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, Samples, and Stevens were in attendance. Councilmembers Johnson and Pellegrino were absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Deputy Administrator Harrah; Finance Director King; Fire Chief Otte; Police Chief Hofmann; Public Works Director Adair, and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Pastor Okie Landers from 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 with an amendment to defer Business Items 7.D. Infrastructure Recommendations, and 8.B. §2-113 Town Administrator Duties until the next meeting. Mr. Courtney second. Mr. Stevens moved to amend 8.A. to add the word “Not” before the word “Removing.” Mr. Courtney second. All voted in favor of the amendment. MOTION TO AMEND CARRIED. All members voted in favor of the agenda as amended. MOTION CARRIED AS AMENDED.

4. MINUTES APPROVAL. Emergency Meeting September 9, 2017; Workshop September 12, 2017; Executive Session and Regular Meeting September 26, 2017. Ms. Samples moved to adopt the minutes of the Emergency Meeting September 9, 2017; Workshop September 12, 2017; Executive Session and Regular Meeting September 26, 2017 as presented. Mr. Courtney second. All voted in favor. MOTION CARRIED.

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

Ms. Ann Wescott, Cedar Drive North: Okay, I think I’m still on the agenda. Several weeks ago we discussed repaving our existing 40-year-old driveway, which is not in a flood area. We contacted a local company you would all recognize to request an estimate. There was no return call. After attending the last council meeting, I understood why. I contacted them a second time. They informed they would not come out to give us an estimate until we had a permit. They knew all too well how expensive and time-consuming getting one would be. Our current ordinance makes it prohibitively expensive and difficult for homeowners in the non-flood zone to maintain their existing driveways. I’m not assuming that they can find a company willing to do it at all. Thank you.

Ms. Holly Watson, Oak Drive North: I want to ask you again to immediately reinstate Ms. Morris our planning, building and zoning director, because of all the evidence I have given you, plus the leaked executive session tape reminds us that this was an illegal firing by our administrator and council did not approve it. You can amend the agenda at any time. I would also remind you that I requested that the employee handbook be reviewed. The administrator says in her report that the Municipal Association reviewed it. It’s my understanding that she did not follow the recommendations given by them. Please see to it that we mirror and Muni [sic] Association’s guidelines, since she also fired our human resources director. It’s online. You can look at the handbook. The grievances is what I’m after. Please also remember that you asked her to look into taking the encumbrance of recreation only from Huckabee. You never directed her to go and block the residents with no trespassing tape from the property we paid for. Please immediately remove this tape. We bought it. We ought to be able to use it. Three of you remember the budget meeting and a $35,000 payroll in January for an assistant. A couple of you are now saying you remember the doubled salary from some executive session. This can be solved easily. Tell me
which executive session. Also which executive session approved the $10,000 Clemson check? I was in
most of the meetings, so it wasn't in public. Please put an end to all these questions, and if you will not
put an end to all these questions, please tell us you will not put an end to these questions. Thank you.

6. COMMUNICATIONS.

A. St. Michael’s Church – 5K Walk/Run for Mission Trip. Mr. Eddie Alvarez thanked Town
Council for allowing them to present their request. He said I represent St. Michael’s Mission Team. The
team seeks permission to hold 5K Walk/Run on Sunday, April 8, 2018 from 8:00 a.m. to 12 noon. We
also ask that on that day the Council wave legal parking enforcement in the area during the event to
allow those who run to park near where the event will be taking place. We also ask that Town Council
allow us to place banners and signs within the town limits to promote the event. We have coordinated
with town personnel. Liability insurance for the day of the event will be submitted prior to the event date.
The race proceeds will provide funds to purchase supplies to work with the Olancho Aid Foundation, Inc.
a 501(c)(3) nonprofit, faith based organization to build a church, school, or water filtration system for the
children and people of the very poor country Honduras. It also helps defray some of the cost of the 24
team members from St. Michael’s who will be traveling to Honduras next June. This is only one of the
many fundraisers that we have to undertake to raise our goal of between $35 and $40 thousand. Mr.
Courtney asked where the run would take place. Ms. Herrmann said there is a course laid out in the town
that is used by the annual Turkey Trot. Mr. Courtney asked for a copy of the race path. Ms. Herrmann
said that would be provided to all councilmembers. Ms. Samples said thank you so much for coming
before this council and presenting your plan. Organizing a race in town is a challenge. What type of
support are you looking for from the town? Mr. Alvarez said there would be some police officer
assistance; we will pay off duty officers. We will also work with the Volunteer Ambulance Corp [sic], and
there will be many, many other volunteers. Ms. Samples said I appreciate that. Those who have
organized runs in town before have needed our police and public works assistance. There's a lot to it,
and of course, we want to make sure that safety aspects are first and foremost. Mr. Alvarez said we will
work with town personnel in whatever way necessary. Ms. Samples said if our police chief, public works
director and events supervisor are great with the plan, then I’m great with it. Mr. Stevens said we've
done the Turkey Trot for many years. That’s been very successful, and brings many people into town
who dine at our restaurants, and shop here. This is for a good cause. The mission team is helping people,
and that’s what America is about: helping people. I’m 100-percent in support. Mr. Ott asked if the race
would last two hours. Mr. Alvarez said eight o’clock to 12 noon. Mr. Ott said you’ll need parking for the
participants and helpers. Mr. Alvarez said yes, that is requested so the workers and participants can park
legally without paying the meter. Mr. Ott said I have no problem with this. Mayor Childs asked for
consensus of council to allow the race. Mr. Courtney and Ms. Samples said absolutely. Mayor Childs you
have a CONCURRENCE of Town Council.

B. Administrator’s Report, Administrator Fellner. Ms. Fellner presented the written report,
a copy of which is attached hereto.

