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; Deputy Administrator Harrah, and Police Chief Hofmann.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Pastor Oakie Landers, Pine Drive Gospel Church, gave the invocation.

B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. AGENDA APPROVAL.

Mr. Ott moved to adopt the agenda as presented. Mr. Stevens second. All voted in favor. MOTION CARRIED.


Mr. Ott moved to adopt the minutes of the special meeting August 19, 2017; executive session and regular meeting August 22, 2017, and workshop August 26, 2017 as presented. Ms. Samples second.

Mr. Courtney objected to approval of the workshop minutes from August 19, 2017, and referred to line 44, stating “Without consensus of council?” As of this meeting, he had not received an answer for the question ‘does council needs consensus to have an attorney present.’ Mr. Ott said the question was whether council should give consensus to bring an attorney to represent the town who is not the regular town attorney. Mayor Childs reiterated that consensus of council is not required based on the information he received. Mr. Courtney said to set the record straight that you do need consensus. Mayor Childs disagreed. Mr. Johnson called point of order, and said the motion is to adopt the minutes, not debate legal counsel.

Mayor Childs said point taken, and called for the vote. Mayor Childs, Mayor Pro Tempore Ott and Councilmembers Johnson, Pellegrino, Samples and Stevens voted in favor. Councilmember Courtney voted against. MOTION CARRIED.

5. PUBLIC COMMENTS. Agenda Items Only. (3-minutes per speaker)

Mr. Tom Dodge, 8th Avenue South: This is in regard to item number 6 on the agenda. This is, this is a series of questions merely to clear the air. People in town have a lot of questions about what happened recently, and I took it upon myself to try and clear the air, and these will be in questions. Did we hire an assistant administrator or deputy administrator? Number 2, did we advertise the job? Number 3, is it not the law that a job opening is posted and advertised? Number 4, is it true that a sheet of paper listing what the applicant had done in the past was given to council people? Number 5, my understanding is that the applicant’s name was not on the sheet of paper. Is that true? Number 6, wasn’t his salary set
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6. COMMUNICATIONS. Administrator's Report. Ms. Fellner presented the written report, a copy of which is attached hereto. She noted that a lot of beach sand was lost during the tides and wind that were caused by Hurricane Irma, which fortunately did not hit our town directly. FEMA assures us that the funds for the pier will be forthcoming, but due to the storms the funds might be delayed. The Army Corp of Engineers will come back and shoot elevations on the beach and tell us exactly how much sand we have lost. Then we'll see where we go from there. Meanwhile, they're going to continue the project through Garden City, and that is the plan at this time. Mediation of the Lazar suit is being scheduled in October. Ms. Fellner added that she was promoted to deputy administrator in the very same way that Mr. Harrah was hired.

Mr. Ott asked if laws changed in the flood zones in regards to the pending suits. Ms. Fellner said these suits must be carried through if the town wants to achieve a certain CRS rating. One requirement is

at $35,000 at the council meeting when he was hired? Number 7, did this person get a 100-percent pay raise even before he started to work for Surfside Beach? Number 8, who were the councilmembers who voted for this 100-percent raise? This hiring smells like old fish, not two days old, but two weeks old. I am requesting this information so I can work hard to unseat all who voted in favor of this in the next election. I hope as a group you will vote tonight to rescind your vote of last Friday when you voted to give the town pocketbook to the administrator for the next 56 days. If all of this is true, our two-mile town is spending over $200,000 in the administrator's office.

Ms. Sherry Wardle, 1st Avenue North: The agenda item that I'm gonna talk about is concerns of Town Council. I think that's item G, 8G, something like that. Seems to me that there is an issue that should be discussed about the legality of bringing in an attorney for the emergency meeting that wasn't on call or, or isn't our contracted attorney, and as far as I know, I believe that there's supposed to be an attorney present at every meeting. What are we paying the attorney that we have on contract (**), and what we paying him for, I should say. Cause he should be here, and he's representing the town, not the administrator, not any of the paid personnel. He represents the town. Now, I listened to that recording, and I know it's an embarrassment to a lot of people sitting up here that you allowed that to happen. There's definitely a double standard here that a director was fired for so-called recording private meetings with her boss and yet in executive session, which is prohibited from being recorded, was recorded at the administrator's request, and where was our attorney that you brought in, Mr. Mayor, to advise the town that that was illegal? We paid him for that, didn't we? We paid him for that lack of advice that he gave to council. All I'm saying is that I think you all better wake up. I think everybody here in this building right now better wake up and see just exactly what's going on here.

Ms. Holly Watson, Oak Drive North: Good evening Mayor and Council. I want to talk about 8C, and then I'm gonna, regarding number 6. I remind you we awarded purchases to our favorites without proper bidding procedures, and as you will recall, I asked that that we follow state law regarding the town's purchases so that the taxpayers of our small town would get the benefit of competitive bidding and reduce our costs. I also asked that we feverishly apply for the RIA grant, which we eventually did receive, and I'm asking again if we continue to search for any and all grants available to our town, since many more millions are being obtained by the surrounding areas, but not here, again costing our citizens and businesses needed dollars. Regarding article number 6 on the agenda, the administrator's report about the most recent hiring. It appears she's given us an overview of the applicant's education, but not explained why this job was never advertised. Current employees cannot apply for promotion or why we have no affirmative action or EEO plan. Myrtle Beach has an excellent plan for hiring. Let's follow theirs. These standard ethical business practices are the norm for millions of local governments and businesses. Our federal and state tax dollars depend on our town being fully in compliance and to do otherwise, puts our entire town in jeopardy and at risk for losing federal and state funding. I am imploring you to correct these unethical practices by whatever means necessary. I am not on a personal vendetta here. I just want our town business to be run ethically, legally and correctly. Something that it appears from the news has not been done and continues to put us in jeopardy. Thank you.
that you cannot enclose a first floor and make it a living space. There are only certain things that you can
have on the first floor in a flood zone. Mr. Ott asked if the code changed after these were enclosed. Mr.
Fellner said no, these would not have been grandfathered, but there are extenuating circumstances in
both cases, but they were both slightly different. Mr. Ott said there was never any doubt in Mr. Harrah’s
qualifications. In fact, I did say in executive session that these qualifications were almost too good to be
ture for the salary that was quoted to us at that time. Ms. Fellner said the salary I quoted was $67,500.
Mr. Stevens said no, ma’am. Ms. Fellner said yes, sir. Mr. Ott said he had the floor, and continued saying
the other fact is that I thought that we would advertise the position and review resumes, and that Mr.
Harrah knew that, but he would be almost 1st in line with his qualifications. Ms. Fellner said that was
absolutely correct. There will be an application process for the town administrator position. I was very
upfront and shared that with Mr. Harrah prior to him coming accepting the position so that he would
know that. Hiring the administrator is a decision that council makes. Council looks at all the applications
that come; they decide who they want to interview, and that is a standard practice. Mr. Ott said okay,
and asked if Mr. Harrah had a contract. Ms. Fellner said no, I am not able to offer a contract according to
the ordinance. Mr. Ott said thank you very much.

