



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING NOVEMBER 14, 2017 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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; Finance Director King, and Police Chief Hofmann.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Councilmember Pellegrino 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.**

4. MINUTES APPROVAL. Workshop on Nuisance Ordinance, October 19, 2017, and the Executive Session and Regular Meeting October 24, 2017. Mr. Stevens moved to adopt the October 19, 2017 workshop minutes and the executive session and regular meeting minutes of October 24, 2017 as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED**

5. PUBLIC COMMENTS. Agenda Items Only. (3-minutes per speaker) (**As close to verbatim as possible**)

Mr. Tom Dodge, 8th Avenue South said this has to do with item 7.D. Who do some of you people think you are? Horry County, North Myrtle Beach, Myrtle Beach have all banned tents from their beaches last year. I haven't heard or read of any real problems. Our police chief, our fire chief, and the head of the town's beach services all said do not allow tents on our beach. Yet some of you think you are smarter than all of these people. Either your egos are very oversized or you are benefitting in some other way for your decision, in my opinion. Mr. Pellegrino on page 10 of the minutes said he saw 16 tents on the beach last July 4th. Mr. Everett Goff, one of our beach officers, told me he counted over 300 tents on the beach last July 4th. Call Mr. Goff, if you don't believe me. If you are allowing tents on the beach, you are opening Surfside Beach up to possible lawsuits, if and when medical and rescue personnel cannot get to a person in distress. Our last mayor was responsible for several lawsuits against our town. Get a copy of the Horry County tent ban and pass one just like it. Believe me, you are not smarter than North Myrtle Beach, Myrtle Beach, Horry County, our fire chief, our police chief, and our head of the lifeguards. Ms. Samples said on page 11 of the minutes we are a tourist town, and the beach, of course, brings in a lot of revenue that keeps our taxes low. Well, isn't that the same for North Myrtle Beach, Myrtle Beach, and Horry County? I talked to the owner of one of our largest rental companies and they said they had no questions or complaints about last year's tent ban coming from any of their renters. Ban the tents on the beach.

Mr. Bill Kinken, North Poplar Drive, said we saw pictures showing canopies, and some thought it looked like a refugee camp. I disagree with that. What I saw was families on the beach for the day, not a refugee camp. The potential for a possible emergency is there. I will admit that. But, it hasn't happened in three years. I asked the people who were actually on the beach, the officers on the beach, and they said there has not been an incident that he was aware of in the last few years. Regarding the lifeguard's line of sight, there wouldn't be a problem if they weren't six blocks apart. If it is a problem, either move the lifeguard stands forward, or ask the people that are blocking his view to move. We have ambassadors that ride up and down the beach, they could do it. The lifeguard could do it. If the people refuse to move, then the police could be asked to have with do it. I saw a lot of canopies during the hours of around eleven thirty to four, almost all of them were occupied by families. The reasons I'd like to see you

54 rescind this ban is there is sufficient beach for both umbrellas and canopies, and there has not been a
55 hazard in the past. Canopies are used by families during the eleven to four to five hour. If I didn't use my
56 canopy, I'd have to bring three umbrellas down to protect my family. Believe me, I will. That's why
57 people do it. They use canopies to protect their families from the hot sun. The only reason we can do this
58 is we don't have the density that North Myrtle Beach, Myrtle Beach, and some of Horry County have. I
59 hope some of you went down and looked at the zoo they have at the campgrounds. It's just a solid wall
60 three deep of umbrellas. It's not very pleasant. I talked to four families who said the reason they came to
61 Surfside last year was that we allowed tents. *(Time ended.)* Thank you.
62

63 Ms. Carol Cook, 7th Avenue South, said I'd like to comment on the infrastructure committee
64 recommendations, specifically (c) ii paving 1st Avenue North Lot and (c) iii. Passive Park Restroom
65 Facilities. The taxpayers who are the residents and owners of this town would benefit daily from a
66 sidewalk on Cedar Drive North, which the project has been put on hold. The taxpayers and many visitors
67 would use restroom facilities at the passive park. Please explain to the residents why we're doing without
68 while we spend \$45,000 to groom Huckabee baseball fields. The parents have stated they will do
69 whatever it takes to keep the ballfields operational. It's time for them to open their wallets and have
70 fundraisers to do that. Our town projects should not be placed on hold and the town should not incur
71 debt for the benefit of youth baseball. Sidewalks and restrooms benefit both residents and visitors. The
72 residents and visitors who support us must come first. You tell us that you're spending money wisely.
73 Now is the time to prove it. I saw on Facebook that the Surfrider Foundation volunteered to supply.
74 Those people are being proactive. They wanted something. They're willing to get dirty and working;
75 they're willing to get volunteer. Why are we supporting youth baseball when 92-percent of those kids
76 don't live in town? We need to pinch our pennies and spend our money more wisely. Regarding 7.F.
77 removing use limitation from Huckabee Complex, if the encumbrance is lifted, how would the town fund
78 both the appropriation of additional property and the changes to the Huckabee Complex? We need to be
79 committed to maintaining the infrastructure in town first. Thank you.
80

81 6. COMMUNICATIONS.