Comments regarding pier reconstruction:

Mr. Ott said thank you for the report. Isofar as FEMA drawing a line in the sand; it has been
drawn at $5.6 million, but we need to look at $7.8 million or more. Ms. Fellner thought one of the highest
numbers exceeded $9 million. FEMA would have to allow conversion to the 428 Project Plan to reach that
amount. That plan allows for hazard mitigation items and components to be incorporated into the
project. Otherwise, we will have a wood structure, which is likely to be destroyed during the next
Category 1 storm, and then we would go back to FEMA and repeat this process. Mr. Ott asked if the state
representatives were sent any photos. Ms. Fellner said they have photos of the pier and my
understanding is that they have seen the drone footage. Mr. Ott said he wants our elected officials to
know how badly the pier was damaged and how it is affecting our town’s revenue.
Mr. Courtney asked if the town would have an answer from FEMA in 90 days. Ms. Fellner said since I am told that the Senator Graham’s office and Congressman Rice’s office are supportive, I’m hopeful that it will happen before then. I can’t say that; there are no certainties dealing with FEMA. Mr. Courtney said the town needs a decision. We are losing revenue every month we wait. We have to make a very important decision about which direction we’re moving. Ms. Fellner said if council has any other strategies other than everything I’ve done, please share them with me. Mr. Courtney asked what the hired consultants say. Ms. Fellner said the same; when you come to a point where FEMA draws a line that’s when you engage the politicians, and we engaged them immediately. Mr. Courtney said it sounds like we have a decision. Your report is saying that they came out with a number. Ms. Fellner said that number is for a Category G project without any hazard mitigation, which is not allowed in a replacement project. FEMA has refused to collaborate at all on a 428 project. We had a phone meeting and the FEMA representative, and it was obvious that hadn’t even read the documents. Mr. Courtney reiterated his comments and said council has to make a decision.

Mayor Childs said council has made a decision. We are working with FEMA. All is not lost yet. We are still working on it. We’re waiting to hear from our congressman and senators, and at that point, we can do something. He asked Mr. Courtney what he would wanted do, because we are working with the federal government, and nobody can move the federal government. They are going to move at their own speed. We know we’re losing money. They know we were losing money, but, we are going to do it as quickly as we can. Ms. Fellner is working on this project daily. I can assure you that I personally will call you when we hear from our congressman and senators, and until they draw the line in the sand, we are still in fairly good shape. At least we have a fighting chance. Mr. Courtney said Ms. Fellner reported that FEMA drew a line in the sand and gave us an amount. Mayor Childs said we’re going over the FEMA staff’s head at this point.

Mr. Courtney believed the public had a right to know. He asked if the pier would be completed for the 2018 season. Ms. Fellner said the answer is no. Mr. Ott said if we need to have another meeting on this once we hear from our congressmen and senators then will, and make the real decision. Mayor Childs said after we hear from them, because they were just brought into the discussion. Mr. Courtney said we need to know where we stand, it’s been over a year now. Ms. Fellner said I think I’m been very forthright in where we are at any moment in time. Mr. Courtney said I appreciate that. I just wanted to bring this to council’s attention.

Mr. Stevens said thank you for sending the letter to our Senators and Congressman about the problems with FEMA. That was a good action on your part.

Comments regarding the Town Organization Chart:

Mr. Ott said I believe the organizational chart is a function of Town Council, and council maintains those charts. Ms. Fellner said the organizational charts change all the time. For instance, the last change had to do with police functions to make the department more efficient. Sometimes things happen that require responsibilities to be changed. Mr. Ott reiterated that the organization charts were within council’s responsibility and should be approved by Town Council. Ms. Fellner said only if the number of employees increases, which is the way it has always been done.

Mr. Stevens said I have to agree with Mr. Ott that the organizational chart is something that council should look at.

Comments regarding rodent infestation:

Mr. Stevens said [regarding] the letters that went to 65 residents, the problem I found after I read it very carefully, and discussing it with some of the people that got it is that this letter was informative, but it was also threatening. It threatened the citizens with a thousand-something dollars a
day fine without having any evidence whatsoever of them having rats or anything. It should not have
been a blanket letter. The problem should have been identified, and the letter sent to those people. It
was handled wrong, because there are people that have beautiful homes and well-manicured yards that
don't have any rats. Sending the letter threatening a fine of $1,000 plus per day is a “little bit hard.” Ms.
Fellner said that probably would not have been the letter that I would have chosen to send out. Mr.
Stevens said I suggest you speak with staff so other letters like this are not sent. Ms. Fellner said that
discussion has already been held.

Mr. Ott asked if the rats were gone. Has the town done anything? My friend here [indicated Mr.
Stevens] saw about 80 rats. Mr. Stevens said I only saw about 30 rats. Mr. Ott said that was an
infestation, and thought the town would have done something. Ms. Fellner said there are challenges.
They are feeding in a stormwater drain. According to our NPDES permit were are not allowed to bait the
drain. We’re considering many different strategies. Staff just completed a brochure that’s going to be
distributed with regard to rodent infestation to help the public identify these types of things more easily.
We are looking at everything possible. The ‘highways’ [rat travel paths] have to be identified to properly
configure trapping locations. Mr. Ott asked if a report of ‘no rats’ could be made at the next meeting. Ms.
Fellner said staff is still working on that.

Mr. Stevens said his friend paid about $400 for professional extermination. There are no rats
there now. I’ll be glad to share his name, if you want to speak with him.

Mr. Courtney said we’ve had a rodent problem on the south end of town, and I’m sure the north
end. We’ve had it at Ocean Pines I and II, and down by the shoreline. The town needs take action on
this, because we do have an issue. I spoke to the HOA’s of Ocean Pines I and II. Lanes Pest Elimination
has been setting traps in Ocean Pines. So, we really have to work on this. Ms. Fellner said we are.

Comments on Design Overlay Review:

Mr. Courtney asked Mr. Harrah why the planning commission stopped working on the overlay
ordinance as he heard at the recent meeting. Mr. Harrah said the planning commission continues to work
on the overlay ordinance. A question was raised about ‘access management’ and the commission
concorded to review that section after the upgrades are completed to Highway 17. Mr. Courtney said
access management was travelling from parking lot to parking lot. It has nothing to do with the Highway
17 improvements. Mr. Harrah said Mr. Courtney was absolutely right, but ‘access management’ is part of
the Horry County model the commission is working from. It shows parking lot to parking lot, but also has
access on the frontage road and any property in front of it. Mr. Courtney said that was not the message
he got from attending the meeting. Direction was given by Town Council to the planning commission,
because the town is losing business opportunities that would create tax revenue, because corporate
businesses do not want to open in a town without an overlay that would protect investments. Mr. Harrah
assured council that the planning commission continued its work on the overlay ordinance, and only the
access management section is being deferred.

