doesn't need to go to beach renourishment. You're also giving grant money away through an a-tax fund that needs to be used for the pier. We don't have money to give away on grants this year. There's $27,000 in grant money that you awarded to somebody. One of 'em 6,500 that you're giving to a foundation that turns around and gives the money back out. So they've given away $100,000 in scholarships. They don't need the money. They've got 30,000 in the bank. So cut it off. We've got a pier to rebuild. I agree that some of our personnel are underpaid. Some of our personnel might be overpaid. You agreed to do a 3-percent COLA. Unfortunately, when you considered that you considered it because we had an increase in the employees’ either retirement or insurance account. My question to you is since that's a 4.2-percent increase instead of a 3-percent by the time you add in benefits, did you consider that the next time our insurance renews that the employees will again be hit with a raise in their insurance or their retirement? And, instead of it being a taxable COLA, might you consider to pick up that increase in cost in their insurance or their retirement, save a workers comp increase and your payroll taxes and insurance. Thank you.

There were no other public comments. Mayor Childs declared the public hearing closed at 6:37 p.m.

4. AGENDA APPROVAL. Mr. Stevens moved to adopt the agenda as presented. Mr. Johnson second. All voted in favor. MOTION CARRIED.

5. MINUTES APPROVAL. A. Budget Workshop April 27, 2017, and B. Executive Session and Regular Meeting May 9, 2017. Mr. Stevens moved to adopt the April 27 budget workshop as presented, and the executive session and regular meeting minutes of May 9th with a correction to delete lines beginning at Line 480 beginning with “amend” through Line 501, and also lines 549 beginning with “’the planning,” through line 568, and replacing both with the following (Mr. Stevens gave his printed document to the clerk for filing with the May 9th meeting minutes): (Verbatim) ADD G: IF IS ASCERTAINED AND DETERMINED BY A PROFESSIONAL SURVEY BY A LICENSED LAND SURVEYOR LICENCED TO DO BUSINESS IN THE TOWN OF SURFSIDE BEACH OR A LICENSED ENGINEER OR LANDSCAPE ARCHITECT; OF A RESIDENTIAL PROPERTY OR COMMERCIAL PROPERTY THAT THE FOLLOWING CONDITIONS ARE PRESENT AND THESE CONDITIONS ARE PRESENTED TO THE DIRECTOR OF THE BUILDING DEPARTMENT AS DOCUMENTED. 1. That a tree, be it a Protected Tree of Landmark Tree, cannot in anyway escape the building footprint of a Residential Building or a Commercial Building by Movement of the building in any direction, and that Protected or Landmark Tree, would prevent the land from being used either Residually or Commercially by the owner, builder or contractor; then the following will take place. A) The Director of Building and Code Enforcement Official Shall Verify the Survey Data by the License Land Surveyor, Engineer or Landscape Architect as Factual. B) The Owner, Builder or Contractor Shall Not Be Required to appear before the Board of Zoning Appeals and the Director of the Building Department and Code Official shall issue a release excusing the Owner, Builder and or Contractor from the BOZA Hearing. C) The Owner, Builder or Contractor Shall plant at a minimum 4 trees, with at least two shall be the same Species as the Landmark Tree that was removed. The Trees that are planted as replacements shall meet the guidelines set forth in SECTION 17-725. Tree replacement For Permitted Tree Removal of Ordinance 17-0389, and shall be planted prior to Final Inspection and Certificate of Occupancy are issued. Mr. Courtney second. Mr. Ott commented that the amendment did not address what would happen if the owner wanted to install a swimming pool. Mr. Stevens said that was correct; he did not intend to address swimming pools in his amendment. Mayor Childs, and Councilmembers Courtney, Johnson, Pellegrino, Samples and Stevens voted in favor. Mayor Pro Tempore Ott voted against. MOTION CARRIED AS AMENDED.
6. PUBLIC COMMENTS - Agenda Items Only. (3-minutes per speaker)

Ms. Ann Wescott, Cedar Drive North: You all should've gotten a copy of my comments. So basically, I’m just reading this so the people I the audience will know what I’m talking about. I’m speaking about Item F, Resolution 17-181 to authorize the execution of an agreement to participate in Horry County Home Consortium. This agreement is not about helping our current low and moderate income Surfside Beach citizens. A careful reading indicates this is a dangerous subterfuge. Those who leave near a vacant lot should be especially concerned. Will you at least stop to consider what this actually means? We will have no say in our zoning laws. A high-density, low income unit, re: project like those in big cities can be constructed anywhere in town. I worked for many years to have the choice to live in a town like Surfside. Signing this agreement will have consequences the people of Surfside Beach have not been made aware of. Thank you.

Mr. P. L. Mabry, 15th Avenue North: This agreement you’re talking about here is agreeing to allow Section 8 housing zoning ordinances here of which we have no real control over. You need to make a much considered choice before you jump on this boat here, because once you start jumping over deviating from our zoning ordinances, will you be in deep water and you cannot return. What are we gonna gain by this? This is gonna devalue our properties here in town by allowing the Section 8 housing. You may not want to admit to it, but I built hundreds of units and I see ’em be trashed every day. Hundreds of ’em. You can't imagine what it's like to go back after you built, let’s say a nice project at the time, and then it’ll be tore up and look like you never even built it. It looks like a trash heap there. The toilets will be torn out and be sitting in the front yards. You have no idea what you're fixing to allow here in Surfside. It will not; we will not gain anything by it, except destroy our zoning of which we worked hard to have a good zoning here in this town. I’ve been here for 50 years, and believe me, we have a wonderful town here and we need to keep that way. Jumping around our planning and zoning, you’re gonna devastate our whole town's price values, if you’re scared to say it. I guess you could say it that way. But we; what are we gonna gain by this? That's what I haven't heard anyone say. What we would gain? There is no gain by this. Thank you.

Mr. Laurence McKeen, 6th Avenue South: For those of you who don't know me, I am a scientist, PhD scientist. I worked for DuPont for over 35 years. What I want talk about is a lot of the discussion I've heard about trees and stormwater. There's a lot of misconception. What I thought I do is I'll walk you through a little example of how trees might; how trees claim to affect stormwater. We've heard with the planning and zoning commission, and we heard from other people that a tree will pump 100 gallons of water a day out of the ground, and return it to the atmosphere. That's a large tree. Well, if you consider my lot is a pretty small lot, but typical for Surfside Beach. That hundred gallons is according to the EPA. So my lot is 7,576 square feet. When one inch of rain falls on that lot, you know how much water that is? I'll tell you; it's 4,722.7 gallons of water. If you have a tree that going to take 100 gallons of that 4,000 gallons out of what's fallen that's minuscule. I'd need 50 trees on my lot just to cover a one inch rain. So obviously, when you get a rainfall that has caused us flooding like Hurricane Matthew, which I measured eight inches of rain, and the rain event of the year before when I measured 18 inches of rain, there is no way that water is going to be affected by trees. It's not going to be affected at all. It’s only affected by what goes in the ground, and that's called percolation, and what runs off, and that's what we see in the flooding. When you get that eight inches of rain, if you think about how many gallons that is, it's 50,000 gallons of rain on my property. Twenty houses; that's a million gallons. Where is this water going to go? It's gotta go back to the ocean. We should be doing everything we can to get it to go back to the ocean quickly, because in those flood events that's the thing that's going to save us. We put a lot of trees in that's going to slow the water from moving towards the ocean. We're gonna have flooded land much longer if we have a lot of trees. So, I just don't think using that argument about trees are affecting directly flood (time ended) waters should be accepted because it's not true.

Ms. Betty Lowery, 4th Avenue North: I’m not a scientist. You know that I’m on planning and zoning, but I’m not speaking for the committee. I’m speaking for me. That group of people are probably
I have notes here, but I can’t talk from notes. I can only tell you what I know. Over the last two weeks for whatever reason, I keep running into people who are talking about trees, and it’s not the topic of conversation. As a matter-of-fact, Sunday afternoon I met a lady at a party, a shower. She lives on International Drive. She’s been there for about 20 years. She said she had come home from work one afternoon and a section of land had been clear cut there for apartment buildings to go up. In the 20 years that she lived there, they never flooded. This year they flooded. When Deerfield was built they complained. They said it was all Surfside’s fault they were flooding, because we have all those buildings over there, storefronts. It never occurred to them that they were living in what used to be a swamp, anyhow. It wasn’t our water that was flooding them. The trees that used to absorb that water were gone. You go out Glens Bay Road. How many of those forests have been, not forests, but trees, have been taken out because of the roadwork? We saw water and water and water. Where was that water before? Just curious. Trees are not expected to absorb all the water from the storm. We’ve got a great stormwater system, but it can’t handle everything. Something’s got to hold the dirt in place. One of the things that I wanted to comment on; there have been a lot of comments made about the tree thing, and I’m probably going over time, so just hit me with a hammer if I get to that point. Something was said about laws not being made for the few. Actually, they are. If that were not the case, then everybody would be murderers. Laws are made to protect us from the actions of a few. That’s simply the way it is. (Time ended.) Thank you.