82 83 **A. Comprehensive Annual Financial Statement (CAFR), Green Finney & Horton, CPA.**

84 Mr. Ken Meadows presented the CAFR summarizing that the town received an unmodified opinion,
85 meaning that no modifications were necessary. All financial statements were materially correct, based on
86 reasonable assurance. A forensic audit is required to catch fraud, which takes a long time to complete,
87 and is very expensive. He presented a PowerPoint with basic details, a copy of which is filed herewith.
88 Mr. Meadows ended the presentation by saying the town was in good financial condition as of June 30,
89 2017.
90

91 **B. Finance Report, Director King.**

92 Ms. King presented the report, a copy of which is attached
93 hereto. Ms. Samples congratulated Ms. King on the great audit. She asked what the balance of
94 unassigned funds was at the end of September. Ms. King said she only had the amount at the end of
95 June, but she estimated the balance at \$2.6 million. Ms. Samples was concerned that the audit shows a
96 cost of approximately \$9.2 million for pier replacement (page 67 Subsequent events), but Town Council
97 has not actually voted on a pier reconstruction contract. Ms. King said that amount was used because it
98 was the highest amount council planned to spend. Mr. Ott said the landfill is going to charge higher
99 tipping fees next year and asked how the town would account for the extra cost. Ms. King said the higher
100 fees would be absorbed by the Sanitation Fund this year, and that a sanitation fee increase would be
101 presented for council's consideration at the upcoming vision meeting. Mr. Courtney said the real impact
102 from Hurricane Matthew with regard to the pier wouldn't show until next year. Ms. King explained that
103 Hurricane Matthew was in 2016, and it did impact fishing fees and walking fees; however, the rental
104 lease income was steady. The parking revenue was down.

105 **C. Administrator's Report.**

106 Ms. Fellner presented the written report, a copy of which is
attached hereto. Mr. Pellegrino asked if the FEMA meeting about the pier would occur this week, and

107 whether FEMA would increase the amount for hazard mitigation. Ms. Fellner said yes, she received
108 confirmation that a telephone conference would be on Thursday, but did not have the time. She did not
109 want to speak about money, but she did believe FEMA would be amenable to at least discussing the 428
110 plan that includes hazard mitigation. Mr. Pellegrino asked when a timeline could be established. Ms.
111 Fellner hoped soon. If FEMA agrees to hazard mitigation, its proposal will have to be amended as some
112 supplies include 14 foot piles when they are actually either 40 or 50 feet. Ms. Fellner was very
113 appreciative that the town's senators and representatives were proactive in arranging this consult, and
114 whatever the outcome is, information will be presented to Town Council for a decision. Mayor Childs
115 thinks this upcoming meeting will be productive, and there should be some news to report. Ms. Samples
116 said worst case scenario is the town receives \$5.6 million. Ms. Fellner said yes. Ms. Samples asked if the
117 engineers were proceeding with work so we would be ready to proceed with a wooden structure, if FEMA
118 denies the hazard mitigation. Ms. Fellner said absolutely. There have been a number of discussions with
119 the Collins project manager regarding the load capacity, as that will not change, and the geotechnical
120 analysis was recently received, but we don't want to go any further than that in case we do have wood
121 reconstruction. The engineers are ready to move forward. Mr. Johnson agreed with Ms. Samples, and
122 said we should get as much done as quickly as possible. He asked Ms. Fellner to please continue keeping
123 councilmembers informed. Mr. Courtney thanked Ms. Fellner for bringing this information forward as
124 quickly as possible. Mr. Ott said any time the town constructs a walkway or any other structure, it should
125 comply with the American with Disabilities Act (ADA) regulations. Ms. Fellner said absolutely. Mr. Ott
126 asked if the walkover at 13th Avenue South could be retrofitted while staying within the current footprint.
127 Ms. Fellner said there are specific regulations, but the structure can go slightly outside the footprint.
128 DHEC-OCRM (South Carolina Department of Health and Environmental Services – Department of Ocean
129 and Coastal Resource Management) has committed to working with us to meet the DHEC regulations for
130 this project. Mr. Courtney asked who the town's human resource coordinator is. Ms. Fellner said Ms.
131 Vickie Mattingly.