Comments regarding Clemson University Foundation Check:

Mr. Courtney asked if the Clemson payment was a contract or a donation. Let’s clear this up. I’m
tired of hearing about it. Ms. Fellner explained again that it was part of the a.LINE.ments Studio project.
The municipality requesting assistance has to bear some cost in the project. The individual that
continually brings this up during public comments has never submitted a FOIA request. If she really
wants that information, all she has to do is call me and ask. I probably wouldn’t even charge her.

Mr. Ott said that council wants to know, too, so send the information to councilmembers. Ms.
Fellner said I have that information, and it’s clearly written in the email chain.
Mayor Childs said anyone could meet with Ms. Fellner about this. Ms. Fellner said anybody can meet with me and get this; absolutely.

Mr. Stevens said asked if the emails could be sent to councilmembers. Ms. Fellner said Mr. Ott just requested that.

Mr. Courtney said the public has a right to know whether this was a donation or a contract. Ms. Fellner said Dr. Padua is finishing off the consolidation of the new project to look at landscaping on Ocean Boulevard. That should be coming, hopefully, within the next three to four weeks.

7. BUSINESS.

A. Second Reading Ordinance #17-0852 Budget Amendments FY2016-2017, Administrator Fellner. Ms. Samples moved to adopt second reading of Ordinance #17-0852 as presented. Mr. Ott second. Ms. Fellner presented the decision paper and ordinance, copies of which are on file. Mr. Stevens wanted to know what the $10,000 decrease in professional service in the capital projects fund was for. Ms. Fellner said I wish councilmembers would have called in advance, because I am not prepared to answer that question. Mr. Ott believed he asked that question at the last meeting, and it was logical. However, he did not want to guess. Ms. Samples said Ms. King did answer questions at first reading, and no changes were made. Councilmembers could have asked Ms. King prior to the meeting, if they had questions. Mayor Childs, Mayor Pro Tempore Ott, and Councilmember Samples voted in favor. Councilmembers Courtney and Stevens voted against. MOTION CARRIED. Mayor Childs asked Ms. Fellner to have Ms. King respond to the question. Ms. Fellner said she would.

B. Second Reading Ordinance #17-0853 Budget Amendments FY2017-2018, Administrator Fellner. Ms. Samples moved to adopt second reading of Ordinance #17-0853 as presented. Mr. Ott second. Ms. Fellner presented the decision paper and ordinance, copies of which are on file. Mr. Stevens asked about the $38,900 increase change order to complete road paving, and asked if there was a contract with a set amount. Ms. Fellner said there were a number of things including that state roads require side trim line painting, and she believed Mr. Adair mentioned that in a previous meeting. The $10,000 increase in professional services represents the decrease to last year’s budget, because the project will be done during this fiscal year. Mr. Ott said it was for engineering on the road project and a change order for road surfacing material. Mr. Stevens asked who authorized the change order. Ms. Fellner said believed Mr. Adair presented it to council, but would ask the clerk to look into the records for that. Mayor Childs, Mayor Pro Temp Ott, and Councilmembers Johnson and Samples voted in favor. Councilmember Stevens voted against. MOTION CARRIED.

C. Resolution #17-186 Work Place Safety, Administrator Fellner. Ms. Samples moved to adopt Resolution #17-186 as presented. Mr. Courtney second. Ms. Fellner explained the resolution is to promote work place safety. The Municipal Association requires that we adopt the resolution as it is one of the components to determine the reduction in the premium for workers comp. Mr. Courtney asked if the town performed random drug testing. Ms. Fellner said yes for the CDL drivers (commercial drivers licenses). Mr. Courtney asked if the rate would be reduced if all employees were randomly tested, because every municipality he worked for had random drug testing. Ms. Fellner said no, the rate is already discounted. She did not know whether other area municipalities performed random drug testing; she would look into it. All voted in favor. MOTION CARRIED.

D. Infrastructure Committee Recommendations, Administrator Fellner. This item deferred by approved motion. See Agenda Item 3.

8. TOWN COUNCIL DISCUSSION.

A. Not Removing Deed Restrictions at Huckabee Complex, Councilmember Stevens.
Mayor Childs reminded everyone that Mr. Stevens made a modification to the agenda to put the word ‘not’ before the word ‘removing’ the restrictions at Huckabee (added by approved motion, see Item 3.) Mr. Stevens said I have looked at the deed restrictions and the situation at Huckabee Complex. I feel like it’s not advantageous for us to remove the deed restrictions and tried to do a land swap, because we’re not gonna get what the land is worth. A developer would love to have it because half of the land is lakefront. Anybody knows that if you’re on the lakefront your property value goes up. The other half is worth a lot of money; put $250,000 houses on it, I figure that that property if a developer had it would be worth about $17-$20 million. So, it’s worth at least $2 million. I heard talk about doing a land swap, for what, I don’t know what. The value of $400,000 for ten acres of land. That is worth a lot more than that. I don’t want it to go to a developer. We owe it to the people of Surfside to keep that property. That's property that was given a long time ago. The reason it is called Huckabee Park is it is named after Mayor Blue Huckabee [who served from 1977 to 1986 when he passed away]. We should keep that land. No sense in getting rid of it. We should unencumber the land on 3rd Avenue South so people can use that, as well. Take the tape off of it. There are a lot of people that would get a lot of benefits. Children play baseball. They get out there and they do what's necessary. They enjoy themselves. This was given to the town. To get rid of it; we’re just opening up a hornets’ nest. I don’t think we should remove the deed restrictions. Leave it just as is. We should instruct the administrator to forget about doing anything with it and keep the property. There's a lot of other ways we can handle this and still benefit from it. That's the way I feel on it.

Mr. Courtney said I think that we had originally decided that we would get with the County to see if they would absorb some of these cost. I believe that was what council had directed staff to do. I think it's overdue on our part to get with our County Councilmember Servant and other councilmembers to see what they're willing to put in in regards to this park.