Ms. Carol Holt, Yaupon Drive North: Before I start, I just want to make a comment that, yes, there are laws, but there’s a difference between a law about a murderer and a law about cutting a 7.5 inch tree limb. The second reading of the landscaping and tree ordinance is on the agenda for tonight and I want to thank Town Council for their detailed review of the proposed ordinance. I sincerely hope that you will approve the second reading with the amendments that were presented and approved during the first reading on May 9th. It should be emphasized that the tree ordinance is not being eliminated. It is only being made less restrictive for town residents. Overall, I believe it’s a good compromise. The reduction in the number of permits required by homeowners is a much needed change, as well as the modifications regarding the fines and the penalties. And of course, the Palmetto tree remains a debated item, because we were advised during the last council meeting that the planning commission removed the Palmetto tree from the list of approved replacement trees because it is not a protected tree, and therefore, would be a contradiction to replace a protected tree with an unprotected tree. However, the replacement tree list in the ordinance includes the Weeping Willow, the Yaupon, and three other trees that are not listed on the protected tree list. So, to me this seems to be a contradiction, as well. Also, it has been rumored that the town will lose its CRS rating if the tree ordinance is changed. I state rumored, because that’s what it is. A rumor and not true. The community rating system of the National Flood Insurance Program recognizes activities organized under four categories: public information, mapping and regulations, flood damage reduction, and warning and response. Communities are ranked in one of ten classes with Class 1 requiring the most credit points. It is my understanding that Surfside is currently a Class 5, with a requirement between 2,500 and 2,999 points. Please correct me if I’m wrong, but I don’t believe the town would lose over 2,500 points because the tree ordinance is changed and made less restrictive for the town residents. In fact, I believe the town could increase its points and rating by concentrating on Section 300, Activities for Public Information and Outreach. Town residents could benefit from additional information regarding the floodplain management activities. Thank you again for listening to the majority of the town residents regarding the tree ordinance. We trust that you will pass the second meeting tonight, and hopefully end this long debated subject. Thank you.

Ms. Carrie Johnson, Harbor Lights Drive: Just like somebody else said, I think you all may have a copy of this, but I will go over it for the public. I did go through all the changes, or let me say I tried to, but it’s quite confusing, some of them. I didn’t really understand which was up and which was down when I tried to read what the amendments were. For section 17-722, Ordinance 17-0839, you’re suggesting that no permit be required for pruning, or trimming, or removal of a tree with the exception of...
a landmark tree. I believe there are approximately 36 landmark trees in the town. That's all. The rest are just specimen or protected trees. By not requiring a permit to remove a tree, the person, the homeowner, doesn't know if the person or the company removing the tree has proper insurance. They can provide the certificate of insurance, but being in the insurance business, a lot of those are fraudulent, and the homeowner would have no way of verifying the coverage. So if the homeowner had to obtain a permit, and it can be free; you don't have to charge for it, the town would have all the insurance on file and know if the person or the company doing the job is properly insured. And for anyone to say that the people in town do not want to cut the trees is kind of absurd. If they didn't want the trees, why is everybody pushing so hard to relax the ordinance? Please use some common sense. As far as diseased trees, the current ordinance allows the diseased trees to be cut down, as well as any trees that are too close to the foundation and could possibly damage it. Section 17-725.1 the Palmetto tree should not be added to the replacement trees. Anyone can plant as many Palmetto trees as they like. They can plant their whole yard full, if they want to. There is nothing saying that they can't. But, it is not on the protected specimen list. So I still think is being contradictory. As far as R3 goes, then certainly allow the Palmetto tree to be used to count towards the number of required trees, because of that small amount of space that you do have. They're guidelines already in place for R2 to be able to reduce the number of trees if there's not enough room to allow for the current number required. Section 17-740 we have received the answer from our attorney in regards the misdemeanor, and he noted that State Statute trumps local ordinance. He does not see any reason to change the zoning ordinance to make it inconsistent with the state law. And just so you know, in a lot of states a speeding ticket is a misdemeanor. So I don't think that's gonna cause anyone not to get a job. Section 17-720 the current fines should not be changed. History has shown with the fines being lower there is not a problem for someone to cut a tree and pay the fine. Planning and zoning studied other municipalities before coming up (time ended) with our fines, and they are in line with other tree protected towns. Thank you.

Mr. John Stanford, 13th Avenue North: I have lived here for 31 years, and lived in the same house. I have four trees, if not five, where the roots are actually growing and tearing up my blacktop driveway. I’ve asked at least three to four times and had people come by to look and have been denied any of those trees to be taken out, but I can’t do anything about my driveway unless they are, because if you cut the roots then that’s going to have the trees to tilt and come over and hit my house, if we have another hurricane. I just ask that you take that into consideration, okay, of what you’re doing to property values when it tears up driveways, and you can’t get ‘em replaced. Thank you.

7. COMMUNICATIONS

A. Meritorious Service Awards: Sgt. Lee Black, Corporal Steve Brode, Officer Andrea Warner, and Officer Danielle Ehmer, Interim Chief Hofmann. Mayor Childs and Chief Hofmann presented each officer with a Certificate of Commendation for the manner in which they dealt with an armed and suicidal man on the beach. Chief Hofmann said our officers placed themselves in harm’s way to protect the public, including the man’s mother. Far too often these encounters end in injury or even death, but our officers were able to safely disarm the man and send him for medical assistance. Four uniformed officers were on scene in less than three (3) minutes from the time they were dispatched. I believe the ability to quickly bring officers to a situation combined with their expertise, training, and professionalism led to a safe, successful resolution. Their work exemplifies the professionalism of the town’s police officers, which is exhibited on a daily basis while providing quick and specialized services to the town. While I’m beyond proud of these officers, I am equally humbled by the compassion and kindness they demonstrated following the event as they dealt with a citizen in a moment of crisis. I believe the words of the citizen, who unfortunately had to watch these events, said it best when she posted her feelings on our Facebook page. I quote, “This was honestly the best and most respectful apprehension of a suspect I’ve ever seen. It was not by the individual in question attempting to evade you, but when he came after you with a knife that you tased him. Then I watched your officers not only cuff him as fast as possible, but make sure he was sitting upright without his face in the sand. One of your officers even brushed the sand off of him a bit. I cannot help but to applaud you, them, for a job...
Captain Miller recommended these commendations and I agree that the commendations are well earned. We were able to dispatch officers and within three minutes and 28 seconds from the time the call was dispatched over the radio, the event was done. That is because of you four officers standing here in this meeting. (Standing ovation.)

B. Department Reports.

i. Events. Supervisor Ellis presented the written report, a copy of which is attached hereto. Mr. Ott said on August 21st there will be a total eclipse of the sun that will last approximately three hours. It won't be totally dark all that time, but could we look into events that our neighbors are holding. Perhaps we could have some kind of event, because there will not be another total eclipse of the sun for a couple hundred years. The 24 golf carts already registered is good. We need everybody with a golf cart in that parade. Registrations forms are at the back of the room. Mayor Childs said I spoke with Ms. Fellner a while back about extending the roof on the gazebo at the park for Sunday Serenades. Ms. Fellner said because of the hurricane, the work was delayed a little bit. It will be done after they finish at Huckabee.

ii. Finance. Director King presented the written report, a copy of which is attached hereto. Ms. King corrected the report date to April 30, 2017. Summer sanitation service billing will start on the next water bill for those with summer rental property. Mr. Ott said at the budget workshop we asked you to reduce expenditures. I looked at your report and it looks like you found some more reductions. Ms. King said $60,000, which is little bit over 3-percent. Ms. Samples said it appears as if the increase in parking fees for the pier has can offset the lack of fishing. Ms. King said pier revenue was up a lot. The manager from Lanier was very excited. It appears that things will not be as bleak as we thought. Mr. Courtney said thank you to Ms. King for a sitting down with me and Mr. Ott to go over the budget. Thank you for reaching out to try to make more cuts without interrupting our services.