132
133 **7. BUSINESS.**
134

135 **A. Second Reading Ordinance #17-0854 to amend §9-9(f) Surfside Drive Parking to**
136 **set 9:00 a.m. to 5:00 p.m. daily, except Saturday and Sunday, for 2 hour parking in the**
137 **Business District, Councilmember Courtney.** Mr. Ott moved to adopt reading of Ordinance #17-
138 0854 as presented. Mr. Stevens second. Mr. Courtney presented the decision paper and ordinance, copies
139 of which are on file. All voted in favor. **MOTION CARRIED.**
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141 **B. Second Reading Ordinance #17-0855 to amend §14-4 and §14-55 No survey or**
142 **engineered stormwater plans required for existing driveway improvements, Deputy**
143 **Administrator Harrah.** Ms. Samples moved to adopt second reading of Ordinance #17-0855 as
144 presented. Mr. Johnson second. Mr. Harrah presented the decision paper and ordinance, copies of which
145 are on file. Mr. Courtney asked if the exemption was for existing driveways. Mr. Harrah said yes. Mr.
146 Courtney asked why a survey was required for a new driveway. Mr. Harrah said to ensure the driveway
147 did not encroach into rights-of-way, and the pervious surface area requirement is maintained. Requiring a
148 permit is the mean by which staff is notified work is being planned or performed. All voted in favor.
149 **MOTION CARRIED.**
150

151 **C. Second Reading Ordinance #17-0856 to amend Chapter 17, §17-007 Home**
152 **Occupations, Deputy Administrator Harrah.** Mr. Stevens moved to adopt second reading of
153 Ordinance #17-0856 as presented. Ms. Samples second. Mr. Harrah presented the decision paper and
154 ordinance, copies of which are on file. All voted in favor. **MOTION CARRIED.**
155

156 **D. First Reading of Ordinance #17-0857 to amend §12-67 Obstructions on the Beach**
157 **to Repeal the Ban on Tents, Mayor Pro Tempore Ott.** Mr. Ott moved to approve first reading of
158 Ordinance #17-0857, with an amendment. [Note: Mr. Ott did not state the amendment.] Mr. Courtney
159 Second. Mr. Courtney moved to amend §12-67 [paragraph (d)] to state "Tents no larger than 10' x 10'

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160 shall be allowed contiguous to the town's beach emergency lane so long as there is at least six (6') feet
161 between each tent, and tents shall have straight tie-downs. A single row of tents from Melody Lane to
162 17th Avenue North shall be allowed. Emergency access locations require additional clearance guidelines
163 as follow to accommodate emergency apparatus.
164

165	*Emergency Apparatus Access	North Side	South Side
166	Melody Lane	25 feet	N/A (in County)
167	4th Avenue South	25 feet	25 feet
168	Pier	150 feet	100 feet
169	7th Avenue North	25 feet	25 feet
170	13th Avenue North	25 feet	25 feet
171	17th Avenue South	N/A (in County)	25 feet