Mr. Ott said the problem I see from the deed restrictions is part of it was given to us, part of it was bought. For some reason the two parcels were combined and we didn't have to do that for a $19,000 that was given to us by the government to take up some of the costs. The deed restriction says that in this development an existing park will consist of the baseball-softball field. That really just jams us right in there. They are going to build houses all around this ballpark. I’m gonna tell you someday the [residents there] are going to say we don't want ballparks here. I want a ballpark there, and I want a ballpark there right now, but when they build houses on the other side, it’s going to be jammed in. If you can take a look at it in the future and the town's gonna say were going to continue to play ball there. I would like to see a recreational center there, and maybe an indoor basketball court, maybe a pool. Something for the people to join like they have in North Myrtle Beach. At this time, we cannot change that. It must be a ball field, but we can unencumber Huckabee by using the property at 3rd & Willow. Then we need another property to [equal the Yellow Book value upon which to transfer the encumbrance.] We can keep a deed restriction on the Huckabee property, but I believe we could change it from ballfield to recreation and it will never be sold to a developer. It will be owned [by the town] and we could still play ball, but if they complain over there and they say we don't want to have ballfields in our back yard, we could go into something else; we would have that option. Am I right in assuming this? Is that what I see in this deed? Ms. Fellner said once it was unencumbered, the town would be able to use it for any kind of recreation. You would be able to put any stipulation on the property that you want. Mr. Ott asked if legal documentation could be filed that would never allow this property to be sold, because the people want this. Ms. Fellner said I would have to consult with the attorney to see how ironclad that is. Mr. Ott said that's what I want you to do. I want to keep it as a recreational center, but I don't; I'm trying to look forward into the future and say we might have 50,000 people over there yelling we don't want a ballfield. Maybe, if we can we can change this, and make it into a recreational center. As a recreational center you can still use it as a ballfield. Right now we can't we can play hockey on it. It has to be baseball or softball. Mr. Ott asked Ms. Fellner to please bring this information to the next meeting.

Mr. Stevens said houses are already being built in a new subdivision on the east side of Huckabee. Huckabee is surrounded by homes in every direction, except where the lake is situated. The
people buying those homes know there is a recreation park near their property. So, that is not really a good argument [for removing the encumbrance.] I've seen government too many times remove something, and then oh, we're not going to do anything, and the next thing it's gone like a bird flying out of a tree. (**)

Ms. Samples said I agree with Mr. Ott completely. It seems to me that the scope that is written for the deed is what confuses things. The scope is very limited, because the scope of the deed says that can only be ballfields, where the deed talks about it being a recreational facility, which is what we want it to be. It seems to me that without violating the spirit of the encumbrance that we could expand the scope to include other recreational opportunities. That may be something that our attorney can look at; not to change the deed, but to expand the scope within the deed that limits us to ballfield. Months ago when this council charged the administrator with removing the encumbrance, we were all pretty much in agreement that we wanted the encumbrance removed so we could do more recreational activities at Huckabee outside of just ballfields. Obviously, some of us still think that's a good idea. Some of us don't. My question again is that without affecting the spirit of the encumbrance, and without changing the deed, can we look at expanding the scope as it is written. I asked if the administrator can speak with the attorney to determine whether there is a simple fix.

Mr. Courtney said I would like to see a recreation center there to provide opportunities for all of our citizens. Councilmembers all received an email message from Mr. and Mrs. Bill Thomas and Ms. Elizabeth Huckabee in which they refer to this property as the Huckabee Recreational Center. They were very disappointed that the town would do such a thing. If I’m correct, the sign on the gate says Huckabee Recreation Center, Huckabee Baseball Fields. I think there is little confusion. So again, I would ask that we do research this very carefully. I think we’re all on board with this and the direction we want to move.

Mr. Ott said not to be redundant, there’s an agreement with the Land and Water Conservation Fund and that’s where we got that $19,000 and that’s what caused this. It says the development of this existing park in the Town of Surfside Beach by the Town of Surfside Beach is to consist of the baseball field and softball field and dugouts and fencing and lighting. Right now, we can’t do anything else but that. I would think that if we were logical, and we could call it a recreational center then we could play other sports there. Right now, we can’t even play football there. I don’t want to sell it, and I want this agreement, whatever it says, it will not be sold, it belongs to the Town of Surfside Beach, the people of Surfside Beach and will remain there for sports and recreation forever.

Mayor Childs said I think everybody agrees that it should be a recreation center. I think it could be used for other activities. It would be nice to be able to have other activities there.

Mr. Stevens said sports tourism could benefit the town; when teams come to play tournaments, they fill up hotels; eat at town restaurants, and shop in our stores bringing accommodations and hospitality tax revenue into town. Mt. Pleasant hosts tournaments four or five times a year and generates a lot of money. The town should consider sports tournaments to produce revenue.

Mayor Childs asked that after Ms. Fellner speaks with the attorney that this discussion be continued at a future meeting.

B. §2-113 Town Administrator Duties, Councilmember Johnson. This item deferred by approved motion. See Agenda Item 3.

C. Chapter 7, Nuisances, Deputy Administrator Harrah. Mr. Harrah presented the discussion paper and proposed ordinance, copies of which are on file. Mr. Ott said I reviewed this and there are quite a few things that we need to really scratch out in here so the ordinance is applicable for this town. The fact that we can have the administrator appoint a person that she deems appropriate and
that person can actually hold court over a resident is not going to fly in this town at all. Town Council will
hold hearings on the residence when we deem that their dwelling is inhabited [sic.] Maybe we should
have workshop. Mr. Harrah said yes, this is an item that we really need to dig through item by item in a
workshop. I just wanted council to get familiar with what other municipalities are doing. The workshop
could be helpful, because it will give time to point out where state law requires some of these actions.
Mr. Ott agreed.

Mr. Stevens said I read this and I think this is unconstitutional. I think this needs to go to an
attorney, because you are violating Amendments IV, V, VI, VII and XIV. This council cannot be a court.
Judge Arakas holds our court, and the courts have to handle this; not the administrator. I will not stand
for any law that appoints an administrator and tells the Town Council to hold a hearing. We’re not a court
of law and we’re not judges. There is nowhere that states the citizens has a right to trial by jury. I can’t
vote for anything that says you’re going to have the administrator authorized to do a lot of different
things. Due process is what is guaranteed by the Constitution of the United States. I believe in that and
this does not give due process. After stating his qualifications of having studied the Constitution; working
in business; working for the State House, and working for an attorney, Mr. Stevens said in my opinion as
a layperson, this does not meet the Constitutional muster.