Mr. Stevens referred to the lawsuits as noted in the administrator’s report and presented
information he found at the 15th Judicial Circuit website. Mr. Stevens’ comments follow “Update:"

i. PB&Z related (dock) – Rempfer (pending) *Update:* Summary judgment issued; this was not
P&Z related. The suit came about because a special meeting was held July 12, 2013 when second
reading of Ordinance 13-0751 was adopted to prohibit docks by four members of council. Ms. Fellner said
she did not understand what the issue is here. Mr. Stevens said the issue is that you state is it P&Z
related, but a law was passed by council. Ms. Fellner said it is PB&Z related, because that is where all of
the files are located. A dock is under the purview of the planning, building and zoning department that is
why that states PB&Z related. Mr. Stevens said it may be under P&Z, but that isn’t why the law suit was
filed. The suit was filed because he thought the then mayor was attacking him. Ms. Fellner said she
would not argue that point.

ii. PB&Z related (enclosing first floor in a flood zone) – Rempfer (pending) *Update:* remanded
back to construction board of appeals and has been solved. Ms. Fellner said it is still pending. Mr. Stevens
said it is not in the courts. Ms. Fellner believed one case came out of probate and the case may be under
Cheryl DeFalco, Mr. Rempfer’s surviving spouse.

iii. PB&Z related (enclosing first floor in a flood zone) – Lazar (mediation being scheduled)
*Update:* I consider this a problem with real estate where Mr. and Ms. Lazar sued several entities and
individuals, including the town, and the title company. This is currently in mediation.

iv. PB&Z related (ownership determination of Myrtle Swash southern bulkhead) – Ned’s Cove
(pending) *Update:* That case has more to do with public works because hold harmless agreements are
issued by public works and is required before any bulkhead work is done. Ms. Fellner said all the
documentation for the first four cases came from the planning, building and zoning department files. Mr.
Stevens said they may have, but public works has to have the hold harmless agreement executed. Ms.
Fellner said there was no hold harmless agreement in this case.

v. Police related (wrongful death action) – Estate of Billy Ann Waylon (pending) *Update: [no
comment made on this case by Mr. Stevens.]*

vi. Administration related (wrongful termination) - Donevant (being reviewed by the SC Supreme
Court) Summary judgment issued. *Update:* You were right on this case.

Mr. Stevens said you just said that a person was hired at $67,000. Ms. Fellner said $67,500. Mr.
Stevens said I remember that executive session. I voted against hiring, because I didn’t have any
information. I met Mr. Harrah over at the P&Z office. He seems to be a very nice man, and has got qualifications, but the fact is that $35,000 was mentioned; never $67,500. Ms. Fellner said I dispute that. Mr. Stevens said that is absolutely the facts and I will swear on 10,000 stacks of Bibles. Ms. Fellner said I will continue to dispute that fact. Mr. Stevens asked if Mr. Harrah’s part time position in the police department would be a conflict of interest. Ms. Fellner said that Mr. Harrah no longer works for the police department. Mr. Stevens said until he received the resume in this meeting package he didn’t know anything about Mr. Harrah. Had you given us this type information during executive session, we could have made an educated decision. You failed to fulfill your fiduciary duty to keep us informed, in my opinion. Ms. Fellner said six people voted for the hire in the public session. I actually had given his name two months before when we were talking, but I did not at that meeting. Mr. Stevens said then, you did not fulfill your duties to inform Town Council. Ms. Fellner said I dispute that as well.

Ms. Samples said I dispute so much of what Mr. Stevens just said, but I won't belabor it at this moment. Yes, you did tell us in executive session exactly what the cost was and when we asked you, you gave us is that information and his qualifications, you made it very clear that you did not want to share his name at that moment, because he had not left his current position, and that you did not want to share that information knowing that that information would get out, and that it would be unfair until council agreed. Ms. Fellner said that's correct. Ms. Samples said I just want to clear that up amongst other things, but most importantly to me about your administrator’s report is FEMA and the pier and even though with the last two hurricanes, Harvey in Texas and obviously with Irma, I have been concerned about the funding to us from FEMA, but what you've told us tonight makes me feel better about the fact that potentially there will not be a holdup and funding for us to do what we need to do as it relates to rebuilding our pier. Is that correct? Ms. Fellner said that is the hope. Ms. Samples said because I think that's the most important thing that we have to discuss, quite frankly, is the funding of that pier, and the building and the rebuilding of that pier. We all know that it has such an economic impact on our town and our residents that I just want to make sure that any potential delays... Ms. Fellner said there can always be a delay, but there is no reversal of eligibility. Ms. Samples said that's huge. Thank you. I appreciate that.

Mr. Pellegrino said in those discussions, I believe it was pretty clearly explained what the situation was as far as Mr. Harrah’s credentials and whatnot, and we did go ahead and make a decision, which I was part of, obviously. The important point is that Ms. Fellner stated very clearly that when the time comes to hire another administrator, we would go through the advertising and interview process to pick the right person.

Mr. Courtney asked who is mitigating the lawsuits. Ms. Fellner asked what he mean by mitigating. The town attorney Mike Battle is mediating them. These are with Mr. Battle, because they're not covered under the MASC (Municipal Association of South Carolina) policy. Mr. Courtney said is Mr. Battle present at every mediation. Ms. Fellner said at these, yes. Mr. Stevens said based on his experience that mediation is usually an independent attorney that is appointed by the courts. Ms. Fellner said there's a mediator, but our attorney is present at the mediation. Mr. Courtney asked why the executive session he requested and to which council concurred was not on the agenda. Ms. Fellner said one reason is that it had to do with the organizational chart, which is not covered under protections under the Freedom of Information Act. Mr. Courtney said it's personnel matters, correct? Ms. Fellner said not necessarily unless you want to talk about people. I didn't know what you wanted to talk about. The other thing is our attorney has suggested that we not have executive session any longer. Mr. Courtney asked who the attorney is. Ms. Fellner said Mike Battle. Mr. Courtney said at the last meeting Mr. Pellegrino and I both said that the organizational committee is all about personnel matters. Ms. Fellner said except council disbanded the organizational committee at the last meeting. I had consensus for an executive session at this meeting and that's why I voted no to the minutes. Ms. Fellner said I told the clerk exactly what to say to you about the organizational chart not being protected. That's number one, and what the attorney said and that's number two. If you didn't like that and still wanted an executive session, I did not hear that back from the clerk or from you. Mr. Courtney said it was right here in the
minutes. For the record, it's line, it's on the August 22nd meeting 2017, line 627 through line 631. There
shouldn't have been any discussion; the executive session should be on the agenda. I spoke with the
clerk, and she said that you had spoken to an attorney. I think, to be honest, you need to have an
attorney here at every council meeting, because this is getting out of hand.