iii. Fire. Chief Otte presented the written report, a copy of which is attached hereto. Chief Otte noted that BI-LO donated 500 bottles of Gatorade to the fire department for use during the summer season. We do appreciate BI-LO's efforts to assist us. Mr. Ott said thank you for your report. Have we progressed on ways we can bring in and add to our volunteers; do you need a banner or something? Chief Otte said we've actually got a banner. We're in the process of updating it. We have had a couple new volunteers that are in training right now. We can always use additional people. Mr. Ott said I know where there is $60,000, maybe we can get another banner. (Laughter) Ms. Samples said that was a great report; thank you. She asked where the two dumpster rubbish fires in April were. Chief Otte was unfamiliar with the incidents and said he would find out. Ms. Samples said I just wanted to make sure that there were not two dumpster fires in one month, as that was concerning to me. Mr. Courtney thanked Chief Otte for the report. I would like for you to meet with the organizational committee in the next two weeks to discuss career versus volunteer firefighters. At that meeting can get cost estimates for a fulltime career force versus a career/volunteer force, including all equipment and training costs. Unfortunately pay for uniforms, pagers, equipment, and training. I'd like to see statistics, if possible. Chief Otte said the town has a unique situation, because the State Fire Marshall’s office sends us a 1-percent check every year, from which funds can be used to pay to train volunteers. Training costs range from $5.00 to $15.00 per class. The county also offers those classes. When they have openings in the classes, our firefighters can attend. Mr. Courtney said at the last meeting there was a discussion about using the parking lot at the firehouse. In my opinion, that lot is not really fit to be a parking lot for public. The fire department has cars there that are used for training. I think it should be designated just for the fire department's use. I see it as safety hazard and do not see the point of paving it for public parking. Mayor Childs said I disagree with Mr. Courtney on the parking lot. Everybody here in town knows about the shortage of parking. We’ve got very few places around to park, particularly for the businesses on Surfside Drive. They are screaming for parking. Right now the parking committee already bought forth some suggestions. I think, Chief, if you tried, you could probably find another place for you to do this type training, instead of using up this parking lot. That property is actually two building lots. The plan for a couple years now was to pave the lots, stripe it and use it for parking for our businesses. I think it
iv. Planning, Building & Zoning. Director Morris presented the written report, a copy of which is attached hereto. Mr. Stevens said I saw a house just east of Hollywood Drive that looked like the whole wall was falling off. What is the story? Ms. Morris said you are exactly right. That damaged happened during Hurricane Matthew. The building official is working closely with the property owner. The problem is the owner is incapacitated. His son is trying to get legal rights to have it removed. We’re waiting on the court system for that authority. Mr. Courtney said thank you for your report. Has the business with the plastic covering and tiebacks been corrected? Ms. Morris said that is still ongoing. The permit was voided, and we notified the property that they have to get a general contractor. Mr. Courtney asked how long they had to comply. Ms. Morris said 30 days, and the clock already started. Mayor Childs agreed that area was a mess.

v. Police. Chief Hofmann presented the written report, a copy of which is attached hereto. Chief Hofmann noted that there was one typo in the report, which stated that there were 319 written warnings issued in lieu of uniform traffic citations. That number was found to be 246 after a recount. The department is prepared and ready for the Memorial Day weekend events. I encourage residents that are in town to call the department, if you have any problems, quality-of-life issues, complaints, or speeding in your neighborhood. I saw some burnout marks on Ocean Boulevard. That type of thing is considered reckless driving. We have zero tolerance for that type of behavior. Expect high visibility. We will be fully staffed; every employee that works for the Police Department will start working this Thursday night and remain on duty through Monday afternoon when things begin to slow down. Mr. Ott said thank you, Chief, for your report. It was very interesting to read. For the second report in a row, our accidents are down considerably. It used to be 60 accidents a month in this little town. It’s down into the mid-30s now. Whatever you’re doing is working. He said 16th Avenue North is about a one-half mile straightaway with no stops that creates a dragstrip. I see you’re looking at that. Do you allow golf carts to be in that study, or if not, you could remove anything between 15 miles an hour and 18 miles an hour so it won’t corrupt your data? Chief Hofmann said I can check with Captain Miller. I believe that you can exclude certain low speeds from those studies. The radar will definitely pick them up as they travel up and down the road. Mr. Ott said the breakdown of the incidents in your summary has been changed. Chief Hofmann said since I’ve taken over as interim chief there are some areas that I have tried to address. For example, with statistics related beach calls and things like that our citizens and councilmembers are curious about. I’m trying to expand those types of things so that we can give you the information you ask for. Mr. Ott agreed that area was a mess.
mind to quickly call the police department. Unfortunately for the perpetrators, they were in town at shift change, so we actually had twice as many officers on duty! (Laughter.) It didn't work out very well for them. Our officers arrived quickly and because of their good training were able to surround the area. They were able to apprehend them without incident or injury to officers, nor was the resident wasn't injured. We threw the book at them both. Mr. Stevens asked if it was true that both of them said we thought we were in Myrtle Beach. Chief Hofmann said one of them did. He was disappointed, because they didn't realize they made it down into Surfside. (Laughter.) That's the reputation that we want to have. Mr. Stevens said secondly, some people got up and spoke about our business Item F, a resolution to participate in the low cost the government housing program. He went on to explain that in his opinion, the town was too small for the program, which was brought forward on two occasions in the past and was defeated both times. He asked Chief Hofmann if he had statistics for that type housing development, as he believes there is a crime element involved. Chief Hofmann had no personal opinion, but respected the citizens’ opinion. He would check for crime statistics. Mayor Childs said he called the department about a wallet and credit cards that were found near 14th Avenue and asked if the two individuals apprehended were tied to that. Chief Hofmann said we don't have any confirmation, but the timeframe is appropriate. At the last council meeting, Council expressed a desire to make sure that your beach officers keep track of the big holes being dug. Somebody called me today saying there was a 5 foot deep hole by the pier, which is dangerous. Chief Hofmann agreed, saying he did not understand the fascination with digging holes. He explained that the beach services officers will have shovels on their utility vehicles to help fill them to avoid accidents. Mayor Childs thought council agreed that two feet is deep enough; beyond that creates a hazard. Chief Hofmann said the beach service officers would be informed and asked to educate our visitors. Mr. Courtney said thank you very much for your report. I’m very impressed with the numbers. It will be interesting to see how those numbers change now that we’re coming off the shoulder season. The number of accidents is going down. That is fantastic. Accidents affect everybody, and your insurance rates. In the past we averaged 60 accidents a month in our residential areas. That was too many. I want to commend your guys for doing such a good job. Sorry about the bad guys coming in, but that GPS sometimes doesn’t work too well. It’s just like the tractor-trailer that came back here and took down some lines, but good job overall. The police department has been out there. Everybody has seen them. I’m getting positive feedback from the community. The people in my neighborhood are very satisfied. It is good to see the police cars going by. Mr. Stevens said Chief Hofmann gave crime statistics for area municipalities at the budget meeting. I recommend that citizens who want to see how safe Surfside is from a police standpoint compared to the rest area, contact Chief Hofmann. He will show you that information.

vi. Public Works. Ms. Fellner presented the written report, a copy of which is attached hereto. Director Adair was absent. Everyone was reminded that pursuant to the ordinance, yard debris, leaves, lawn clippings, etc. must be bagged, and limbs may be no longer than 4 feet. Ms. Samples said a special thanks from the resident who contacted me about the handicapped ramp at 3rd Avenue North. Also, thank you to you and Mr. Adair for getting this cleared up so quickly. I appreciate it. Mr. Ott said I don’t think anybody from public works, works at night, do they? Maybe we can combine with one of the other departments like police and fire to get those pole numbers for the street lights that are out. I will copy the numbers down when I’m walking my dog and call Santee Cooper. Ms. Fellner said many times the sanitation crews come in during the middle of the night. They call many of them in. Mr. Ott said there is no notification to people who walk their dogs on the beach that they must be leashed. I would like to see some kind of sign saying dogs must be leashed. I see the sand that used to be dug out of the swashes and thrown back in the ocean is now being pulled back on the beach. I hope we continue to do that and bring it up on the dunes. Ms. Fellner said that is being done in the low-lying areas. The town got permission to do that from the Army Corp. Mr. Courtney said Ms. Fellner, thank you for filling in for Mr. Adair. I had asked him at the last meeting to together a synopsis of what he is doing; a list of the projects that are coming up. Has he completed that for me? Ms. Fellner said I sent the paving projects to you; let me find about the others. Mr. Courtney said okay. I’d like to see Ocean Boulevard cleaned up a bit. As I said in the past with the striping and new signage. I asked that Mr. Adair meeting with the parking committee and take their recommendations with the replacement signs on the beach area end...
Mr. Stevens continued saying on September 10, I was told there was a meeting with Santee Cooper on September 15. You told me that you were not aware of a meeting. I sent another message on September 17; on September 25 you said there's a meeting at one o'clock, which I attended along with Mr. Pellegrino, then Mayor Samples, and Santee Cooper representatives. Basically, we were told that a substation was being built there and Piedmont was not going to be able to use that property. I know this happened, and I called Piedmont asked would they go in beside substation. They said no, because of the substation we refuse to go in your town. So what you're doing is, in my opinion, is being a little less than honest with the citizens when you say that Aldi could not have come in here, because the fact of the matter is, Piedmont was going to bring in Aldi and several other businesses in the town. It was turned down at town hall, not by me, by the powers higher than me. I know it happened, and the next thing we have is the substation. When you printed your administrator's report, you basically called me a liar. I'm saying you've been less than honest with the town citizens. Mr. Johnson called point of order saying there were many accusations and this meeting is not the appropriate time to air accusations. Ms. Fellner said I would like to correct one thing, if I might, Mr. Johnson. Ms. Fellner said the town does not own that land. The town did not own that land. Mr. Stevens said I understand that. Ms. Fellner so at the point you're talking about, Santee Cooper had already purchased that land and they were saying we are going to build the substation there. What were we supposed to do in a situation where they had
8. BUSINESS