172
173 Mr. Ott second. Mayor Childs said I think this is a good compromise. Those who want tents will be
174 allowed to use them. Those who want an unobstructed view of the beach will have that, because tents
175 will be in a line along the sand dunes with six feet between them to allow emergency vehicles to pass.
176 Mr. Stevens questioned whether emergency vehicles could pass through a six foot opening. Chief
177 Hofmann said yes, six foot between the tents was adequate. Mr. Stevens asked how beach goers would
178 know where to set up their tents; could poles or some type signage be placed on the beach. Chief
179 Hofmann said with the assistance of the beach lifeguards and police officers it could be managed. Mr.
180 Courtney said he and Chief Hofmann previously discussed marking the emergency lane with poles or
181 staggered fluorescent cones during daylight hours. To be fair across the board, umbrellas do not work
182 very well for handicapped people, or large families that need protection from the sun. He asked Chief
183 Hofmann if he thought this would work. Chief Hofmann said I think the beach would be safer without
184 tents. In light of the fact that the whole tent ban could be repealed, I think this is a reasonable
185 compromise and the amendment as presented is workable. Mayor Childs said Fire Chief Otte agrees that
186 the amendment would be workable for his department. Mr. Stevens asked if the turning radius of 25 feet
187 on the sides was measured from the edge or the middle of the access. Mr. Harrah said the radius is
188 measured from edge on each side of the access. Chief Hofmann said the reserved radius also allows a
189 place for multiple apparatus on the beach, if there is an emergency. Police and fire commit to enforcing
190 the code and will bring recommendations to Town Council, if the plan does not work. Mr. Stevens said
191 thank you. Mr. Ott said he spoke with Mr. Everett Goff, and I have photographs of July 4th showing
192 between 30 and 40 tents on the beach. Mr. Stevens asked who would enforce this code. Chief Hofmann
193 said Beach Services personnel does an outstanding job. I would ask that council continue to support the
194 Beach Services program and we will ask them to do enforcement. Mr. Stevens wanted all rental
195 companies notified of the rules so guests are not fined. Mayor Childs said the ordinance would be sent to
196 all rental agents; the pictures are self-explanatory. This is a great compromise; it may not be perfect, but
197 it the best we can offer. Mr. Ott reminded council that ordinances would be presented for review after
198 one year. Mr. Johnson reminded the council that there are two weeks before second reading. During that
199 time, he suggested everyone review it and offer any amendments then. All voted in favor. **MOTION**
200 **CARRIED.**

201
202 Mayor Childs called for concurrence to publish the adopted beach tent uses on the town's website
203 and social media. **Council CONCURRED.**
204

205 **E. Recommendations from the Infrastructure Committee, Administrator Fellner.** Mr.
206 Ott moved to approve the recommendations from the infrastructure committee. Mr. Courtney second. Ms.
207 Fellner presented the decision paper, a copy of which is on file. Mayor Childs asked for a motion to
208 choose which type bathroom would be constructed. Mr. Courtney moved to install a male/female
209 bathroom unit at Passive Park with an additional cost of \$10,000 for a total of \$60,000. Mr. Ott second.
210 Mr. Stevens asked where the bathrooms would be installed, and if they would open 24 hours daily. Ms.
211 Fellner said there is an area behind the Veterans Memorial where trees fell during Hurricane Matthew.
212 The bathrooms are only open during daylight hours. Chief Hofmann said the police lock the bathrooms in

213 the evening, and the public works crews open them in the morning. Ms. Samples asked if the bathrooms
214 would be ADA compliant. Ms. Fellner said yes. All voted in favor of spending an additional \$10,000 for a
215 total of \$60,000 to construct a two unit bathroom to accommodate males and females. **MOTION TO**
216 **SPEND \$60,000 FOR MALE/FEMALE BATHROOM CARRIED.** Mr. Johnson said I have no problem
217 with paving, striping, and signage at 1st Avenue North. I am adamantly opposed to taking away \$25,000
218 for a sidewalk on Cedar Drive North. Many people walk that street and it is a safety issue. Mr. Ott said
219 the holes along that right-of-way on 10th Avenue North & Cedar Drive will be piped and sodded to create
220 a safe walk way. Mayor Childs said when that is finished, public works will see if decorative stepping
221 stones could be added. Mr. Courtney said Cedar Drive is a state road, so we need an encroachment
222 permit. Also, there is no connecting sidewalk, so this needs more discussion. We want to provide a
223 sidewalk there, but we need to do it correctly and attractively. Mr. Pellegrino asked if \$225,000 County
224 Transportation Committee Funds; the \$225,000 Hospitality Funds, and the \$25,000 in the second item
225 could expropriated for other uses like the pier. Ms. Fellner said those amounts were budgeted, but Town
226 Council can decide to do whatever they wish. Mr. Pellegrino said we don't know, yet, what our portion for
227 pier reconstruction will be. Ms. Samples agreed to Mr. Johnson's point about Cedar Drive, and said as
228 long as council concurred to ask Mr. Adair to work on a plan, she would agree to defer the project.