Ms. Samples asked if a motion could be made to enter executive session to discuss personnel
matters or the organizational chart. Mr. Ott said it's not on the agenda. Ms. Fellner said you can go into
executive session. Ms. Samples said if he wants to go into executive session to discuss the organizational
chart he can make the motion. Mr. Courtney moved to enter executive session to discuss the organization
chart. Mr. Stevens second. Ms. Samples asked when he wanted to enter executive session. Ms. Herrmann
said the proper time for that motion is when the business items are opened. This time is the
administrator's report. Mr. Courtney withdrew the motion, saying I'm sorry, and let's go on. He asked
who is sitting as the planning and zoning director. Ms. Fellner said there is no director, the department
staff is reporting directly to the deputy administrator. Mr. Courtney asked if Mr. Harrah was writing or
approving permits, and if he had a CBO designation. Ms. Fellner said he is a CBO. I don't believe he is
signing off on permits, but he is overseeing staff. There's a number of issues, and I believe I sent
everyone an email earlier today regarding some of them, and there are additional ones that are being
looked into. Mr. Courtney asked Mr. Harrah if he was sitting in as planning and zoning director. Mr.
Harrah said no, but staff has been reporting to me. Mr. Courtney asked if Mr. Harrah had issued
permits. Mr. Harrah said I have not issued a permit personally, but I've overseen Mr. Farria, the building
official, issuing permits. This is the same email that I got today with the building official. You're letting
him write the permits. After the email I got today he is writing the permits. Ms. Fellner said yes, at this
time he is. Mr. Courtney asked how Mr. Harrah can do both job, sit as planning and zoning director and
be deputy administrator. Ms. Fellner said actually the Burkhold Report call for that. Mr. Courtney said that
report is so old. I've read it about two years ago. Ms. Fellner said it still makes a lot of sense about some
things. We are the same size; we have the same amount of employees that we did then. Mr. Courtney
said you are downgrading the departments. Ms. Fellner said no, I have not made any decision. Mr.
Courtney said you put Mr. Harrah as director. Ms. Fellner said I did not put him in as director. He is the
deputy administrator right now. Probably 60-percent of his time is gonna be spent working with that
department. Mr. Courtney said the building official is writing the permits at this point. Ms. Fellner said
under the guidance of the deputy administrator. Mr. Courtney asked if this is the same one referred to in
today's email. Ms. Fellner said yes, because there are some significant issues there. Mr. Courtney said
this is why we need to go into executive session.

Mr. Ott referred to 3.A.vi. and said we spoke a while ago and I gave you a situation where there
was a set of hearing minutes that is missing from the zoning appeals log. Did you look into that as it
would help in this case. Ms. Fellner said I actually asked the director at the time about that and was told
that she would look into it. I also asked the clerk if she could find any minutes relating to it and she
looked into it she could not find anything. Mr. Ott said I still have the written minutes, if you would like to
see them. Ms. Fellner said that would certainly be helpful. Mr. Ott said he would bring them to you
tomorrow.

Mr. Stevens referred to special meeting to declare a state of emergency and after a lengthy
discussion asked council to concur to repeal the ordinance and resolution declaring a state of emergency.
Ms. Fellner explained that before the state of emergency can be lifted, the state has to evaluate all
damages throughout the state and go through this process. I don't think the town will meet that
threshold. There were three trees down, some wires down in town. Mr. Stevens said he was only
concerned with the town, and the administrator had 60 days to spend money, but nothing to spend it on.
Ms. Fellner asked what he thought would be spent.

Mr. Johnson called point of order, and said he believed Mr. Stevens should direct that question to
Fire Chief Otte. He is the point man for the state and he could direct us. Mr. Stevens disagreed.
Ms. Samples asked if an ordinance was required to repeal the state of emergency. Ms. Fellner said yes. Ms. Samples said if anything occurs as a result of this storm, the town would be protected financially under the state of emergency through the State Emergency Funds. Ms. Fellner said yes. Ms. Samples was not sure why Mr. Stevens had issue, but if he was so inclined to cancel it, it must be brought back as an ordinance. Ms. Fellner said we don't know what occurred at the two older swashes, and they are a concern, in her opinion.

Mr. Stevens asked again for consensus to bring a resolution to repeal the state of emergency, because there is none. CONCURRENCE FAILED.

Mr. Ott asked if the bridges had been checked for damages that could be submitted as claims. Ms. Fellner said the engineer is almost finished with the Myrtle swash culvert bridge documents, which is the project for the Rural Infrastructure Authority (RIA) grant. He has a little more permitting to do. When he inspects the bridge, we are going to have him look at the next bridge up, which is 10th Avenue at Dogwood lake, because that's the next oldest. It's the same kind of bridge built around the same time, and it's probably got a similar type of deterioration in the infrastructure itself. Mr. Ott said there is a chance that we could have something there. Ms. Fellner said yes, there is.

Mr. Stevens said Myrtle swash is already in the budget; there is no reason to spend emergency money on it. Ms. Fellner said I didn't say to spend emergency money for it.

Mr. Courtney referred to the Donevant case for wrongful termination and said the report states it is in the Supreme Court; how much has this cost the taxpayers for defending this action? Ms. Fellner said it's actually covered by the MASC, our insurance carrier. It does affect the moderator which goes up so we pay more we pay more for our insurance, but after three years it drops off. This has been an expensive case, because it's gone all the way to the Supreme Court. But, MASC feels it's a really important case. Mr. Courtney asked if we pay them. Ms. Fellner said they are our insurance carrier and they covered this particular case. MASC did not cover the PB&Z related ones. Mr. Courtney said the case on the bulkhead should be a public works case. Ms. Fellner reiterated that all of the documentation for that case is found in PB&Z. This is not an indictment of PB&Z. Mr. Courtney said I just never saw them listed like that before. Mr. Harrah, have there been any contract offer to you by anyone? Mr. Harrah said no, sir. Mr. Courtney said I'm gonna be honest with you, my recollection of this executive session was $35,000. I don't remember it being in the 60s, 67.5. Ms. Fellner said well that's unfortunate. I dispute that.