purchased the land already, and we were trying to get the best possible use. You're talking about something that's way after the fact. Mr. Stevens said your email of August 10th said please read the email below and view the conceptual design. This certainly would not be in the best interest of the town, and frankly I am concerned. Ms. Morris and I will be meeting with Santee Cooper to determine that. I thought you should be all aware before the sale goes through. (**) Ms. Morris sent you an email and it said Shelley Griffin with Santee Cooper contacted me in regard to the piece of property and is planning to purchase in the Town of Surfside Beach. They hadn't purchased it yet. There was 14.36 acres on Highway 17. Ms. Fellner said I was very opposed to it until the purchase. Mr. Stevens said I came to the meeting and you and the rest of council that was there approved it with them. It could have gone in Deerfield; in fact, most of the power for that is furnishing Deerfield. Ms. Fellner said I did want to go into Deerfield. All of my email show that I did not want that substation there. Mr. Stevens said I never heard you say it. Ms. Fellner said well, you just read it in the email. Mr. Ott said I think putting Aldi in all be behind Denny's would be a terrible spot for it. You can't even see it from the highway. Mr. Stevens said it would have been more than just Aldi's. It would have been a big shopping center. Mr. Johnson supported upgrading the beach signs, and asked if the cost would be charged to hospitality, accommodations, or general budget. Ms. Fellner said will have to look at that. Mayor Childs said to follow up on adding something about dogs on leashes. I think we should evaluate the signs, because they are getting so long now nobody will read it all. Maybe the notices can be condensed in some way to state what we want to really get across. Ms. Fellner agreed that the signs are old, and they probably need to be changed. Mr. Johnson said if I may, I just want to say the way this council works we'll have to replace them every year. (Laughter) Mayor Childs said point well taken. Mr. Ott said since I am that one councilmember that doesn't remember giving an approval to write that check out, and that was because it was done in executive session where we do no vote, no tally, no approval for anything (**) So at that point, nobody ever gave an approval to write that check. That's where I stand on that. The other question is the silence behind this settlement that was done. Ms. Fellner said an individual simply has to submit a Freedom of Information (FOIA) request. I can't stand in open forum and state the terms. But, whoever would like that information can send a FOIA request. That's why put that in there and read that. I can release that information upon receipt of a FOIA request. Mr. Ott said it was paid with taxpayer's funds, and why wouldn't we be able to do that. The other thing is about the decks on the edges of our lakes. If we could bring that is to our discussion phase at the next meeting to allow our residents to put cantilevered decks at the back of the property. They could just cantilever them so they don't have to put in a post into the water itself. I believe the people that live with these lakes should have the privilege to put a deck on the back of their house, too. Ms. Fellner said Mr. Morris would have to evaluate that and bring it back under discussion. Mr. Ott said thank you very much. Thank you for your report; very in depth. Ms. Fellner agreed that the signs are old, and they probably need to be changed. Mr. Johnson asked Ms. Fellner if she followed up with OCRM about the privately owned walkovers that they discussed two weeks ago. Ms. Fellner said she called Chris Stout, but he has yet to return her call. Mr. Courtney said there is a significant difference with the new ones being built. They go practically all way out to the low tide line. Ms. Fellner said those also look strange because of the amount of sand was lost and the way you're pushing up in some areas. We have to talk to Mr. Stout about it. He is our local OCRM representative. Mayor Childs said there is a walkover at the end of his street that was lost during the storm, and they added about 30 foot onto it when it was rebuilt. So I think to follow up Mr. Courtney that some guidelines should be given, because evidently there are no guidelines according to the builders as they are going farther and farther and farther. Ms. Fellner said we can arrange to do that. Mr. Stevens concurred with Mr. Ott on the decking, and I can do that now, because I'm no longer working for Waterbridge Contractors. I terminated that relationship May 11. So if I talk about decks or docks or anything I'm not in violation. I would agree there's a lot of people who would like to have some type of decking on the edge of their lake. I would welcome some discussion on that so people can utilize their lakefront property. Mayor Childs said Mr. Stevens submitted a copy of his resignation letter to Waterbridge Contractors to me couple of weeks ago.