Ms. Samples said I agree with Mr. Ott. We definitely need a workshop. I want to say that I
appreciate that you gave us all of these options to consider, because the nuisance ordinance is an
important one. I actually enjoyed reading through all of the options and opportunities provided, but it
was clear that we need a workshop to review the specifics and how it relates to the Town of Surfside
Beach. Specifically for me, I had questions about the abatement process. We’ve talked in the past about
community policing, and offering community planning, building, and zoning efforts, and community with
everything so we can tell the people what they can do, instead of just saying no. I see us heading in that
direction with this. I appreciate that. Yes, if we could go line by line, we would have a number of
changes. I like the idea of a workshop and I think that all councilmembers will bring their
recommendations.

Mayor Childs asked for concurrence to hold a workshop. Council CONCURRED. Mr. Stevens
said as long as an attorney reviews the code, he had no problem with it. Mr. Ott said it would be sent for
the attorney’s review when it was done.

Mr. Courtney thanked Mr. Harrah saying I appreciate all the hard work you put into this. I think
the objective of council was to lighten-up on the nuisance ordinance, and not go after our people like we
live in an HOA (homeowner’s association.) There are 36 pages; it is pretty heavy. You put a lot of hard
work in it, but I have to say it definitely needs a workshop.

Mayor Childs asked Ms. Herrmann to schedule a workshop for the nuisance ordinance. Mr. Ott
said I want the nuisance ordinance less vindictive. I don’t want the government going after the people,
and that’s what we’re going to do. I’m sure that’s what you want, too. It’s all in here, we’ve just gotta
take out words to come up with a good ordinance. Mr. Harrah said absolutely.

D. Chapter 14, Flood Damage Prevention, Deputy Administrator Harrah. Mr. Harrah
presented the discussion paper, a copy of which is on file. Simply put, amending §14-50 to state “This
Article does not apply to the simple resurfacing of existing driveways outside of special flood hazard
areas,” would eliminate ambiguity, and relieve homeowners and contractors from the burden of paying
for engineered plans and a survey when the property is outside special flood hazard areas. Ms. Samples
said thank you, Mr. Harrah, for bringing this forward as we discussed at the last meeting. The concern
was that Chapter 14 contradicted itself between Article 1, and Article 3. It basically said that if you do not
live in a flood zone and you want to resurface your existing driveway, the town requires you to get
engineering drawings and a survey. Just to resurface what you have. This creates an unnecessary
hardship for residents and contractors. I like the recommended changes; it takes a hardship off the
resident. My only question is could we take it a step further and allow people who are in a flood zone that
have an existing driveway. What is the implication to the town, if we allow them with a permit to
resurface their driveway, as long as the pervious/impervious doesn't change? Mr. Harrah said I'm waiting
for a response from DHEC and CRS. I had a conversation with NFIP (National Flood Insurance Protection)
and learned that this does not affect the NFIP. There are some state requirements in stormwater
management. I'm still waiting on a response back from them. I can bring that information to you as
soon as I get it. Ms. Samples said if council agreed to bring us forward as a business item at the next
meeting, and if you determine that information will not be not a problem, we could make an amendment
at that time. So, we could if this council agrees to move forward and brings the matter to business we
can consider it.

Mr. Stevens said you're basically talking about impervious surfaces. If I wanted to replace my
concrete driveway with pervious pavers, do I have to have a permit? Mr. Harrah said under the current
ordinance, you have to have a survey and an engineered drawings just to replace in-kind, i.e. same size,
shape and sitting in the same footprint. Mr. Stevens said I've been told I don't have to have a permit to
down pavers. Mr. Harrah referred to Article 3, and said you do have to have an engineered plan for
stormwater management, which is required by redevelopment. Mr. Stevens said we need to clarify that
because I know a man here in town that put down pavers for his driveway, because he had too much
impervious coverage. He did not have to have a permit. Mr. Harrah said under the current ordinance, he
would be required to have a permit. Mr. Stevens said I want to make sure we get clarification on that;
give us all the laws on that, because I want to be fully aware.

Mr. Courtney said I'm a little lost with this, because I know we discussed this. For example, a
constituent called me in regards to a woman that just bought a new home. She put a back deck on the
house that was almost new. She was required to get an engineer's report and survey done on the
property. I can understand the engineer's report, because of the structure being added onto the house. I
don't understand why she needed to have a survey done. There was a survey on file. The house is not
even close to year old, she was directed to get a survey done at a cost of $650. I think that's wrong. I
don't know how this council feels about it, but I sure couldn't afford $650 all to get a survey done, and
then an engineer's report so I can do a $3,000 project. Mr. Harrah, said if you don't mind, with reference
to that in 14-14 of this section and this is just an example, if you look at the line development, permit,
and certification requirements, a certified survey providing the following information, (a) right off the bat,
it states a certified survey is required. Going down to (l), it states the permit includes new buildings and
expansions of existing buildings, the plot plan or survey. These codes are where we have conflicts. One is
done by survey that is a Tier B licensed person, and the plot plan is done by a designer. So we have two
conflicting things in the same law. Mr. Courtney asked if these properties do have surveys. Mr. Harrah
said a survey has to be provided when they pull a building permit. Mr. Courtney said so there is one on
file, so why would have to pull another one to do a project a year later. Mr. Harrah said as far as the time
frame of what's required, I'd have to research. If there's a stipulation in the code that says it's exceeding
a certain date, it's required. But, it states right here for this permit, a survey is required. This is an
existing ordinance. Mr. Courtney asked if Mr. Harrah understood where he was coming from. We're
beating these people up when they do a small project on their home. Before you can even start building
they're into a thousand dollars between the survey and an engineer's report. Mr. Harrah said absolutely.
These are things that, as Mr. Ott brought up, we need to bring back for revisions on ordinances.

Mr. Ott said could this situation be that you need the survey done when you're putting an
addition on to make sure it stays within your property; to make sure that it stays within the setbacks. Mr.
Harrah said the difference between a plot plan and survey is going get us down, because the subdivision
of the lots is getting so tight that we're talking about half inches between a structure and the setback,
and if you really look at a survey, that's going give us the actual measurements as to where that as-built
building sits on the property. A plot plan just shows where the building is. Mr. Ott said I hope we're not
fighting over half-inches.
Mr. Stevens wanted to know if there were times when a survey on file was acceptable because a long period of time had not expired. Mr. Harrah said absolutely.