7. BUSINESS.

Executive Session. Mr. Courtney moved to enter executive session at 7:25 p.m. to discuss a personnel matter. Mr. Stevens second. Mr. Johnson asked for clarification as to why council was going into executive session. Mr. Courtney said without an attorney being present, I would ask that the town attorney be present if I was going to do this in public because this is about the organization chart and personnel; more personnel than anything. If the town attorney says it's okay to talk about this in public, and Ms. Fellner agrees with that I have no problem bringing it on the discussion on the organizational chart. Do we want to do this out in the public? We're talking about personnel, as well, which requires us to go to executive session. All members voted in favor. MOTION CARRIED. Ms. Samples asked Mr. Courtney for the purpose of the public that we're talking not positions in this executive session, but personnel. Mr. Courtney said correct. Mayor Childs asked if council wished to enter executive session now. Mr. Ott said he preferred to have it after the meeting. Ms. Herrmann explained that because the motion carried, the council was now in executive session. A motion to reconvene regular session is required to come out of executive session. Council should go to executive session now. Mr. Johnson moved to reconvene regular session at 8:12 p.m. Mr. Ott second. All members voted in favor. MOTION CARRIED. Mayor Childs said no action was taken during executive session.
Second Reading Ordinance #17-0850, Chapter 9, Parking, Councilmember Courtney.

Mr. Ott moved to adopt second reading of Ordinance #17-0850 as presented. Mr. Courtney second. Ms. Samples referred to the letter from Mr. Mutto, who opposed the two hour parking limit. Mr. Courtney said that he spoke with him, and he didn’t have a problem with the two hour parking restriction during daytime hours. His letter obviously refers to evening hours and the ordinance only restricts parking hours during the day. Mr. Ott said if someone parked at three o’clock, they could stay until the business closed, because it ends at five o’clock. Ms. Samples said since he took time to write, it’s important that one of us get back to him. Mr. Courtney said he would speak to him.

Mayor Childs said I had concerns about Floral Drive, because the fire department has asked for a long time that road be a fire lane. Mr. Courtney and I came up with what we think would be a good solution. Mr. Courtney and I would like to meet with Mr. Adair to determine whether part of the small hill along Floral Drive North could be leveled to create golf cart parking only that would be completely off the road. Mr. Courtney said I think it is a good idea, because golf carts are taking up parking spots on Surfside Drive. An ordinance was adopted sometime in the past that requires golf carts to be parked in a marked stall. When I park, I try to go to one side so two golf carts can park in one spot. All voted in favor. MOTION CARRIED.

8. TOWN COUNCIL DISCUSSION.

A. Ordinance Review Policy, Mayor Pro Tempore Ott. Mr. Ott believed that Town Council had an obligation to the citizens to review adopted ordinances that impact affect residents’ way of life and how businesses operate. I propose that after an ordinance is adopted, that on its one year anniversary, the ordinance be sent to all councilmembers to review. If any councilmember wishes to bring it for discussion, it can be added as a discussion item on the agenda. This would give council and staff an opportunity to critique the ordinance to determine whether it is effective. I also added the nuisance ordinance to this discussion. If we would like to bring it back as a business item at the next meeting, or back for discussion again. In my opinion, there are some harsh statements in that ordinance. He asked if council would concur to use the ordinance review policy as submitted, a copy of which is on file. Mayor Childs said I think it’s a good idea. A lot of times the consequences of an ordinance don’t come up for number of months, and then it becomes an issue. I think it probably is a good policy. Ms. Samples said I love the idea. I think it’s important that we do that. We know from experience that we have ordinances that are completely out dated, and certainly need to be updated. The only thing I would ask is when council members want to bring an ordinance for review that we don’t review a lot of them at once. We need to police ourselves as it relates to how many we’re to discuss at any one time, and then how many will be sent to our planning commission for review and comment. As long as we can just be cognizant of that I’m great with this. Mr. Ott said we also have the Code Index that shows you where everything is in our book of laws. Mr. Pellegrino said I think it’s a good idea. As you said, sometimes we do pass an ordinance and don’t see the effects until later on, so that’s a positive. Mr. Courtney said it’s a great idea, too. There are a lot of ordinances that need to be reviewed. One is the nuisance ordinance. Mr. Ott asked that the nuisance ordinance be added to discussion at the next meeting. Mr. Stevens said Mr. Ott’s comments make good, common sense. Reviewing the ordinance is fair, because maybe the law or circumstances have changed; and make sure the ordinance reads right and it is not overbearing on the citizens. I’m a 100-percent in favor of that. Council CONCURRED.

B. Organizational Chart, Councilmember Courtney. Mr. Courtney said we talked about this in executive session; Town Council will be informed of any changes in the organizational chart. That’s all I have to say.

C. Section 2-113 Duties of the Town Administrator, Councilmember Johnson. Mr. Johnson said this is very simple. Section 2-113, Duties of the Town Administrator was changed back in 2012. It was abbreviated. We have a, b, c, d and e. One thing that was deleted at the time was the appointment and removal of department heads for cause with the approval of Town Council. I would like
to see that back in our ordinance. Not necessarily appointing [sic.] but hiring and removal of department
heads for cause with approval of Town Council.

Mr. Stevens concurred and said as a council form of government, we should have some say when
someone is in a director position. If a director is removed for cause, we need to have concrete evidence
that person has done wrong. The town will suffer legal liability when actions are based on hearsay. I
believe this will remove any legal liability.

Ms. Samples said Mr. Johnson, if I may direct my questions to you since you put this on the
agenda. Mr. Johnson said sure. Ms. Samples said what I think you’re saying is that you want to
recommend that the town administrator who is responsible for daily supervision of all employees to have
to come before this body of seven people who are not involved in the day-to-day oversight and
supervision of people, you what you want the administrator to come to this political body, for an approval
to terminate department directors.