229 **Mayor Childs called for a vote on the motion to accept the infrastructure committee recommendations in*
230 *block, and as amended to include the male/female bathroom.* Mayor Childs, Mayor Pro Tempore Ott, and
231 Councilmembers Courtney, Samples and Stevens voted in favor. Councilmembers Johnson and Pellegrino
232 voted against. **MOTION CARRIED AS AMENDED.** **amended by approved motion 11/28/2017 dh*
233

234 Mayor Childs called for concurrence to have Mr. Adair work on a plan for improving the walking
235 area on Cedar Drive North at 10th Avenue. **Council CONCURRED.**
236

237 **F. Remove Limitation of Use from Huckabee Complex, Mayor Pro Tempore Ott.** Mr. Ott
238 said this matter had been on the agenda for several meetings, and moved to continue the process to lift
239 the use restriction off of the Huckabee property. Mr. Courtney second. Ms. Samples asked if any land
240 purchase had to be approved by Town Council. Ms. Fellner said yes. Ms. Samples said I support removing
241 the use restrictions. Mr. Ott said the town has approximately \$400,000 invested at 3rd South and Willow
242 and I want that open for the public. Removing the use limitation would allow the town to the Huckabee
243 property for indoor sports in the future. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers
244 Courtney, *Johnson, Pellegrino, and Samples voted in favor. Councilmembers *Johnson and Stevens
245 voted no. **MOTION CARRIED to continue the effort to remove the limitation of use from the**
246 **Huckabee Complex.** **Point of Order, Mr. Johnson said I need to correct my vote on this motion to in*
247 *favor.*
248

249 **G. Business Committee Appointment (1 vacancy) Volunteer: Mr. Phil Vassar.** Mr.
250 Stevens moved to appoint Mr. Phil Vassar to the business committee. Mr. Johnson second. All voted in
251 favor. **MOTION CARRIED.**
252

253 8. TOWN COUNCIL DISCUSSION.

254

255 **A. Executive Session Minutes & Requesting Town Attorney to attend the November**
256 **28th meeting, Councilmember Courtney.** Mr. Courtney asked for concurrence of Town Council to ask
257 the town attorney to attend the next meeting to answer questions. Mayor Childs said the town attorney
258 already sent council his opinion on taking executive session minutes. Mr. Ott said the town attorney
259 works at the pleasure of council, if he doesn't want to do it, he doesn't want to work for us. Mayor Childs
260 said that was not the point. His opinion has already been given to us in writing, and I'm confident he will
261 not change his opinion. If he comes here, we have to pay him. Mr. Ott said I want to question him about
262 the opinion. Mr. Courtney said I read the email from Mr. Battle, and quite honestly, I'm a little confused.
263 The messages contradict each other. I think council has a right to speak with its attorney. Ms. Samples
264 said if Mr. Courtney wants the attorney to attend the meeting, I can support that, but it would be helpful
265 to articulate what he wants answered. Mr. Courtney said I have questions in regard to his email and

266 would like to speak with him in person. Ms. Samples said I have no problem at all asking the attorney to
267 come to a meeting as long as the attorney can come prepared, and as long as he knows what he is here
268 for, and we have money in the budget. Ms. Samples asked if Mr. Courtney could prepare his questions
269 ahead of time so Mr. Battle would be prepared. Mr. Courtney said sure, I'd be happy to email them.
270 **Council CONCURRED to ask the town attorney to attend a 5:30 p.m. meeting on November**
271 **28th.**

272
273 **B. Parking Committee Recommendations, Councilmember Courtney.** Mr. Courtney
274 explained that the parking committee minutes were in the package for council's information. At this
275 meeting Item 4 Proper State Code Signage Installed for Pedestrian Crosswalks and Repainting on
276 Surfside Drive and Ocean Boulevard would be addressed. Other items will be coming for consideration at
277 future meetings. Mr. Pellegrino asked if these signs would be like the signs on Ocean Boulevard. Mr.
278 Courtney said yes. Vehicles are not stopping for pedestrians on the Surfside Drive crosswalks. The
279 existing signs are not effective. Ms. Samples had no issue with this, but when it is presented as a
280 business item, please ensure it has been sent to the police chief for review first. Mr. Courtney said no
281 problem. Mr. Stevens asked to whom the 'no stopping, no loading' signs at the pier parking lot referred.
282 It would be a hardship for vendors who make deliveries there. Mr. Courtney said the intent is no
283 stopping, but only Item 4 was being discussed at this meeting. Mayor Childs reiterated that the
284 recommendations would be discussed one at a time. **Council CONCURRED to bring Item 4 under**
285 **business on the next agenda.**