Ms. Samples said as it relates to Chapter 14 and the driveway change, could we get consensus to bring it for business at the next meeting. **Council CONCURRED to bring §14-50 as discussed for first reading at the next meeting.**

**E. Any matters of concern or information to be discussed.**

Mr. Stevens said I want to give the senior citizen committee, consisting of Mr. Steve Shore, Ms. Linda McKeen, Mr. Joe Buczek, and Mr. Shelby Smith, a big pat on the back, because they are going to have the Senior Fair on October 20th. There are flyers in the back for anybody wants to attend. You don't have to be a senior to attend. I think there are 38 vendors and sponsors that raised over $1,800, so in essence, this fair is not costing the town one nickel. The senior citizen committee has done a fantastic job. My hat's off to them. So, if you see them, thank them for what they did.

Ms. Samples said Mr. Harrah, one of the disappointments for me at this meeting was that we did not have a business item on the planning commission reviewed at their last meeting about in-home businesses. I know you've got a lot on your plate, but this is really an important ordinance that we need to change. Could we have consensus that that come to the next meeting as a business item with the planning commission's recommendation. **Council CONCURRED.**

Mr. Ott said I have a suggestion that we put a different section onto our agenda with old business, and these things stay on there until we finished them. That way they don't go off to wherever these old decisions are.

Ms. Samples said well, if I may add, the town clerk provides us with an action index that show us everything we've discussed and what stage it's in. Mr. Ott said it is on the agenda, we have to do it. I know the action index is there, but we don't have to talk about it.

Mayor Childs said Mr. Ott is right. Sometimes we talk about things and get worked up; the next thing is it's gone.

Mr. Courtney said I don't know if this should have been discussed during the administrator's report, but the parking committee recommendations have not been moved forward as this council had made decisions to move forward with that. One being the decals for the employees; that did not happen this summer. The other thing is with signage and the removal of the electric car station. I know Mr. Adair had ordered signs for that parking recommendation. Ms. Fellner said he did, and said there is one issue that we realized and I went back and listened to the minutes. Council talked about a time on Surfside Drive for the two hour parking and expiration of that at the second reading, and kept referring to it, but not at the first reading. A time for the 2 hour enforcement was never voted on, so when Mr. Adair and asked if the times should be on signs, I was unclear. I think that needs to be addressed by Town Council. Council needs to make their intent known, because clearly council talked about time limits at the second reading. The other items that you mentioned are being addressed by Mr. Adair. Mr. Courtney said I would ask that it be brought back. It needs to be voted on again. **Council CONCURRED to bring an amendment to add time limits on 2-hour parking on Surfside Drive.**

Mayor Childs announced that the Vision Meeting would be held on February 22nd and the Budget Meeting will be held on May 17th. Councilmembers were asked to mark their calendars.

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

Ms. Beth Kohlmann, Ocean Boulevard South: Good evening. I just wanted to comment about
Huckabee. I don't know everything there is to know it, obviously, because you all have a little bit more information. I just want to remind everybody when it comes to sports and kids and the history of Surfside Beach, we had basketball courts; we lost those. We fought, and you were part of that fight. This isn't in a bad way, so I think I could just say that you were part of the recreation committee, Mr. Mayor, and we had to fight really hard to get a skate park. We had to move it from one location to another location, and we have. I understand that that's prime parking. Every time I see the kids out there, I worry that somebody's going to make the decision to take that park away from them, and that could happen. I mean, we all know that could happen. Before you start to think about swimming pools; we have the best swimming pool in the whole world right down the road, and also the town, it's [Huckabee Complex] out of town. It's over there. I'm big on keeping stuff as close as you can for the kids to be able to get to it, because a lot of the kids that live in the Town of Surfside Beach they don't have parents that can drive them to skate parks and you know, how fortunate enough to be driven up to the pools that are up in Myrtle Beach and North Myrtle Beach, and we had to fight to get $13,000. If you remember (***) for something that the kids really needed. That they really wanted. Obviously, it's been a very successful thing. They use it. The Eternal Wave Surf Shop is involved with the kids. They have skate groups for the kids. So I just think; I think is great that you have a vision, but you have to really think about the history of Surfside Beach when it comes to money. We have a pier right now that it's a lot of money [sic] that is a whole lot of money, and we not sure what's going on with that. And you're all right. FEMA is a government, and I applaud you for wanting to get stuff done, but I know that FEMA is like a real tough one. It's not on you guys. You can't call anybody. It's on them. It's just like the beach renourishment. I know people were so upset about the beach renourishment, but you don't get to say when they're going to do it. They're just gonna do it. So, just want to remind you about that, and since my husband is not here, he's working, I have to say this, and I don't mean it in a bad way, but I'm not gonna say I'm not beating you up, because you've said that enough tonight, but those parking things; if you knew that those weren't done after the hard work they did, because it wasn't voted on, I think that you owed it to the town and the people to let them know that they didn't vote on it, and to bring it back, and vote on it and get it done, because those business people on Surfside Drive, they look to the committee and they look to all of you to help them with their business. So if we're gonna say we're business friendly and then we know something wasn't done correctly in a meeting, bring it right away, and re-do it, vote it again. Then nobody can say you're hiding anything. Nope, we made a mistake. We didn't vote. Okay, you made a mistake. Let's bring it back; vote on it, and get it done. Thank you very much, and I appreciate you bringing also both the flood area and the non-flood area, even if it doesn't go through. At least you're looking at it equally across the board, and I believe in equality across the board. Thank you all very much.

Ms. Mary Ellen Abrams, 13th Avenue North: I'm chairman of the town planning commission. Mr. Harrah’s response regarding the design overlay this evening was exactly correct. I'm not trying to beat you up, but I respectfully request that councilmembers who attend planning commission meetings do not bring misinformation back to the public about planning commission proceedings without checking their facts. Planning commission has been and will continue to work on a revision of the design overlay ordinance. Council directed us to mirror the county ordinance. The county ordinance has one section on access management. We agreed to defer that section so as not to provide any impediments to the [Highway] 17 business work that's being done. Any councilmembers [who] have trouble understanding the proceedings of the planning commission meeting are free to contact any number of people; any number of planning commission members, myself, the town clerk, the recording is available online. Before bringing misinformation into a public meeting, this could have been checked ahead of time. Again, please check your facts before you make statements at public meetings that have to be corrected by staff. Thank you.