Mr. Johnson said let me expand on that. Many councilmembers don’t go to town as often as
some do. So, they don’t have the exposure as some do. But, my issue is when I get an email or a phone
call at five p.m. saying that a director or someone else is fired because of this that and the other; we
don’t get heads up. I think that we would be covering our bases if council was [involved.] Ms. Samples
said your comment is not asking for heads up, you’re asking for council to actually be part of the
approval process. What you’re saying is that you want council to be involved in the approval of the
termination. Mr. Johnson said my belief is 99.9-percent of the time we would be in favor of our
administrator’s decision based on the facts. Ms. Samples said I support and agree with that assessment,
but still you’re asking for the rules to be changed. I believe for us to change the rules so that this body of
council people who do not do day-to-day supervision will have a say in whether someone will be
terminated or not. Mr. Johnson said not only this council, but future councils. Ms. Samples said I
appreciate that and philosophically I have difference of opinion with you. I don’t think elected officials,
politicians, who are not involved in the day-to-day operation and have no idea of the day-to-day tasks of
an employee, or whether they are performing satisfactorily should be involved. Now, do I think it is
incumbent upon our town administrator to keep us informed when there are issues? Yes, I think
communication is absolutely necessary. But to give elected officials authority to say yes you can, no you
can’t, I think is problematic. Mr. Johnson said thank you for your comments. Mr. Ott said if we look at our
road record on hiring and firing directors we’re pretty poor because we’ve paid off so many lawsuits that
we need people to understand and we don’t need to know everything that goes on day-to-day. We would
be asking the administrator to state the case, the same case that will be held in a court. That’s what we
will give her the approval of the people to do that. That’s the proper way to do it. Maybe that will get us
out of these problems. We’re giving people hundreds of thousands of dollars as they were inappropriately
discharged. We have a case now in the Supreme Court. Ms. Samples said that particular discharge did
have approval of council, let me just say. It wasn’t under Ms. Fellner, but did have council approval.

Mr. Ott said hopefully I will bring in board of zoning appeals hearing minutes that will solve this
problem. Those hearing minutes have disappeared from the town website. Mr. Johnson said I think it
gives one person too much power. Mr. Pellegrino said at this point, I would be in full agreement with the
administrator if she had to call an executive session to say she’s planning on firing someone to explain
the situation. I am totally against the administrator not making the decision, because as Ms. Samples
said, the administrator works with that person day-to-day. They know what they do on a daily basis. I
have no idea what any director does day-to-day. I talk to them when I have a question.

Ms. Samples called point of order, and asked for order in the audience. Mayor Childs gavel the
audience and said if you continue to talk, I’ll ask the police officer to escort you out. So, please just
listen. I’d appreciate it very much.
Mr. Pellegrino continued saying, I'm not on council to manage people day-to-day. If that's what you want for council don't vote for me. I just don't understand why we would expect people who don't know what goes on every day to make that decision. I disagree with the proposed amendment.

Mr. Stevens cited State Law Title V, Council Form of Government, which is what we are, saying in Section 5-11-40, Establishment of Municipal Departments, Office and Agencies. Employment of administrator or officers appointed controlled by council annual budget and taxes. Council may establish municipal departments, offices and agencies, in addition to those created by Chapter 1 through 17, and may prescribe the functions of all departments, offices and agencies. Then it says the council may hire an administrator to assist council. That's her job; to assist the Council and make sure we are fully informed. In February 5, 2008 Section 2-113 said the administrator was the chief administrative officer of the town. He or she shall be responsible Town Council for the proper administration of the policies and affairs and to that end shall have the power and authority to be required to: number 3, appoint and remove department heads for cause with approval of Town Council. That's what Mr. Johnson is asking for. If the administrator brings us a department head and she has cause, then that person can be fired. If you don't have cause, you're putting the town into a lawsuit and we will be sued. We already have the Supreme Court case; $300,000 that were looking at if the Supreme Court upholds the lower court ruling. Mr. Johnson is asking for simple common sense government. Those serving on council are educated and can make those choices. All the administrator has to do is present the case to justify the firing.

Mr. Ott said to this and future administrators, this will take the heat totally off the administrators. When you present the case, and possibly council adds to it and helps instead of these lawsuits [sic.] You want to carry that by yourself. I think it would be a good thing for the administrator when we support it.

Mr. Courtney said agreed with Mr. Johnson and said I'm not here for the day-to-day operations. It's not my job, but I do get newspapers and it blows my mind. I think is very important that council has involvement in what's going on with the department heads. Again, if it's justification for someone being fired, so be it, and they will be fired. They sit there and say we're politicians, I'm not a politician either. I'm a family man. So, again I don't get involved in day-to-day operations, and I don't want to get involved at all. But I think the seven members on councils; four of these seven have would have common sense. That's all, I'll leave it at that.

COUNCIL CONCURRED TO BRING THE ORDINANCE FORWARD.

Ms. Samples asked Mr. Johnson, who serves on the MASC Board, to find out how this will affect the administrator’s contract. That probably needs to be addressed before we bring it up for discussion again. Mr. Ott said the Municipal Association is an advisory board; not lawyers. They are a group of lobbyist. Mr. Courtney said we have a new administrator coming on; one is retiring in June. So with that being said, I think it’s a step in the right direction.

D. Lanier Parking Solutions, Administrator Fellner. Ms. Fellner presented the decision paper, a copy of which is on file and asked Town Council to concur to bringing the Lanier Parking Agreement for approval of the 2-year extension of the contract at the next regular meeting. There was a scriveners error in facts, under ‘a’ the year should be 2013, not 2016. Mayor Childs said Ms. Fellner’s was right; the town’s parking function has been more profitable under Lanier. It was an absolute disaster before. The court had stacks of letters they couldn't get sent; they had to hire somebody else to help. The Lanier contract has proved to be very profitable. Mr. Ott agreed with Ms. Fellner and said there is not one complaint. I don't hear anything. I like that and the money is coming in for us. Doesn't this have to be done by the end of the month? Ms. Fellner said that is why it needs to be on the next meeting agenda. Mr. Courtney said I read this contract. There is some wording on the first page it says this agreement is for parking management services. It is dated the first day of February 2013. This is not due until February, correct? Ms. Fellner said the scrivener’s error was noted during my comments. Mr.
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478  Courtney asked if the contract should be with the Town Council of Surfside Beach. Ms. Fellner said no, 479  Town Council agrees on behalf of the Town of Surfside Beach. Mr. Pellegrino asked if the management 480  fee of 6.5% would be the same. Ms. Fellner said yes, everything would remain the exact same. Mr. 481  Pellegrino asked if that was a fairly standard rate for this type of service. Ms. Fellner said that varies. I 482  haven't looked into this service since we first hired Lanier. At the time that we entered the contract, they 483  were the best prices around. Lanier also handles Myrtle Beach and so they are already very close here. 484  They use all the same equipment; they have the same people who service the machines and so forth and 485  so they were significantly lower. Mr. Pellegrino said that was fine, and I think this is their best year of 486  service, personally. I've seen them and talked to them; their attitudes were good. Can you check and see 487  what rate Myrtle Beach has. It is a much bigger market so it's probably lower. Ms. Fellner said I will. Let's 488  remember the question before council is whether or not to bring the contract extension back on the next 489  agenda for business. Mr. Pellegrino said I want it brought for business, regardless. Mr. Courtney referred 490  to page 6 in the contract and said under legal notices the contact information should be changed to 491  “Town Administrator” with a copy to “Mayor and Council.” Ms. Fellner said she would be happy to make 492  those changes. Mr. Johnson said so let me just reconfirm, they only will enforce regulations that council 493  approves, whether we change parking issues on Ocean Boulevard or any other place, correct? Ms. Fellner 494  said the answer is they have been good with council when decisions were made to change something or 495  implement a new strategy. They've been good adapting to that in the past. Can I guarantee that that will 496  be with all things? I don't know and can't. I can tell you based on my past experience with Lanier is that 497  have been really good about that kind of thing. Mr. Ott said I believe that I read in the agreement that 498  they will adapt if you opened up a little parking lot with no change in their contract. The termination date 499  is December 31st, so we got to make sure we get the extension in. Council CONCURRED to bring the 500  contract extension forward under business.