286
287 **C. §2-113 Duties of Town Administrator, Councilmember Johnson.** Mr. Johnson said §2-
288 113 sets out the town administrator's duties. I would like to bring an ordinance for consideration at the
289 next meeting to add "(f) The town administrator shall appoint and remove department directors for cause
290 with approval of Town Council" to that section. Mr. Ott and Mr. Stevens concurred. Ms. Samples
291 disagreed completely and said Mr. Johnson is proposing that if the town administrator, who is our chief
292 operating officer, makes the decision to terminate an employee for cause, and she comes before council,
293 four of us could override the decision, because we like that person. The she could not terminate the
294 department director. However, as chief operating officer, she will be required to continue providing
295 supervision, and work with that individual who she was going to terminate for cause. That is not how you
296 do business. Ms. Fellner is the chief operating officer, we are the 'board of directors,' and these people
297 (audience) are the owners of this business. I see this as a disruption of a huge magnitude, and a form of
298 harassment when you have a chief operating officer who wants to terminate someone for cause and she
299 has to come before this body of people to get approval to do so. It doesn't make any sense. Mr.
300 Pellegrino said I agree with Ms. Samples. Our job as council is to hire an administrator; the administrator
301 runs the operations of the town. If ordinances need to be changed, that's what we do. I disagree with
302 the proposed amendment. Mayor Childs said I agree with Ms. Samples and Mr. Pellegrino. Mr. Stevens
303 said I disagree with Ms. Samples and Mr. Pellegrino. The key words are for cause. The administrator
304 should presents facts and documents as to why a department director should be terminated, not
305 supposition. This would be a means of checks and balances on the administrator's decisions. Mr. Ott
306 clarified that it was not about Ms. Fellner, but future administrators were an unknown. He personally
307 heard a previous administrator say, "Let's see what we can get away with." That administrator would
308 have fired every director in the town and brought in his people. Since I was elected to council, I sat in an
309 executive session discussing firing a director, and Ms. Fellner had no say in it. Somewhere along the line
310 this changed magically; it never existed. Every one of these people were in that room. We already have
311 concurrence, we can move on. Mr. Courtney said I have to agree with Mr. Ott. This is not about Ms.
312 Fellner at all. I spoke with Ms. Fellner and she suggested that the ordinance be changed. I agree when I
313 was elected to council, we had an executive session to dismiss an employee here, and that employee
314 would have been fired, but because of this council, the employee stayed and that was to the town's
315 benefit. I don't believe council would override a recommendation if she has cause to fire. Council
316 **CONCURRED.** Ms. Samples asked for a poll. Mayor Pro Tempore Ott, and Councilmembers Courtney,
317 Johnson, and Stevens concurred. Mayor Childs, and Councilmembers Pellegrino and Samples were
318 against.

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D. Proposed amendment to §8-68(d) Posting Advertisements on Property comply with §17-623(D) Temporary Signs, Deputy Administrator Harrah. Mr. Harrah presented the discussion paper and proposed ordinance. Mr. Ott asked if this was discussed by the planning commission. Mr. Harrah said §8-68 is not under the planning commission's purview. Mr. Courtney asked what the maximum sign size is. Mr. Harrah said one section of the code states six square feet, not exceeding two feet in height, which was adopted by Town Council in April 2017, and this section states four square feet. Mr. Pellegrino said sandwich boards are two feet wide and three feet high. Mr. Harrah said both of these sections apply to political signs only. Mr. Stevens asked if this included the post. Mr. Harrah said just the sign. Mr. Stevens suggested a clarification that the size did not include the post. Mr. Pellegrino recommended six square feet with any orientation. Mr. Courtney how this would impact other signs. Mr. Harrah reiterated that there is a conflict in the code regarding temporary signs sizes. Mr. Courtney said this is for political signs only, and asked how this affected current political signs. Mr. Harrah said correct, and council has the option to choose whether the political signs will be four feet square or six feet square, with a maximum of two feet high. Council **CONCURRED to consider an ordinance to amend §8-68 to comply with §17-623(D).**

E. Any matters of concern or information to be discussed. There was no other discussion.

9. PUBLIC COMMENTS. General Comments. (5-minutes per speaker) (**As close to verbatim as possible**)

??, vice chairman of the Surfrider Foundation, Grand Strand Chapter that is location in Little River said I've lived at 16th Avenue South since 2007. I just want to say thank you. We did not understand that our proposal to add ADA ramps at the 13th Avenue South beach access was approved. We appreciate Mr. Ott's hard work and fast tracking the project. We offer our support, and want to let you know this has brought many groups of people together. Representatives are here tonight from the Guy Daniels Foundation and Eternal Wave Surf. We appreciate that any future building will include an accessible ramp, not just for surfers in wheelchairs, but for elderly people that can't get onto the beach, moms with small children, and anyone else. This is something that needs to be done. One of our members lives here and is approved to residential and marine building, so if we can assist, please let us know. Thank you, again.