Ms. Carol Cook, 7th Avenue South: Before the infrastructure recommendations are added to an agenda, I would like council to review them, especially Section 3 the facts subsections two and three. Subsection 2 we'll do without, because funds are being expropriated for another project for Subsection 3 for $27,000 in the red, the taxpayers, i.e. the residents and voters would benefit daily from the sidewalk
in Cedar Drive and that would be the project that was placed on hold. The taxpayers as well as our many
visitors would benefit from restroom facilities in the Passive Park. Please explain to the residents why
we're doing without, while according to WPDE, and that gentleman [pointing to WPDE Reporter Nick
Papantonis] got his information from members of council, that we're spending $45,000 to groom
Huckabee baseball field so that the 92-percent nonresident children can play baseball. The parents have
stated that they would do whatever it takes to keep the ballfields of Huckabee operational. Well, it's time
for them to open their wallets; wash a car; have a bake sale, or just get out there and mow the grass.
Our town projects should not be placed on hold and we should not incur debt for the benefit of Little
League. Sidewalks and restrooms benefit both the residents and visitors. We the residents and the
visitors who support us must come first. Tell us that you are spending your money wisely. Well, when this
comes up on the agenda, I would like you to show is that you are doing just that. I'd like to thank [Mr.
Zulanch] of Benjamin's Bagels and Chief Hoffman and the officers for great Coffee with a Cop. It was a
great event. It's a wonderful opportunity to meet the police officers and to connect with other residents.
At the last meeting, [County Councilmember] Tyler Servant gave a check for recreation funds, and I
would like to see some of that money used on the bocce courts. The bocce courts are used seven days a
week, multiple teams play on there. They're in gross need of repair. The wood needs to be replaced. The
gravel needs to be replaced. We need a scoreboard on the small court. That would be using the money
where the residents actually get benefit from it. I will also like to thank Mr. David Martin from the
sanitation department for a timely response for dumped items on the street. That department is very
efficient. His men are very friendly. They do a great job. If all the departments worked as well as his do it
would be a great town to live in. Thank you.

Mr. Tom Dodge, 8th Avenue South: At the last meeting, I asked about the weight limit allowed
on the bridges on Surfside Drive. That was not answered by Ms. Fellner in the minutes, so I'll ask it
again. Do we know how much weight is allowed on the bridges on Ocean Boulevard and other bridges in
town? Houses move across those bridges, tractor-trailers drive across those bridges, and I think if we
don't put signage on those bridges that say a gross weight limit allowable, and the truck goes through
one of those bridges, we will once again be open to a lawsuit, and I'm the resident last meeting who said
we should sell the pier. Ms. Fellner replied by saying four well attended public meetings were held and
the public spoke unanimously in favor of reading of the town rebuilding the pier. Were costs to build the
pier mentioned that those meetings? Were they told it could cost as much as $10 million to replace it?
Were they told a local businessman said his group would buy the pier and rebuild it? Folks, this pier is
going to drive us to the poor house. We're making no money. Is the pier compromised? If it is, why are
we allowing people to walk on the pier? If it is compromised, we should not be allowing people out there.
Once again, this town is just so ripe for lawsuits, here's two more examples of them. I'll say it again, sell
the pier.

Mr. Boyd Sadler, 8th Avenue South: Well, I'm looking and listening to all this about Huckabee. If
it does cost us $45,000 a year to maintain, we're paying for people outside our community to enjoy the
games. I mean, I love watching a baseball game. I used to love playing the game. But, as a town, we
can't afford to support other communities. We cannot do it. We don't have the funds. We heard we're in
the hole now. Looking around, every time we turn around we've got another expense, and we need to
look at the ethical part of this. If we have something to gain by keeping the park going or setting it up
with some type of recreation, what is the town going to get for that? It should be; our tax money should
be spent to provide services and support for our community. A lot of is there, but not with $45,000, get
serious. Who's benefitting from it? Again, that's gotta be an ethics problem there. You might need to
check into that. Elections are coming up pretty soon. I guess that's the only place we've got a real voice.
But, y'all need to think about what's happening. Huckabee is not something for our town. It's not
something we should be doing. Without county assistance, I mean it's county property; it's a county area
out there. We're not getting into that battle. Thank you.
10. TOWN COUNCIL COMMENTS.

Mr. Ott: The a [sic] Huckabee has been there for a long time. $45,000. What we do? We mow
the grass, and if those people weren't mowing that grass, we'd still be paying 'em. So I think that is not
the right way to look at. I don't think we put much money at all into it, if we really want to look at it, and
they were always playing baseball there. People want to play baseball. The only thing that I would see
that we need to do is change what it's only used for. It can only be used for baseball or softball. We can't
play soccer there. It doesn't say we can play soccer. Basically, this is a legal document that says baseball,
softball. I want this property at 3rd and Willow that we paid 400 grand for to be open, and I don't see any
other way to do it, because if we just open that we will never be able to change the wording on this
encumbrance on this property. It will always be baseball and then we're just going to jam ourselves in
there. A pool? That's so far in the future, it's ridiculous. All I want to do is open up 3rd and Willow and
open up that ballfield, baseball field to do other things with it so we never get trapped in there. Because
once this is open, we'll never be able to encumber, never, cause their won't be any property. People
aren't going to offer you the amount of money that it's worth. The pier was a bad deal when we bought
it. It was a bad deal from day one. We should've never done that. But we're more than; we're up to our
shoulders in that pier. We just can't do anything else with it right now. I mean, you wouldn't get anything
worth it, worth the value of it as it is now. We have to look forward to what we have in here. The pier is
broke. If we build it again as wood, it will be the fifth time we've rebuilt it out of wood. Everybody knows
the story about the three pigs. They don't want to build their houses out of wood. We don't want to build
our piers out of wood. We need to do something with it, and hopefully maybe our senators will open that
up for the amount of money that we need to make it in the cement. But then again, maybe we will have
to build it out of wood, and we will sell it. I didn't know there was anybody that had an interest in buying
it. Hopefully, these people would give us some profit in it, because government should not be in
business. We should never be in business; in the restaurant business or anything. Thank you for coming
out. I appreciate everybody's input. Thank you.