501  E. Statewide Mutual Aid Agreement for Emergency & Disaster Response Recovery, 502  Administrator Fellner. Ms. Fellner presented the discussion paper and agreement, copies of which are 503  on file. Mr. Ott asked if staff would present insurance information. Ms. Fellner said that information would 504  be presented with the resolution. Mr. Ott asked if the agreement from 2002 was still in effect. Ms. Fellner 505  said it is, and that part stays in effect. There are some new parts that the county adopted. Therefore 506  they want all the municipalities to adopt it. Mr. Ott asked if the changes were highlighted in the 507  document he read. Ms. Fellner said no, but the new document is the changes. Mr. Ott asked that the 508  changes be highlighted when it is presented for adoption, because I want to know what the changes are. 509  Ms. Fellner reiterated that both documents would be in effect. This does not change the 2002 agreement, 510  but adds to it, for instance the new agreement includes new procedures implemented by the state. Ms. 511  Fellner reiterated that there are not any changes to the 2002 agreement. Protocol has changed since 512 2002, and this supplemental agreement ensures that all municipalities are using the same protocol, as 513  Town Council learned during the recent ICM (Incident Command Management) class. Mr. Ott said so 514  there is no money or things we must do. It is just simple procedure changes. Ms. Fellner said right, this 515  document is a formal agreement that ensures the town would be able to get additional help in the event 516  that the town's receives a major hit from a hurricane that destroys the entire R3 district, so there's a 517  logistics agreement between the county and the town for feeding those workers. Mr. Courtney said I also 518  read this document and I agree with Mr. Ott. In Mr. Battle’s email, basically he was requesting the town 519  needs to be sure to comply with the insurance. Ms. Fellner reiterated that the insurance information 520  would be presented. Mr. Stevens said it would be nice to have the changes highlighted in yellow. Mr. Ott 521  said she'll do that. Mayor Childs said this agreement adds to the 2012 agreement. Mr. Stevens asked if 522  Ms. Fellner knows what the insurance reporting requirements are. Ms. Fellner said that would be clearly 523  outlined when it is presented. Ms. Samples said just to clarify for everyone there are no changes, but 524  there are some additions. What the councilmembers are asking you to do, I suppose, is to show them 525  what those additions are, is that correct. Ms. Fellner said I'm happy to do that. Council CONCURRED 526  to bring resolution forward at the next meeting.

527  F. MOU Horry County Law Enforcement, Chief Hofmann. Chief Hofmann presented the 528  discussion paper and memorandum of agreement, copies of which are on file. Mr. Stevens asked how far
the town’s officers would go to provide assistance. Chief Hofmann said to my knowledge we’ve never been asked to respond beyond Caropines or Deerfield. I think maybe we have been out Glens Bay Road a couple of times. I’ve never heard of calls beyond Highway 17 Bypass. Theoretically, we could be called to Loris. Mr. Stevens asked if the town would respond to a hostage situation at the school on Scipio Lane. Chief Hofmann said yes; the department would respond to distress situations such as that, which the town is covered to send officers even without this agreement. This is agreement is for nonemergency situations, like a domestic violence call. Mr. Stevens said we already have a mutual aid agreement with Horry County. Chief Hofmann said no. At this point if we called them they would respond, because we are in Horry County. In this particular case, the county is more so in need of our assistance from time to time. Mr. Stevens supported the agreement. Mr. Ott said could I assume that there was nothing in writing, because this is what we always did. Chief Hofmann said a law was adopted in 2014 that requires the governing bodies to approve these documents, which effectively cancelled our understanding with the county. For some time we’ve been operating under an officer in distress understanding, but it’s become clear to get approval from the governing body before we continue responding. Mr. Courtney asked if the town’s police would pick up the Horry County backlog calls, when they get multiple calls for assistance at the same time. Chief Hofmann said absolutely not. That is a very valid concern. That is not the purpose of this agreement. Mr. Courtney said thank you very much, you have my consent. Council CONCURRED to bring the MOU for consideration at the next meeting.

Chief Hofmann welcomed Mr. Harrah on behalf of the Surfside Beach Police Department and said we look forward to his leadership.

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

Mr. Stevens said the Ralph Magliette Senior Citizen Committee will hold the 3rd Annual Seniors Fair on Friday, October 20th from 10:00 a.m. to 2:00 p.m. at the Surfside Beach Fire Department. Information of all types will be available. He commended the committee members for doing a ‘crackerjack’ job setting this up. Everyone is welcome to attend. Flyers were available. Mayor Childs agreed with Mr. Stevens, and thanked Mr. Shore for chairing that committee. It was very important considering the number of seniors that live in town.