Ms. Carol Cook, 7th Avenue South, said at the last planning commission meeting, there was a change proposed to the C3 zoning district. The change was to create an entertainment district in the surrounding areas. I don't know if I'm being paranoid or obtuse, I think the only benefit that I could see would be the Hoffman Realty down by the pier. The new district would eliminate the requirement for parking places, which will allow Hofmann to eliminate their parking and increase their building footprint. I'm encouraging everyone to attend the next planning commission meeting on December 5th for the public hearing. I just find that this was rather odd that this was something that was buried in the minutes from June of 2016, and a member of staff was able to find this and bring it forward. I just question the motive and the timing of this.

Mr. Nick Delaplaine, 13th Avenue North, said I think it's a mistake to try to second guess the administrator on hiring and firing. It's not smart. It's a grave mistake to allow politicians to make the final decision on this very thing. I say this particularly after a recent demonstration in this room where the situation came up and council got all excited, and almost overturned an employee termination. I happen to know the fact that it was very pleasing to me that this person was terminated, because of the horror that I faced having a house built in Surfside. When I sat in front of my house over the long time it took to have it built, literally 50 to 70 couples came by and told me the horror that they had had, and we all shared this story. I never brought it to your attention before, but when I start seeing the politicians get into this business of telling professionals how to run their job when you don't know the day to day agony

371 and everything else that they go through to try to do their job; I've been in the business myself and
372 when the politicians start telling them how to do their job, it's a grave, grave mistake. Thank you.
373

374 Mr. Boyd Sadler, 8th Avenue South, said I sat here just to hear some common sense tonight.
375 Somebody brought the fact that town government needs checks and balances. It's required. It's what the
376 Constitution is about. Checks and balances. That's why we have more than one branch of government, so
377 (**), right. We need to prevent lawsuits. The town is already having financial difficulty. That should be
378 considered. That what you're up there for. Every one of you were elected for that purpose. To keep the
379 balance of government. As small as it is, it's a government. I also heard a lot of controversy about
380 whatever it costs to keep citizens safe walking, because I think that's a phenomenal thing. Yes. Thank
381 you so much for the support. The days were when we played baseball. Whatever region I've ever lived in
382 there's been facilities for football, baseball. The parents and, we're grandparents, and I paid for our kids
383 fees to play, and we're more than happy to do so. Kids sell candy. Little things to help with the whole
384 process of getting the youth to play. That's the way it should be run. And this should give you something
385 to think about. You need to think about what the town needs to do for the town and the taxpayers.
386 Thank you very much.
387

388 10. TOWN COUNCIL COMMENTS.

389 Mr. Pellegrino said thanks for coming tonight. Just a clarification to the public comment
390 that quoted that said it was in the minutes that I said there were 16 tents on the beach on 4th of
391 July. The minutes actually state "I just heard that there were 16 tents on the beach." Another
392 councilman said it. I did not make that statement. I have some concerns about the pier, not so
393 much about it's moving forward, but the timing. I was very happy that the meeting was set for this
394 week. We have some hard decisions, but if Ms. Fellner got the information we need out of this
395 meeting, just add it to the next agenda for discussion so we can get consensus on moving forward.
396 Obviously, there's a lot involved with that so if we need a special meeting, but, please manage that
397 and make sure we're ready to move forward if we get the information we need. We've obviously
398 lost this past summer; we're going to lose next summer. I'm worried about summer 2019 at this
399 point. We talked about the lot at 3rd Avenue South, and we chose to continue removing the use
400 restriction at Huckabee. This is something that Ms. Fellner looked into and we can't put any
401 investment, but can we take the ropes down and mow it and open it up for the public to walk on, if
402 they want to? At least that. I don't know what the rules are for that, but if Ms. Fellner could update
403 us on that. Have a good Thanksgiving. Hope you enjoy it, and your families, and be thankful for
404 everything you have.
405
406

407 Ms. Samples said as always, thank you staff. We appreciate staffs' hard work. It's nice to
408 see everybody out this evening. Hope everyone has a happy and safe Thanksgiving. Enjoy your
409 evening.
410