8. BUSINESS
A. Second Reading Ordinance #17-0839 to amend Chapter 17, §17-700, et seq.

Landscape & Trees, Director Morris. Mr. Ott moved to defer second reading of Ordinance #17-0839 and send it back to the planning commission to review the amendments adopted May 9th, and to further simplify the ordinance, and further that second reading would be held the next regular meeting of council after the planning commission makes its recommendations. Mr. Johnson second. Mr. Ott said we need to push this as fast as we can. The people have spoken about what they actually like. Ms. Samples said I'm not sure why we are delaying second reading. The last two years the planning commission volunteers had multiple workshops, meetings and discussions about the tree ordinance. This does not include their many hours of preparation done at home and preparing for these workshops and many, many public meetings. The planning commission has done their job. They did a great job, and as I stated before, it's up to us now to do our job. I see it as a dereliction of duty for us not to take this on. We've had plenty of time to prepare. The ordinance is still complex and overregulated. I thought the object of council was to fix it; to improve upon it, and we committed to the citizens that we were going to do so. I'm not sure why in the world we would send it back to the planning commission when they've already done it. As a matter of fact, commission building zoning stood before us publicly and said we've done what we can do, and we've sent it forward to you. Now it's time for us to do our job. Why in the world are we going to delay this again? If you don't like it, vote it down. If you don't like an amendment, make a motion to change the amendment. Let's do the work; let's do our job and let's give the constituency what they want. Mr. Stevens said I kind of agree with Ms. Samples, but I would prefer sending the ordinance to a council sub-committee with Ms. Morris being one of the members. I think that would work a lot better than sending it back to the planning commission. It's in our court. I don't see any sense sending it back to planning commission. Mr. Stevens moved to amend the motion to put the ordinance to a committee of council. Mr. Johnson called point of order saying that a motion was on the floor and an amendment could not be offered. Mr. Stevens withdrew his amendment. Mr. Ott proceeded to explain the errors in the ordinance that included such things as no restrictions on who would be allowed to cut an 85 foot tree. There has to be some restrictions on contractors who remove large trees. Licenses and bonds should be required. If you want to you could ask to put in a swimming pool; remove the landmark tree, but never install the pool. There are a lot of things that are bungled. We took a whole ordinance that was enacted over a decade and we just stripped it without any thought. Mr. Stevens said once again I would agree somewhat with Mr. Ott that it needs to be looked at, but I don't think we need to send it back to the planning commission. It seems to me they spent enough time on this. It's in our court now. But the thing is we have our director building zoning and we have capable people on the council. It's time for us to take responsibility for what we do. I agree that I don't want somebody some Johnny-come-lately come who doesn't have a license cutting down trees everywhere. I agree with that a hundred percent, but at the same time I don't agree with you about the swimming pool. I don't remember that discussion. I don't think I will give up a landmark tree for a swimming pool. Mr. Ott said whether you remember or not, it's a fact that it can be done the way the amendment was made to that ordinance. Mr. Stevens believed that council should work on it. Mr. Johnson said at the last meeting it was just a [mess]. We had motions, motions, and motions. And motions. This decision paper is all yellow, red and blue. I consider myself a semi-intelligent person, but I can't make heads or tails of it. At the very least, I want it cleaned up, and a clear definition of what we're voting on in second reading. I think we need to send it back planning and zoning to look at these changes that have been made, and give us recommendations. Ms. Samples said folks, this is why we don't get anything done. It was quite clear to me. I think it's quite simple when you look at what the motions were and who approved the motions. It was kind of obvious what we were trying to do. Again, if you don't like what's being done, make a motion to change it. If you don't like the motion, don't vote to support it. How much longer, how much more time do we as a council need to do our job? We've gone over, and over it. If you don't understand it, if you can't comprehend it, I don't know how to help you. But I do think that if you are going to delay, I would certainly have the expectation that we would do our job; review the ordinance; know what's in it; know what you support, and what you don't support. That's all I ask. At least read it. Mr. Ott said we've read it and that's what the problem is. The simple fact that anybody can cut any tree without any experience is a problem. Maybe you didn't foresee that, but it's coming. Ms. Samples said this ordinance doesn't have anything to do with getting a business license. Everybody has to have a business license. Mr. Ott said I'm talking
about a qualified tree cutter. The way you put that ordinance out there anybody can cut their trees, and
that'll happen. The individual will have no bond, no insurance, and that's what you brought to the people.
You've got to think about it before you put that in there. There was no thought. Ms. Samples said well, I
disagree with that. I put hours of thought into it and that is not what the ordinance says. The ordinance
does not say anybody can come in without a business license to do any work in town. This has to do with
an existing resident being able to go out and trim and prune their trees. And yes, if there's a tree that is
causing a problem, they can go take that tree down. That has nothing to do with whether you're calling
in a qualified licensed person. Of course you have to do that, and they have to do have a business license
in town to do the work. Mr. Ott said maybe you should've said that, Ms. Samples, but it's not in the
ordinance. What I'm saying this will not stop the trees from being cut by them, but you have to have a
little restriction. You can't just let everybody trying to cut an 85 foot tree and then say, oh, it didn't fall
the way I thought it would. You need to have a professional do some of these things. This is over and
above the residents' ability. You kindly left out that section in your list. You said the resident can remove
any tree they want. And that's okay, we're gonna remove any tree we want, but in certain incidences you
need to protect your neighbors. Mr. Stevens said I will agree that both sides make good points. One of
our citizens who is an insurance agent spoke earlier about the possibility of hiring a contractor who
forges his insurance certificate. Believe me, that's happened before. My friend ended up paying $40,000
because of forged insurance documents. Mr. Ott definitely makes good points here. I don't know if
planning and zoning wants this ordinance again. But I know Ms. Morris can definitely direct us and tell us
where we need to go with this and tell us what we need to solve in it. She's been doing this a long time
and is well-qualified. I'm not crazy about sending it back to the planning commission. When is council
ever going to take responsibility and do what's right for the town. We've got to do whatever is right. Mr.
Courtney said I agree with the both parties. The objective here was try to make the tree ordinance
simplified for the residents to use. But what I see here is a problem with the liability of someone cutting
down a 90 foot pine and it landing on someone else's house. I've seen some good guys lay down those
pine trees, and then run into trouble with them falling on a house. I spoke with Ms. Morris about the
misdemeanor charge, which I think is harsh. I had asked Ms. Fellner and Ms. Morris to contact Mr. Battle.
Ms. Fellner said his response was sent to all of council. Mr. Courtney said the answer was that we could
not change the misdemeanor. Ms. Fellner said that's correct. Mr. Battle's suggestion was to follow the
state code that trumps local code. Mr. Courtney asked where we stand with fines the way this tree
ordinance is written. I don't want to sign ordinance and this ordinance to come back 10 years from now
and have councilmembers saying that was the worst thing we ever did. I want to make sure it is done
right. If there are councilmembers that are not sure of this, I have no problem sending it back, but I
rather send it back to a committee of council. Some planning commission members said they will not go
back on their directions that they moved forward on in this tree ordinance. If the ordinance has to go
back to a committee, it should go back to a council committee, and it has to be back the next meeting for
a final reading. Mayor Childs asked Mr. Stevens if he wanted a joint commission of the planning
commission and councilmembers. Mr. Stevens said no, just a council subcommittee. I would welcome
planning and zoning members come to the meeting and speak. Ms. Morris will advise us. I knew the
amendments I made, but did not understand the amendments made by anyone else. I would like to see
them in writing. In my opinion, the ordinance needs to clearly state that anyone cutting trees has to be
licensed, bonded, has workers compensation and is insured to protect the citizens. Mr. Ott said the
reason I said send it back to planning and zoning is because that is our process and our ordinance in this
town. That's where it's supposed to go, but if you just want to wing it, I'm okay with that, too. I'd rather
do it right here, but what we did at the last meeting was an abortion to that [ordinance], because as you
just stated, you have no idea what you okayed. Mr. Pellegrino said I was absent from last meeting,
unfortunately. But, I did read the minutes and I did go thoroughly through the ordinance. The updated
ordinance that had a lot of stuff crossed out, a lot of stuff changed. I was able to navigate, and now do I
have a few questions. I did talk to staff about a few questions. I'm pretty confident that I understand
what's in it. I'll just ask for a vote now. Mayor Childs, and Mayor Pro Tempore Ott, and Councilmember
Johnson voted in favor. Councilmembers Courtney, Pellegrino, Samples and Stevens voted against.

MOTION TO DEFER TO PLANNING COMMISSION FAILED.
Ms. Samples moved to adopt second reading of Ordinance #17-0839 as presented. Mr. Pellegrino second. Mr. Pellegrino moved to amend Section 17-724 to remove “prior to removal of landmark tree application request must be presented to the board of zoning appeals” and state “prior to removal of landmark tree, the director of planning and zoning will review the case and decide whether or not it can be removed.” Ms. Samples second. Mr. Pellegrino said the reason for the amendment is that we have people who work in our organization who are paid to make decisions and I’m fine with waiting period when they break the rules and it’s a penalty, but not fine for three or four week waiting period for us to make a decision. I think it’s ridiculous. We have capable people who can take the same criteria that the board of zoning appeals use and make an educated decision. Mr. Stevens said I already made an amendment on that and that it was still in the ordinance, which is why I made the motion to amend. Mr. Ott said reiterated his comments that the ordinance does not have any penalties, because there are no permits. A permit is permission. You don’t need permission, there’s no law (**). Mr. Pellegrino restated his motion to amend that applies to landmark trees for which a permit is required saying the amendment is to allow the planning and zoning director to review the case to decide whether or not it can be removed. Mr. Ott restated that there is nothing in the code to prevent someone from getting permission to cut a landmark tree to put in a swimming pool, and then never building the pool. Mr. Pellegrino said regardless of that situation, the planning director is qualified to make the decision. Mr. Courtney said this absolutely ridiculous and is why it needs to go back to committee. It is not registering. Mr. Ott has a point that he is trying to get across. Again, you don’t change ordinances, you amend them. You take away, you add or you take away. You don’t change ordinances. This is why we’re here today in the mess that we’re in with this. This should have gone back. We have a lot of people up here that are not happy right now. Councilmembers Pellegrino and Samples voted in favor. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, and Stevens voted against. MOTION TO AMEND FAILED.

Mr. Stevens moved to amend the motion to send the ordinance to a three member council subcommittee, upon which Ms. Fellner and Ms. Morris shall serve, and deferring second reading until the committee can make its recommendation. Mr. Courtney second. After discussion regarding parliamentary process, Mr. Courtney said it’s obvious that we need to sit down to talk about this. Mayor Childs, Mayor Pro Tempore Ott and Councilmembers Courtney, Johnson, and Stevens voted in favor. Councilmembers Pellegrino and Samples voted against. MOTION TO DEFER TO A COUNCIL SUBCOMMITTEE CARRIED. Mayor Childs appointed Mr. Stevens, Mr. Johnson, and Mr. Ott to serve on the subcommittee to review this ordinance.

B. Second Reading Ordinance #17-0840 to add §17-222, Paragraph 5, Board of Zoning Appeals to Hear and Decide appeals to remove a Landmark Tree, Director Morris. The decision paper and ordinance are on file. Ms. Samples moved to defer second reading until such time as Ordinance #17-0839 was presented. Mr. Johnson second. All voted in favor. MOTION CARRIED.

C. Second Reading Ordinance #17-0841 to amend Chapter 13 Fees as relates to Ordinance #17-0839, Director Morris. The decision paper and ordinance are on file. Ms. Samples moved to defer second reading of Ordinance #17-0841 until such time as Ordinance #17-0839 was presented. All voted in favor. MOTION CARRIED.