Mr. Courtney said the reason I voted no on the motion to approve the minutes is I would like to clarify who the town attorney is. Is Mike Battle our current attorney? Ms. Fellner said yes, he is. Mr. Courtney said it is my understanding is that we need consensus of council before you call the town attorney here, correct? If it’s not, tell me, because I will call him and have him come here every time. Ms. Fellner said there are times when the town attorney would be asked to be here when council might not have asked. If council wants the attorney to be present at every meeting, then yes, consensus would be required, because it’s not budgeted. Mr. Courtney asked if the past practice was to have consensus to have town attorney present during a meeting. Ms. Fellner said no, I can ask the town attorney to come. Mayor Childs said at one time the town had an attorney that attended all the meetings; that stopped just a few years ago. I think that is something that council should address in the near future. On numerous occasions we’ve decided we do need an attorney. It would be a matter of putting one on contract that would come to every meeting. Ms. Fellner said we just need to make sure that the budget is amended, because that is not in this budget. Mayor Childs said correct. Mr. Courtney said we’re in discussion now. Do you need consensus to call the town attorney or can any councilmember call him. Mr. Stevens agreed with Mr. Courtney. Mr. Moss charged $300 per hour to attend the special meeting. Hiring an attorney is a legal contract, a legal contract should have consensus of all members of council, because we are a council form of government. Mr. Johnson said there was a time when we did have an attorney here, but then things changed and we didn’t need an attorney at every meeting. So we agreed to not have an attorney here, because we were paying for something that we didn’t need. I really don’t think we need an attorney here at every meeting. Mr. Courtney said the question I’m asking is does the administrator need consensus of council have an attorney present at a meeting. Mr. Ott said no. Mayor Childs said you do not need Council approval. Ms. Fellner explained that Ms. Edwards, the town’s labor attorney, charges
would have been much higher, because she had to travel from Columbia. Ms. Edwards agreed that Mr. Moss could represent the town well. Mr. Courtney said when special meetings are called there is 24 hours notice given. Council should have been notified of the attorney being here, because we knew the agenda was going to be amended to remove public comments. How much was the attorney's fee for that day? Ms. Fellner said I don't know; I'll find out and let you know. Ms. Fellner said there's another personnel issue that is involved with this, because, well, I think that would have to be in executive session. Mr. Courtney said I am confused, because the attorney stated that he doesn't recommend going to sessions. Did you not say that? Ms. Fellner said that is what Mr. Battle sent to me in an email. Mr. Ott asked if more than one attorney was being paid. Who is the other person? Ms. Fellner said that needs to be in executive session. I can't discuss that. Ms. Samples said just to make it clear, that you, Mr. Mayor, are the one that called the attorney in to represent the town. That attorney was not here representing any one individual, is that correct? Mayor Childs said absolutely correct. That attorney was called in to protect the council from getting the town into a liable situation. That's the only reason. He wasn't here to represent any party. He was here to represent the town to keep the town from a possible extremely large lawsuit, and that was the only reason. Mr. Ott said may I add that that was not necessary. I believe it was a waste of money. Mr. Childs said that was Monday morning quarterbacking. It could have been very necessary and then we would all be sitting around asking why an attorney was not called in.

Mr. Courtney said we will have an executive session at the next meeting right, because you said there is another personnel issue. Mr. Stevens agreed. Mr. Ott said the next meeting; Ms. Fellner said she doesn't have that information. Mayor Childs said we can go into executive session now to discuss the attorney's fees.

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

Ms. Holly Watson, Oak Drive North: Again, thank you for listening to my complaint and a suggestion when you decide to put your agenda together or a resolution on the duties of our administrator that is employed by our town, I would like for you to consider removing the police chief, the fire chief, and the PB&Z director from underneath reporting to the administrator and I'll tell you why. There have been now three instances of publications in the newspaper whether or not, believe 'em or disbelieve 'em, it's a black eye to our town. It is against the law to interfere with any law enforcement officer's duties. That means citations, ticketing or anything of that nature. So in order to keep our nose clean in our town, I would appreciate it if you would remove these three departments who have legal authority given to them from the purview of an administrator who is responsible for their pay and whether not they get a raise and that type of thing. They should be independent. They should be able to do their job freely and without fear of repercussion. I'm asking you to consider if you were one of these police chief, fire chief or at PB&Z director how you would feel having to ticket a friend or an acquaintance or anyone else when your pay in your future depends on one person. I think it's very unfair. I think it is a hostile work environment, to say the least, and so when you discuss the duties of the administrator, I applaud you for taking back your responsibility of termination, firing, and that type of thing, but please take one more step, you know, go ahead and blow the nose and get our nose clean and let's start from scratch where we don't have things like this going. Thank you.

Ms. Anita Crone, representing the Georgetown Times and South Strand News: With all due respect, in regard to the executive session, I would like to protest that session on the legality. Number one, it was not on the agenda, and number two, a personnel chart, even though it may involve personnel issues, is not acceptable means or reason to go into executive session. On behalf of the Georgetown Times and South Strand News, I respectfully protest the executive session. Thank you so much.

Ms. Patricia Magliette, Harbor Lights Drive: Thank you. In South Carolina, it was stated that there are two kinds of government for a community. Noted one is a strong mayor with a weak council. The other one is a weak mayor with the strong council, which is what we've got. Nowhere that I can see is it applicable to have a position of helpfulness which is our administrator. Nowhere is it applicable where
the administrator should have so much power as to almost practically block out the weak mayor strong
council effect. I appreciate what she does, but it seems to me from time to time that we have given or
somehow slid too much power not to a personal person, no names called, but to the office, to the job of
the township administrator. It seems like over the years, she's gotten, he's gotten, whoever's gotten too
much power under their belt and the other thing is that from time to time, it seems there's not enough of
a communication between said, no matter who they are, between a town administrator and the council.
Sometimes the right hand doesn't know what the left hand is doing. So having said that let me close by
saying we are a weak mayor strong council township and somehow or another when we get our new
town administrator, we have to recognize that she is not to lead to council, but the council is to lead her
in her or his effectiveness to run the town. Thank you very much.