Mr. Courtney: Again, I'd like to thank staff again. You guys are lucky you get to go home. When
you go to your homes you don't have to hear this. I live in town. I have to listen to it seven days a week.
I can't go out in front of my house without listening. So, I want to thank you, and please know, I've said
it enough to night, thank you very much for the hard work you do. Huckabee Park: it's very simple. It's a
vision. Will it happen, the pool? Probably not my lifetime. Again, we've got to be very careful with it. I
believe that we can reach out to the county, because that has not been done yet. We have not reached
out to the county and said hey, we want money for this park, to operate this park. So, I will make an
effort to reach out to the county and see what we can make happen. I think everybody agrees on this
council that would be the best option to see what's going on. As far as the [planning commission]
meeting, okay, I attended as a taxpayer, a homeowner and a resident, okay. The impression I got was
they were not gonna move forward. I had spoken to many commission members when they came out.
They were very confused. They said they didn't get their paperwork; they were very lost. That was the
impression I got. That's my opinion. I'm taxpayer. I live here. I'm a resident. They're residents as a
taxpayer. I'm gonna tell you something else, too. You know, with the business, businesses in the overlay,
again, do you know you can either put the overlay move it forward, get town businesses, improve it or
lose it. If you lose it, you know what's gonna happen: a tax increase. Every one of us attended a vision
meeting back in 2016. We have $7.5 million in capital projects that have gotta be done. Not happening.
We've got a pier that's hanging off the edge. Not happening. This was in the 2016 vision meeting, and I
don't know what else to say. I'd like to see businesses grow. I'm gonna keep on beating this, and maybe
I'm wrong, come up and voice your opinion. I take it. I appreciate it. But I don't want a tax increase and
I don't want to see you get one. But ride down [Highway] 17. Thank you very much. Have a good night.
I thank staff for their hard work, and again I'd like this thank Chief Hofmann for the Coffee [with a Cop].
It was fantastic. He made sure I was there. I really appreciate. I thank everybody here. Thank you. Have
a good night, and God bless you. Thank you.

Ms. Samples: It's good to see everyone. Thank you for those who got up and spoke. We
appreciate your comments. Mr. Harrah, Ms. Fellner, Chief Hoffman, great job. Thank you for your hard
work. Everyone have a great night.

Mr. Stevens: Going down some of things that people talk about, I remember when Ms. Kohlmann
was working on recreation committee. She did a great job there. Far as Huckabee Park, I have a lot of
feelings about that. I think if we used correctly, we can use it as a money making thing; have
tournaments there. Bring in people from out of town, and possibly, if we do it right way, do it several
times a year, make enough revenue that it’ll pay for itself over and over again. 3rd and Willow, I spoke to
[House District #106 Representative] Russell Fry about that. He told me there was a grant from the Parks
and Recreation Department that we could of got [sic]. I don’t know why we never got, why we never got
it, but it’s there. He told me that the money was there, and we did get things that the like. Things that a,
like we were talking about the design overlay, I think we have a planning and zoning committee, and I
like to find out what they’ve got planned. As you know, Highway 17 will be paved either 2018 or
something like that; sometime in the near future. We should have an overlay ready when 2017 or
whenever the Highway 17 is paved, we should have it ready to go, and we should be proactive, not
reactive. We should have it ready, and so those, when it, we fix it up and it looks nice we’ve got a brand
new road, brand-new curbing and everything, we can go ahead and start bringing businesses in this
town. I keep asking this question. Name a major corporation that’s come in this town the last 40 years.
You can’t name one. We need to take care of our town; take care of our citizens, and do what’s
necessary. In closing, I’m gonna just say that I want to give, again, thank the senior citizen committee
for what they did. They’re holding a senior fair. Get; pick up a flyer, and they did it without costing the
taxpayers anything. They did a great job. Thank y’all for coming out. Have a good week, and may God
bless you.

Mayor Childs: I just have a couple of things to say. The planning board, and you work hard on
everything you do, and I hope when you do come up with overlay this council doesn’t start tearing it
apart, and once you leave here you worked for nothing. That’s happened before, so I do hope that
council is; they say they’re going to support you, and I hope they do support you, and support all the
hard work you do. Going back to Huckabee, it keeps coming up. There is nobody up here that is anti-
kids. There’s nobody up here that’s anti-baseball. The only thing we do is with 90-percent of the
ballplayers there are county children. We don’t want to see them lose out on baseball. All we’ve done is
try to ask the county to help us with that facility. That’s all. The county built big fields over there on the
Scipio Lane, and I was told by then county councilman that he thanked us for recreating the county kids
for so many years, referring to Huckabee, and he said now that we built these fields, were going to take
that over and we’re going to do it. Well, that hardly changed a bit. But the county says well, the reason
we can’t do it is we don’t have lights on our fields, but you do. I agree with Mr. Courtney and Mr. Ott. We
talked about this extensively. You know, if we could just get little help from the county on that, and I
think most residents in town would agree with that. We don’t want to cut anybody out from play. Just
give us a little bit to help. As I understand, we’re well over $40,000 a year the town’s coffer to pay for
this recreational facility. Mr. Stevens had a good idea, maybe we can make some money. Maybe run it
like a small business over there, and use it for soccer, and other activities, other sports activities, but
certainly I would hope sooner or later we can finally put that the rest. This has been going around now
forever.

11. ADJOURNMENT. Ms. Samples moved to adjourn the meeting at 8:58 p.m. Mr.
Courtney second. All voted in favor. MOTION CARRIED.

Prepared and submitted by:

Approved: October 24, 2017

Debra E. Herrmann, CMC, Town Clerk
Signature Page for October 10, 2017 Regular Meeting Minutes

Surfside Beach Town Council

______________________________________________
Robert F. Childs, III, Mayor

______________________________________________
Ron Ott, Mayor Pro Tempore

______________________________________________
Timothy T. Courtney, Town Council

______________________________________________
Mark L. Johnson, Town Council

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David L. Pellegrino, Town Council

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Julie M. Samples, Town Council

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Randle M. Stevens, Town Council

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