D. First Reading Ordinance #17-0844 to amend §12-187 Funds Established and Purposes, Director King. Mr. Johnson moved to adopt first reading of Ordinance #17-0844 as presented. Ms. Samples second. Ms. King presented the decision paper and ordinance, copies of which are on file. Mr. Stevens asked if the town got discount rates for the attorney representing indigents. A lot of times a public defender isn’t paid as much as a regular private attorney. Ms. King said there has not been any indigent defenses as of yet. We have the money set aside, if it does occur. Mr. Stevens asked if the attorney would be put to bid or how it would be handled. Ms. King was unsure how it would work. We could put it out to bid, but we have to have the money set aside instead of asking Town Council for a budget amendment. This is a state mandate required for municipal courts. The fund balance cannot be
Mr. Stevens said I have a right to state the reasons for my no vote. I think there's a lot of frivolous spending in this budget and I would like to see it gone over better. A citizen we said need to go through the budget closely, and keep a better watch on the taxpayers' money. Mr. Ott said I thank you for your opinion, but I wish you would've shared it with the rest of council about the frivolous spending at the budget workshop, at which you, Mr. Stevens, only spent an hour and half.

Mr. Pellegrino said I'll just make a comment that the budget is obviously tough. We have beach renourishment, which is a huge, huge expenditure this year that we had to compensate for. But, in this budget we cut out many large capital expenses. It includes a headcount reduction in the fact that we do have current openings that we're not filling right now, and at the budget meeting we challenged departments to cut 5-percent. We didn't get that 5-percent, but each department gave it a look and we cut 3-percent. So, that's a certainly a step in the right direction. As far as our key indicators, the emergency fund is still $400,000; were paying for beach renourishment; we need to focus on in the future to start building that balance more; unassigned funds were about one half million, which is three months. We need to move more towards four months of monthly operating expenses, and Ms. King just explained a good plan for beach renourishment. The big question now is the pier. That is what we have to focus on now. Overall there is certainly room for improvement, but then we did hit some key improvement areas in this budget. Mr. Courtney said I'd like thank Ms. King again. We went through the budget since we had the workshop, and I think Mr. Pellegrino said it all. We asked each department to make cuts and they really went back and they did some. I was actually surprised at the numbers that you were able to will pull off. I do thank you. Mr. Ott and I sat down with Ms. King to discuss many components of the budget without making cuts to any services. Again, it is the first reading of the budget, we're gonna let it go through at this time. But I do feel confident that our staff did a good job. Thank you, Mayor Childs said I would like to also thank you, Ms. King, for the additional cuts. You've done a good job. We can't ask any more of you. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, and Samples voted in favor. Mr. Stevens voted against. MOTION CARRIED. Mr. Stevens said I have a right to state the reasons for my no vote. I think there's a lot of frivolous spending in this budget and I would like to see it gone over better. A citizen we said need to go through the budget closely, and keep a better watch on the taxpayers' money. Mr. Ott said I thank you for your opinion, but I wish you would've shared it with the rest of council about the frivolous spending at the budget workshop, at which you, Mr. Stevens, only spent an hour and half.

F. Resolution #17-181 to authorize an Agreement to participate in the Waccamaw Home Investment Partnership Consortium. Director Morris. Mayor Childs called for a motion. No motion was offered. Resolution #17-181 FAILED; no motion offered.

G. Award Informal Bid: 3rd Avenue South Bulkhead Repair, Director Adair. Ms. Samples moved to award the bid to Tim's Construction at a price of $31,400. Mr. Johnson second. Mr. Fellner presented the decision paper and bid documents, copies of which are on file. Mr. Stevens moved to amend the motion to state that the contract price shall not exceed the amount of $31,400, and that no amendments to the bid shall be accepted. Mr. Ott second. Mr. Stevens explained that in the past Tim's Construction has brought change orders that increased the cost of other projects. Mayor Childs said this came in with an engineered report. I'm sure the engineers reviewed the project thoroughly. I see no reason for any change orders. Mr. Stevens said Tim's has not submitted an engineer's report. He only submitted some drawings. That price is based on if he gets the bid, then he will get the engineer. Ms. Fellner said Mr. Stevens is correct. Mr. Pellegrino said I agree with Mr. Stevens, but we need to make sure we don't change the scope through the project either, which would change the game. Ms. Samples second. Ms. King, Mr. Ott second.
said to Mr. Pellegrino's point, time is of the essence. This whole group of people are coming into tourist season. Ms. Fellner said that is correct. These are rental properties. Ms. Samples said we need to expedite the project. Mr. Courtney asked if this was the bid that was to be approved last Monday at a special meeting. Ms. Fellner said yes, but the information was not available until the end of the week, but at that point it made more sense to just bring it to this regular meeting. Mr. Courtney asked if any engineering work had been bond. Ms. Fellner said they have not done engineering; they will do that afterward that after the bid award, however, the engineering is included in their price. Mr. Courtney asked if we know who the engineer is. Ms. Fellner said she did not. Mr. Courtney said I agree that we cannot any oversights. All voted in favor. MOTION TO AMEND CARRIED. All voted in favor of the primary motion as amended. MOTION CARRIED AS AMENDED.

**H. Lyme Disease Awareness Race, Ms. Holly Roesing, Councilmember Samples.** Ms. Roesing gave a presentation to Town Council asking that they approve the first annual Lyme Disease Awareness 10K, 5K Run, sponsored by the South Carolina Chapter of the National Capital Lyme Disease Association. Copies of the presentation are on file. September 30th is the target date for the race based on other events in the area. Mr. Ott was concerned with cost to the town. Ms. Roesing said there would be no cost to the town. Ms. Samples apologized to Ms. Roesing for having to wait so long. I support your race. I know how difficult it is to organize. I want to make sure that your insurance is in place and that any cost to our police department and public works staff is paid. I would appreciate you having a conversation with Ms. Ellis about getting the vendors out as soon as possible to avoid any burden for the area businesses. Mr. Stevens asked how much liability insurance she carried, and what it covered. Ms. Roesing said a race was just held in Washington, DC that included 2,000 runners. She would verify the amount, because the coverage is based on the number of participants. Insurance covers slips, trips, toe stubs, fainting, etc. It’s a full blanket coverage for a marathon event. Mr. Stevens asked Ms. Roesing to bring a copy of a previous policy to Ms. Fellner so she can ensure there is no liability for the town. Ms. Roesing said the insurance would be available as soon as the event is approved and the process started. She will provide a copy of the policy for the recent run to document coverages. Mr. Courtney said thank you for bringing the event to the town, and asked her to meet with Ms. Fellner. Ms. Samples moved to allow the Lyme Disease Race on September 30, 2017, and that Ms. Roesing will meet with Ms. Ellis and Ms. Fellner to work out the particulars. Mr. Stevens second. All voted in favor. MOTION CARRIED.

I. Motions and/or directions to Town Administrator from Executive session. There were no motions and/or directions to the administrator.

9. TOWN COUNCIL DISCUSSION

**A. Section 2-133 Duties of Town Administrator, Councilmember Stevens.** Mr. Stevens said I think it’s imperative that the we go back and look at the duties of the administrator to make sure they’re clearly defined, because eventually will have a new administrator. I have the duties in the current law, and I have the old laws, as well. I would like to them to be amended and do in further research on what the duties. I think it’s important that the administrator knows that she works at the pleasure of council and that she has certain duties to keep us fully informed so we can do our fiduciary duty for the citizens. Therefore, I would like to bring this back to council and look at the duties of past and present [administrators] and make some additions and changes. Mayor Childs asked if anyone else would like to speak on the subject. No comments were offered.