Ms. Sherry Wardell, 1st Avenue North: That last comment threw me for a loop, so. I just had a
couple comments on the meeting that I experienced today. It was quite different. I wanted to point out
and possibly question why Councilwoman Samples explained for the administrator that the reason she
didn't disclose Mr. O'Hara's name and resume because it was that he was still at his current job and that
the administrator was concerned that if this information got out, you know, it might appear bad for him.
Now how come Councilwoman Samples was the only one that was aware of this when the rest of council
wasn't, and who gave her the authority to withhold that information from council who she is obligated to
report to under a council form of government, which I think every person that came up here to comment
tonight has mentioned that this town is not operating as it's supposed to. It is clearly not operating the
way it's supposed to. Frankly, I see that the administrator because she has this ominous power, she is
very disrespectful of council in the fact that she doesn't communicate fully and she pretty much, well,
Councilwoman Samples said it for her that she doesn't trust the councilmembers to keep a secret like
that, if you're discussing personnel issues. So that was for me, if I was sitting in your shoes that would be
a huge slap in the face for me. Another thing I wanted to mention, too, because I'm a little confused.
There's been some discussion about something that happened in 2012 with the administrator's contract
and I'm imagining that that issue was pertinent tonight for what we've been discussing about the fact
that the administrator just is able to at a whim hire and fire without getting council approval. If that's the
case then that contract is illegal, because we are still council form of government. If we had changed to
town manager form of government then that would be a different story. But I'd be very surprised if what
happened tonight with the news media in attendance that that isn't going to be looked at by the state. So
be forewarned. The other thing is, too, I just don't want you to think that I forgotten about the Clemson
issue. I contacted Peter Barry from the Clemson Foundation. He gave me some information verbally.
When I asked him for written confirmation, he has avoided me for the last two months. I've sent him
repeated request for information, particularly regarding who was the former employee that he mentioned
to me that was instrumental in obtaining this type of donation, and it was a donation. That's what he told
me. The town donated money earmarked for the community landscaping department. I asked him
additionally, and I believe that we all have a right to know that this country allows us the right to know
through the Freedom of information Act, whether or not this town has made previous donations and it
was a donation. It was not contract as the administrator tried time and time again to convince us that it
was. Now, if she did something like that, if she made a donation with town funds that is a
misappropriation of funds, and again, like I said, Mr. Peter Barry is not responding to me. I will find
someone who in Clemson who will respond to me. So, just giving you some fair warning.

10. TOWN COUNCIL COMMENTS.

Mr. Ott: Thank everybody for coming out and enjoying our session tonight. It had some good
points and some tired points. It's getting late. It's almost 9:30. A big change coming on in our town is
Friday. You can bring your dogs to the beach. So please everybody have fun and enjoy our beautiful
town, because it is a beautiful town. Thank you for coming out.

Mr. Courtney: Yes, I want to thank everybody for coming out. I want to thank our staff for the
storm. I want to thank our police, public works, our administrator, and every other department. I saw
them out in force cleaning up. Thank you very much. The police department did a great job. We had another incident on Ocean Boulevard that the police foiled right away. Good job, thank you. Everybody else have a good night. Thank you for coming out. God bless you.

Mr. Johnson: I really don't have a lot to say that I haven't said already. Thank you. God Bless you for coming out. That's all. Thank you.

Mr. Pellegrino: A few things. First of all, thank you to Mr. Ott, because the ordinance, I think it's a good thing to bring forward. That's actually improving our process. We're being proactive rather than reactive. So that's a positive thing. As far as, you know, I heard some comments while we were talking, and I always enjoy comments, positive or negative. My feelings are that we're up, council is up here to set policy, to approve the budget, and to hire the administrator; not to manage day-to-day operations. I honestly feel we pay a full staff to do their jobs. So if we're gonna manage the day-to-day operations, why are we paying the staff. Anyways, that's just my feelings on that. As far as the ... Obviously, there's a big difference in opinions on a lot of points here and that doesn't mean some have common sense and some don't. Some are dumb; some are smart. But we have different; we look at it from different views. Everyone is not gonna agree on everything, and I understand that most of the people in this room disagree on everything I say. That's fine. That's good. That's our right in America to do. But that doesn't give us the right to implicate someone or to accuse someone being guilty with absolutely no facts. It happens every week, over and over again. (Addressing audience member) And you hold up the newspaper. I'm glad. Guess what? Ninety percent of the stuff in newspaper is false. I mean, come on. [Mr. O'Dare] knows that. (Laughter) Anyways, I'm just playing with you [Mr. O'Dare.] So not everything that's printed in the paper is true. Not everything that is said is true. Not everything that is thought to be true is true. I mean there's; I wait and I don't say much in a lot of the meetings, but I try to wait until I have facts before I take a stance on something. That's the way I place my votes; based on the facts that I have. I don't always have all the facts, but I always have some facts. So that's the way it is. But I do appreciate all your comments and there was a comment; someone forwarded me a link of a letter. It is a very well-written letter. I disagreed with it a hundred percent. But they put their name on it, so I was very happy, because they took ownership of the letter and they put their name on it and they're passionate about it. That means they care, so that's a positive thing. Thank you very much for coming. Have a great night. Keep giving us the comments.

Ms. Samples: Ms. Fellner, great job. Thank you. Thank you staff. [Mr. Harrah], welcome. I hope you are prepared and ready for the fun to come. I want to say good evening to everyone out there and I would like to remind council to sign your documents before you leave tonight. Thank you very much.

Mr. Stevens: Let's talk about what's true. What's true is we were sued by Ms. Donevant. We lost. What's true is we've got a couple of other lawsuits that are facing this town. I think we made the right move by Mr. Johnson's bringing a new version of the administrator's duty. Maybe that'll alleviate some of the problems were having. We've got a fellow over here, and I'll tell you, if you haven't met him, I met him. I'm very impressed by Mr. Harrah, but the fact is when he was voted for I didn't know anything about him. As far I know, he was a fly on the wall. No name, no address, no nothing. I can't make a logical intelligent decision, when I have no information whatsoever. We're a council form of government and the town administrator under Section 2-113(a) is responsible for keeping the Town Council fully informed for Town Council for the fulfillment of fiduciary responsibilities and better represent the citizens. That's a fact. The only way I can represent you is to know what's going; to know the facts. There's been articles, Mr. O'Dare put an article in the Myrtle Beach Herald about emails. Now whether that's true or not, the fact is a court of law will decide that eventually. I think were headed to the mother of all lawsuits and it is a shame. Thank you for coming out. Have good week. Enjoy the nice weather after all of what Irma gave us. Have a good night.

Mayor Childs said Ms. Fellner, Mr. Ott just suggested during the season when dogs are allowed on the beach, that signage be posted that say “Dogs must be on a leash,” because that seemed to be an
issue last year. Ms. Fellner said I have spoken with Mr. Adair about that and we’ll move it forward. Mayor Childs suggested putting these signs along the beach, and said thank you. Thank everybody for coming out.

11. ADJOURNMENT. Mr. Courtney moved to adjourn the meeting at 9:30 p.m. Mr. Johnson and Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by:

Debra E. Herrmann, CMC, Town Clerk

Approved: September 26, 2017

Surfside Beach Town Council

Robert F. Childs, III, Mayor

Ron Ott, Mayor Pro Tempore

Timothy T. Courtney, Town Council

Mark L. Johnson, Town Council

David L. Pellegrino, Town Council

Julie M. Samples, Town Council

Randle M. Stevens, Town Council

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