411 Mr. Stevens said anytime anybody wants to think about what we just discussed about with
412 the administrator's duties, I just want to remind you of a lawsuit. As a matter of fact, it was
413 mentioned in the meeting earlier. The only lawsuit the town currently has pending is Jackie
414 Donevant, which is in the South Carolina Supreme Court. A half a million dollars is what she was
415 awarded. It dropped down to \$300,000. We at the Supreme Court. Let me tell you, if you don't
416 think that's high-priced lawyers, you talk to the assigned risk people at the Municipal Association
417 and they'll tell you we're paying through the Ying-yang in insurance premiums. And like I said, you
418 need checks and balances. Political firings are not worth a hoot. Give me just cause to terminate
419 somebody, and I'll terminate them. Thank y'all for coming out. Have a good week, and may God
420 bless you.
421

422 Mr. Ott said (**) and it was the administrator that helped immensely to get this ramp
423 started at 13th Avenue South. All I did was bring it to council. I do trust the administrator, but she

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424 has an unbelievable amount of power. Believe me, she is over the courts. She is over the police
425 chief, the fire chief, everybody in this town. That could be dangerous, and if something happened
426 to Ms. Fellner, or the next person slides into there, wow, just think about it. Nobody anywhere has
427 that power. Nobody. When I was elected, she didn't have that power. Somehow, magically, how
428 did that power get there? I have no idea how. But we did sit in executive session and the council,
429 this Town Council who was elected by the people, discussed the discharge of an individual director
430 that wasn't the administrator. That wasn't that long ago, but now all of sudden, they're telling me
431 that she can hire, fire the police chief, all the judges, fire chief, everybody. So she has their jobs in
432 her hand. Shouldn't happen; shouldn't. It just shouldn't be, in my opinion, because things could
433 happen. Maybe she won't do it, but the next one will. Guarantee you somewhere along the line,
434 I've seen people stand here as administrators that definitely would have. Everybody have a happy
435 Thanksgiving with your families, and forget about all of this. Thank you.

436
437 Mr. Courtney said thank you all for coming out. I want to thank you, and we have a holiday
438 coming up, so maybe we'll start moving along. Questions, I ask questions. It's the only way you get
439 answers. I've been trashed in the newspaper for asking questions, federal, state, local. My job is to
440 represent you. I'm gonna ask questions, so I'll get the answers. I'm gonna keep on asking. Ms.
441 Fellner came back with the answer today and we can move forward and I'm very happy with it.
442 That's what we're here to do. Again, the directors, we, they enforce the ordinances that this council
443 passes. If there's a problem, it's not the people that are out there enforcing it. It's council, the
444 council is the one that put the ordinance in place. It's like telling the police don't enforce a DUI,
445 because we don't recognize it here in the south end of Surfside. Again, we set the ordinances and
446 if we don't like 'em, change 'em. There's some things we can't change, like State Law. That's as far
447 as I'll go with that. Infrastructure, we have a pier hanging off in the end of the ocean (**).
448 Infrastructure doesn't stop. This is government. This is not a LLC, it's not a company. This is a
449 government and we've just gotta move forward. If we just stop, stop what we're doing and not
450 taking care of the infrastructure, what's gonna happen? It's gonna start to collapse. So, we've gotta
451 move forward on this stuff. We can't just sit here and just worry about one thing. Tents, we came
452 to a compromise. I want to thank all of you, everyone one of you, on both sides of this. We're
453 trying to get somewhere in the middle, and we'll see how it goes. That's all I have to say for
454 tonight. I want to thank you, and wish you all a happy Thanksgiving. Happy holidays, and I'll see
455 you. God bless you.

456
457 Mr. Johnson said thank you all for coming out this evening, and I know you had better
458 things to do. I appreciate all of you coming out. I just want to mention to Mr. Ott, Town Council
459 voted to change that ordinance back in, I think it was 2012 or whenever it was regarding the duties
460 of the administrator. Speaking of the administrator, I appreciate all that you do. Would you please
461 email us or remind us at the next council meeting about the stipulations on the 3rd Avenue South
462 rules, and don't forget, eat lots of turkey on Thursday and don't forget the Turkey Trot is gonna be
463 going around through the Town of Surfside Beach on Thanksgiving morning. Thank you.

464
465 Mayor Childs said I'd like to thank everybody for coming out. Happy Thanksgiving. Before
466 you leave, if anybody wants to see the pictures on our compromise on this tent issue, I have those
467 here.

468
469 **11. ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 8:48 p.m. Mr.
470 Stevens second. All voted in favor. **MOTION CARRIED.**

471
472 Prepared and submitted by:

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476 _____
Debra E. Herrmann, CMC, Town Clerk

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478 Approved: November 28, 2017
479

Surfside Beach Town Council

481 VOTE: Yes No
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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

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