**B. Proposed Ordinance to allow Temporary Contractor Parking, Administrator Fellner.** Ms. Fellner presented the discussion paper, a copy of which is on file. A resident brought this issue to our attention at the last council meeting. It was brought under discussion, because councilmembers haven’t seen it before. The goal is to allow delivery trucks and contractors performing short-term jobs to legally park upon the town’s roadways when there is insufficient parking at the property location in the right-of-way. The failure to adopt the ordinance will result in continued issuance of parking tickets as delivery services and contractors performing short-term work. The recommendation is to direct staff to bring the
When I reviewed the ordinance, I realized that number four should also include “Flashers must be operating while standing.” Ms. Fellner asked Town Council for direction. Mr. Pellegrino was confused; are the mailman and FedEx guys getting tickets mixed? Ms. Fellner said no, but there was a very legitimate concern, especially in a number of places on the north side and the south side of town. There is not enough right-of-way for parking in many places and there is sufficient room for an emergency vehicle to pass by, if there is a piece of equipment or a vehicle wheels on the road. So, officers were saying get your wheels off the road, or move your vehicle, or we’re going to ticket you. We drove around town and realized that this is a problem. Mr. Pellegrino asked what type of companies were involved. Ms. Fellner said mainly lawn services. Mr. Pellegrino said they are parked on the road. I agree with that. Mr. Courtney said this is a problem I see all over. Unfortunately, there are some that get tickets and some that do not. On the Surfside Drive, we have clear roads, where [vendors] deliver sodas and beverages. They pull over and take up the whole road. People that live around it have to go around it. I believe the park on Poplar by Sundown, correct? Ms. Fellner said I’ve seen them there. Mr. Courtney said you’ve seen them on other spots, as well. It is an issue. You have to let guys make deliveries or you’re not going to have food or beverage. We have to have services come in and deliver, even lawn care. I see all around my home. Some get ticketed; others don’t. I’m not saying it is selective enforcement. It’s either someone calling it in a complaint, or someone doesn’t want to drive around the truck. My feeling is if you can get around the vehicle safely, it’s not a problem. But, we don’t want people speeding around it. You gotta slow down. When you see a vehicle parked, they are doing work. They are there 15 minutes cutting the lawn or making a delivery. Slow down; go around them. I’ve seen them put out cones. Many vendors are hesitant to use their hazard lights, because it kills the batteries. So I just think it is definitely a concern to council, and something that has to be done. I think there should be grace period of how long you can be double parked out there, as long as you can allow emergency vehicles to get around you and other vehicles. Mr. Pellegrino said obviously, we live in a tourist town. We have a rental district. We have pool companies and landscaping companies that are servicing these homes. There’s absolutely no place to park, especially if there are cars in the driveway. They have to park on the road. I just don’t understand why we need an ordinance for this. We’re actually ticketing vendors when they’re working in the rental property yard. Ms. Fellner said yes. Mr. Pellegrino said that is ridiculous. I don’t think we need an ordinance. We need common sense. That’s mind-boggling. Where are they supposed to park in rental areas? Ms. Fellner said there is an ordinance now that states they can’t do that. They have to have all the wheels on the grass in the right-of-way. Mr. Pellegrino said that is for people parking, but that includes these vendors, too? Ms. Fellner said yes. Mr. Pellegrino said interesting. Ms. Fellner said we just want to make it legal for the vendors. This is a very easy, painless way to do that. Then they can’t be ticketed. Mr. Pellegrino asked if this is a modification to the existing ordinance. Ms. Fellner said yes. Mayor Childs said most of the streets do not have a lot of vacant lots like we did 15 or 20 years ago. The vendors can’t really pull off to the side road, because there is no place to pull. I think it would really be good to clarify the ordinance, and maybe when the police are riding around they can make sure that the vendors stay over as far as they can. People know that the roads are narrow, so this is something simple, like Mr. Pellegrino said, just use common sense. I think it certainly is worthwhile to clarify this. Mr. Courtney said an issue that came up that I know of is that the police are summoned by someone on the block, and that puts them in a bad position. This is why the ordinance needs to be amended. When they get a phone call that vehicle a truck is obstructing the road, the only option is to use discretion because the ordinance states they must write a ticket to someone who is obstructing the roadway. That’s where the problem is. I think there should be a grace period, and the ordinance needs to be amended so it won’t happen again. It’s very simple, we’ve got commercial trucks in the commercial district delivering beverages. They take up Surfside Drive, nobody gives them a problem. But in the residential area, they have a problem. Ms. Samples said I don’t have a problem with the ordinance, but I do have a question about 9-19, number five, temporary standing shall be limited to the time necessary to safely make the delivery and shall not exceed more than ‘blank’ hours per day or ‘blank’ consecutive days. Ms. Fellner, you’re not going to ask this council to fill that, are you? Ms. Fellner said no, I’m not. Ms. Samples said thank you. Mayor Childs said point well taken. Ms. Samples said it would take us forever to do that. (Laughter.) Mr. Stevens said like Mr. Pellegrino said, we’ve gotta use common sense. This is real simple. We’ve got a lot of people in
town that can’t mow their own yards. So they hire somebody. The worse thing in the world is to have the guy come, but he can’t pull in the yard, so he parks on the side. He does whatever he needs do. There’s no sense in having this enforced, because these people are providing a service to our citizens. We need to make sure that the people that are working are not being ticketed and fined every time they turn around. It just makes a bad impression on Surfside Beach. We need to be more business friendly and let them do the job. As long as they’re not blocking two lanes of traffic, they’re fine. Council **CONCURRED to bring an ordinance for consideration.**

**C. Any matters of concern or information to be discussed by Town Council.** Mayor Childs said I have one more item, Ms. Fellner. We do have one individual in town that has turned a yard sale into a flea market. Ms. Fellner said yes sir, and that is in the planning commission for discussion and recommendations to Town Council. Mayor Childs said I heard complaints again this week. Ms. Morris said this is on the next planning commission agenda for public hearing and then it will be presented to council the meeting after that.

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

Mr. P. L. Mabry, 15th Avenue North: I’ll try it again. You spoke about the fact of the sending the ordinance back to the planning and zoning. That’s exactly what you’re supposed to do. You’re not supposed to make changes. You can make small minute changes, but you cannot make changes to the planning and zoning’s right here at this council right here. If you have major changes, it needs to go back to planning and zoning. Now if I’m mistaken about that, I’ll apologize. But I think if you ask Ms. Morris, I think you’ll find out that I am correct. So you’re very fortunate to have a planning and zoning commission here. The people that work here, they do an excellent job in trying keep your investment rising instead of going down. It is very important that you work with them, but you need to know more about planning and zoning to be a councilman. That a way you would not, let’s say, take a great deal of time up discussing things or talking about your life ambitions, or with your goals, or whatever you’ve experienced in your life. You’re at a council meeting. Now, the trucks or trailers that are parked the streets I do think you need to make a requirement that they have a flashing light. A brilliant flashing light. One that’s easily seen. They have those where the sell the power poles. Where they deliver them they’ll put ‘em on the back of the trailers there. They’re very bright to let people know that you have a stopped vehicle or trailer in the road. I don’t think it’s a big, well, I say a big expense. But it is a required one. You cannot just stop and park in the middle of the street, and think that’s a safe thing to do. Oh, it’s only gonna be for a little while, well, that doesn’t always work out; the best intentions for everyone else. I think if you check with P and Z, you’ll find that they have the, when they write you an ordinance, you can make the small changes, but major changes is not, you can’t do that. Am I correct about that Ms. Fellner? Ms. Fellner (**). Mr. Mabry: Do what now? Ms. Fellner: (**) Mr. Mabry: (**) for a long time. Thank you very much. I appreciate your hard work that you put in. I’ve done that for many years. So keep it, keep the good work up.

Ms. Holly Watson, Oak Drive North: I am very confused and I just would like some answers and perhaps the administrator can give me the answers next council meeting. When we apply for grant, we get: we got 500,000 for the bridge on Ocean Boulevard as a grant. I would like to know why our expenses do not meet our grant. In other words, why are we budgeting 625,000 for a project that we’ve only got a grant for 500,000? The same way with the 3rd Avenue promenade. Why do we have a budget of 500,000? That’s 175,000 over the grant money that we’ve gotten. If it only cost us 415,000 to do two blocks of Surfside Drive with all that crazy curbing; all that kind of stuff going on there, can’t we just do one block for the 350 that we have? Why do we anticipate and budget 500,000 when we’ve only got 350,000 worth of grant money? We’re already over budget on both of those capital projects, if you look at the grant money that we have. So it seems to me like we’re always spending more than what we have, and then we’re constantly looking at a way to change it. The other question I have is somewhere I read on the publication for this meeting that we had save $60,000. We’re so excited we saved $60,000 in cuts. But at the budget meeting we left off a person in planning and zoning. We left off our engineering
costs for our streets and roads. We think or thought it was maybe eight or $10,000 and we also had a
strange accounting thing that I still don't understand; you approved a motion to expense $34,000 for
hydrants in this budget year that we're in right now. Next year you're gonna spend 68,000 or double
that, which you're gonna transfer this 34,000 that was written off this year over in the income for next
year. So your $60,000 basically evaporated. The 34,000 for a hydrant expense; the person that you're
missing in planning and zoning, and your engineering costs for your streets and roads. So what I asked
you earlier was why do we have a quarter of a $1 million or better over budgeted in excess of our grant
money for our capital improvements. Our 3rd Avenue South promenade, and the bridge on Ocean
Boulevard. Just questions I would like to know. I hate numbers. I hate budgets, but as I said in my
Facebook post, if I only have enough money for a Honda, I can't go shopping for Rolls-Royce. And what
guys did tonight was you gave away our pier fund money a couple of years from now. You're going
to transfer $50,000 of our pier fund money that we need to pay back our pier loan and you're putting it
into beach renourishment. Makes no sense to me. Can somebody please explain? Thank you.

Ms. Sherry Wardle, 1st Avenue North: For those who attended the last meeting, you will recall
when I stood to give my comments, the Mayor told me he wouldn't allow me to speak. Once it was
determined that I have a Constitutional right to speak, as soon as I mentioned the administrator's name,
the councilwoman call the point of order stating that I was discussing a personal [sic] matter. She even
gave me three or four times as to direct the officer present to prepare to escort me out. Well, I'm here again. I was
married nearly 30 years when my husband put his hands around my throat in an attempt to silence me or
kill me, or maybe both. Some people don't like hearing the truth that he threatened me with a weapon
and I was forced to take actions to protect myself, because I believe that no one deserves to feel
threatened or intimidated in their own home. Well, this is my home now, and I will not be threatened or
intimidated. You will not violate my Constitutional Rights to speak freely at the podium. Nor will you
interrupt me when I mention personnel names. Now, I'm going to comment first on check number
72167 for $9,999 to Clemson University Foundation written 12/9/16. Same explanation, no proof.
Perhaps the administrator's confused about which $9,999 check I'm referring to. The register entry on
12/9/16 says it was written to Clemson University Foundation, not the Alignments for which she said. I
requested a certified design plan, an invoice, a contract, and anything to show that this check was
legitimate. And perhaps maybe a front and back copy of the check should help to clarify. Now, y'all know
what's coming. The latest article the Myrtle Beach Herald that exposes the incompetency of this
administration seems that the town has been run background checks for new valid reasons. These aren't
the criminal background checks through the National Criminal Intelligence Center or NCIC. They're even
more comprehensive. Another major difference is that there's no timestamp, no employee ID, and no
need to substantiate a need for the report with the FBI. But it is recorded with TransUnion. The Police
Department are able to pull criminal background checks from NCIC for pre-employment and criminal
investigations, to aid in finding persons reported missing, because it gives information on known
associates and relatives, and in exigent circumstances relating to criminal activity, or life or death
situations where they may be insufficient time to secure a warrant. Remember there always needs to be
probable cause. None of these reasons apply to Florida resident (**) Melendez. She never authorized
anything. The only tie she has to this area is a brother who owns a property here. So why was such an
invasive report pulled on Ms. Melendez? Who authorized it? And what about the 50 or so TransUnion
reports pulled this past December and January? Was my report pulled? (**) I believe I have a right to
know. Council needs to make certain that this administration notifies every individual who was subjected
to this invasion of privacy at the hands of the paid personnel here. We should know who pulled it and
when. Additionally, I'm asking that we be apprised of the expenses incurred and paid to TransUnion from
its inception to current date. I have a hard time stomaching the thought of our tax dollars being used by
this administration to spy on us. And another concern; where are these reports now? How many people
have seen them? Police personnel are responsible for destroying these background checks once the
related investigation is complete. There should be policies in place regarding dissemination and
destruction of these reports. Police personnel are never supposed to share this information with
unauthorized individuals or agencies. I thought the issue with the Surfside Beach resident who died and
the junior firefighter who administrated CPR to him that the town kept secret for two years was about the
most deceitful, immoral, and unethical thing I ever heard. But the town really crossed the line when it opened us up to another potential lawsuit for civil rights violations and invasion of privacy. Council, please do the job you were elected to do and clean house. If you do nothing now, (time ended) you don't deserve to sit in those seats.

Ms. Holly Roesing, 11th Avenue South: We talked about the holes, and I know now that they're doing patrols, but I still think that we could launch a campaign from Surfside that asks the people who put out there little newsletters at their rental properties about why we want them to fill the holes and maybe if they're; I'm not saying everybody is gonna read 'em, and I'm not saying every renter is gonna put in their newsletter, but it could cut down on some of the holes you have to start filling in for that reason of one it's a safety issue, which we know, and number two, if it traps a sea turtle, it will die overnight, because they won't see that hole. So that's is my suggestion again to have some kind of a campaign where you are asking the renters to put it in their newsletter, because they're already putting a whole bunch of other things about the rules of Surfside, the garbage days, what to do with the sheets at the end, and how about just a little note at the bottom about why we want you to put your dirt back or sand in back your holes.

Ms. Carol Holt, Yaupon Drive North: I am disappointed that we couldn't settle the tree ordinance tonight, but so be it. But I do want to try to understand one thing. There was nothing in the proposed tree ordinance from the planning commission regarding licensed tree removal companies. So is my understanding now that Council wants to add this amendment to the recommendation from the planning commission. I'm not sure, but that is my question. As far as the permits required in Section 17-723 is titled 'zoning permit required' and in Section 17-724 it's also titled 'zoning permits required' so it appears to me that permits are still required by Surfside, and that the penalties and fines still apply in certain cases. I do understand why you may want to send this to a committee, because not all of the amendments that were proposed at the May 9th meeting were reflected in the document you had tonight, and one was Mr. Stevens'. I don't know that he noticed it, but he had made special presentation about replacing the tree with twice the number and you had made an amendment about reducing that. That wasn't reflected in the proposal tonight. So I can understand this is still a very complicated; it's very important that all the amendments are reflected correctly in what you see and what you read, as well as for the residents. Thank you very much.

11. TOWN COUNCIL COMMENTS

Mr. Ott: Thank you for coming out. Thank you for spending your whole evening here. Mrs. Watson, I'll gladly sit down and answer your questions for you. I'm not an accountant, I'm not as good as Ms. King, but I can answer all those questions. You might get $500,000, but the engineer says it's a little bit more, and that's why you don't get just what the grant gives, because the grant is open for X amount of dollars. You may have to do a little bit more to make it right. They're not going to get exactly that money, and you did have nine questions at the budget workshop and everyone was answered to you, and your answer, yes they were, 'cause the minutes are there, and you said, 'oh, okay' to every answer, and I appreciate that. But, we're looking at this budget, believe me. There is no money being thrown away around here. You may think there is, but there's not. You say you hate budgets, you hate money, or you hate numbers, well, I have to look at 'em now, and they're not, there is no distortion here that I can find, and I looked at it and studied it. Believe me, so have you. You have found nothing, so far so good, but the fire hydrants, guess what? You [remember] what you picture in your mind is a fire hydrant, and I'm not a fireman, but I've been out there and I looked, and now they've changed. They look like a little L-shaped thing. They changed them on us while we weren't looking, and that's why we're going to do some this year, and some next year, because we don't have enough money this year, because there is a broken pier, and we have to do beach renourishment. They've changed the fire hydrants. Is that correct, Chief? Chief Otte indicated yes. Mr. Ott continued saying guess what, we've gotta change 'em, so we can do some this year, more next year when we will have more money. Basically, that's the answer for you, and thank you for your questions. But, call me, I'll gladly sit down and we can go over them.
Mr. Courtney: I’d like to thank you for coming out. I thought we could make this tree ordinance easy, but that wasn’t the case. So here we go again. I’ll see you in two weeks. I have no other comments. I’m tired. Thank you.

Mr. Johnson: I only have three quick comments other than thank you for coming out. I hope to see you next time. As far as the yard sales go, these people are getting very, very creative. Now, they’re not putting the items in their yard. They’re putting them on trailers and they’ll drive them from house to house. I saw that the other day, and I was like, unreal. But that is not surprising in Surfside Beach. People will, it’s not in just indigenous for Surfside Beach, people will try to do everything they can to get around the rules. As far as the pier fund funding beach renourishment that will not start until after the pier has repaid its debt to the town. Ms. Fellner, if you would, get with all councilmembers this week to schedule a time to meet on the tree ordinance, please. Thank you. Thanks for coming out.

Mr. Pellegrino: I just have one comment. Ms. Watson, you did mention grants. I don’t know if this pertains to the grant on the bridge, but many of the government grants, the federal grants, you have to spend 25-percent to get the rest of the grant. So, you know, to get $400,000 may have to spend $100,000, and that’s how a good majority of them are structured. Obviously, Mr. Adair and Ms. Fellner can explain exactly how the one for the bridge works. But I know we’ve had many grants where we had to put up 25-percent to get the rest of the money. So that may be the reason why were over on a lot of them. Other than that, thank you very much for coming. Thank you very much for your comments, and have a great night.

Ms. Samples: I really respect and appreciate all of you who have sat here this evening to this late hour. It shows that you care about the business in the Town of Surfside Beach. Have a good night. You all enjoy your evening.

Mr. Stevens: Thank you for coming out. It’s 9:51, so I’m not going to talk a lot. Just to say thank you for being here. And let’s go home.

Mayor Childs said thank everybody for coming tonight.

12. ADJOURNMENT. Mr. Courtney moved to adjourn the meeting at 9:52 p.m. Mr. Johnson second. All voted in favor. MOTION CARRIED.