



## **TOWN COUNCIL REGULAR MEETING MINUTES**

### **TUESDAY, JULY 28, 2020, • 6:30 pm.**

1. **CALL TO ORDER** Mayor Hellyer called the special meeting to order at 6:30 pm. Mayor Hellyer, Mayor Pro Tempore Scoles, Councilmembers Drake, Holder, Pellegrino, and Keating were in attendance. Others present Town Attorney Crosby, and Town Clerk Sheri Medina. Absent: Councilmembers Dietrich.
2. **INVOCATION; PLEDGE OF ALLEGIANCE**
  - A. Invocation: Reverend Franklin Ward, Timberlake Baptist Church, gave the invocation.
  - B. Pledge of Allegiance: Mayor Hellyer led in the Pledge of Allegiance
3. **PUBLIC HEARING** - None
4. **MOTIONS RELATING TO AGENDA** - None
5. **MINUTES APPROVAL** Councilmember Keating made a motion to approve the minutes from July 7, 2020, and July 14, 2020, meeting. Councilmember Scoles Seconded. All voted in favor. **Motion Carried.**
6. **PUBLIC COMMENTS – None**
7. **COMMUNICATIONS –**
  - A. **Finance Report** – Director King, Mayor Hellyer, stated that since Mrs. King is not present, the financial report will have to be skipped.
  - B. **Historical Society Presentation** – Ms. Suliman stated, first of all, I want to say thank you for allowing me to come up here today and taking the time to listen to what we've been doing, what our vision is for tomorrow. I gave a packet of information to everyone. Tonight we're going to be talking about the Ark Plantation Park, which is also Third Avenue and Willow Drive. In the information that I provided, there is a picture of Third Avenue and Willow as it sits today. But before I talk about what our vision is, I want to remind everybody that this is not the first time Third Avenue has been brought to the Council. It was brought in 2009 then in a 2015 newsletter, that I provided to you all; it also shows that our vision was to turn the property into a lovely park That would be one that everybody can enjoy. And, unfortunately, we were stopped, and I'm not even really sure why. There was a "do not trespass" sign placed on the property, and it sat for three years. What our vision is, the first thing is to put up educational markers.

When you go into a State Park, you might read a little marker. These sit about only three feet high. We're looking to place four of them on the property. One of them off of Willow Drive, which shows the map of the plantation. The plantation was 3,194 acres, that's quite a big plantation with a mile and a half of frontage on the ocean side. The second marker, the commodities. What did they do on this plantation? We knew they grew indigo, sweet potatoes, and they also made salt here because of the ocean waters.

The third one is the memorial marker, for the ones that are buried there. We have over 60 names that the State has already reviewed, and cross-referenced. We believe that there are as many as 200 people buried there. Unfortunately, there's not much we can do about the ones we don't know, but the ones that we do, we would also like to have a sign, maybe in the south-west corner of Third and Willow and possibly, with a 10 by 10 area of indigo growing in the background. The last one would be assigned for the Shady End Resort 1932, George Holiday bought the plantation house. He was able to purchase it, and he saw a vision of this becoming a resort area. If you can look at it today, he added 20 rooms to this plantation house, and he called it The Shade Inn. Now we have documentation where people would stay when they would come to the beach.

Our account that we have with the Town of Surfside, I spoke with Diane, and right now, we have \$3,685, and that's not bad for us, not being a 501 C 3. For the pedestal signs, it's \$738.00. There is a photo in your packet of one that was just recently done for Little River. That's precisely what we're looking at putting up here. Knowing that the signs are \$738 leaves us with only \$233 in the account. But if we take one of the markers for the memorial, then we can tap into the \$500 from the Memorial Fund that was given to us by Horry Telephone Company, several years ago before the Town bought Third and Willow We were working on becoming a 501 C 3, and we wanted to preserve what was left of the burial ground. We were

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focused on Hollywood and Cypress. The problem was Carolina University was going to help us out, but now, unfortunately, we were not a 501 C 3.

We lost that opportunity. Now there are no available lots on Hollywood, Cypress, or Juniper. They're all built upon the last houses being built today as we're talking. So, therefore, we lost that opportunity. We don't want to lose the opportunity for a certain level by creating this park. We're looking at putting gazebo. We're looking at a decagon, which is a 12 section gazebo. And the reason why we're looking at that style is that we're looking at one that is 24 feet in diameter, which is large enough to accommodate up to 20 people comfortably. Now, the price ranges from \$20,000 up to \$50,000. It depends on how elaborate you would like to get. I had just mentioned that we had money in the account to cover the pedestal signs that we can order right away.

We don't have the money in the account for the gazebo. We want to have pavers coming in off of Third and Willow to the gazebo. Then also pavers from, but dedicating third Avenue as the handicap accessibility, because then we can have a ramp that is not in eye view, and it's also the shortest distance to the gazebo versus the other. Now the price of the pavers is 3.49 square foot by Gaffney Pavers. They have just done paving for walkways in Charleston, using old pavers that we know is high, but that's what we have to work with today. And we do have time to research and see if there are better deals out there for us. This gives us some figures to go by. The only way that we could see doing any of this is by becoming a 501 C 3.

Surfside Beach Historical Society can become their own 501 C 3. It takes a lot of dedication, but I'd like for you to know every board member from the Historical Society is here tonight. They are faithful to the Town of Surfside Beach and have worked all these years diligently, and we haven't given up yet. We see that vision, and it's there. The second one is the Horry County historical society. We thought, well, we've been an arm of the Town for the last five years. Horry County is already a 501 C3. If we join Horry County, we will become The Surfside Beach Heritage Committee of the Horry County Historical Society. We will be focusing

By having these first markers out there, and becoming a 501 C 3, that opens us immediately to grant money for educational purposes. We've already spoken to some of the schools having children come out and learn about the history in their backyard. There's grant money that's available for us. \$50,000 may sound like a lot of money. Coastal Carolina University was just given \$85 million, I believe, and I would be tapping on their door. Now the advantage of us doing this also opens up the door for the town of Surfside by having special events. You have a beautiful gazebo, and you can have weddings there. You can lease it out. You may, down the road, consider putting some bathrooms only to be used when there's an event going on. The options are there for you. It's what you want to do with it.

But before we even commit to investing our time, in any of this, we wanted to be sure that every one of you understood exactly what our intent is and where we want to go from here. The thing is, do you see the vision the same way we do? We do also want to be able to work with Surfside Beach and possibly get this up quickly if we cut some of the expenses back. I showed you a raw image of the gazebo, unpainted. To have it painted, electric added, etc. all cost extra. There are some things that maybe we could do as a town to beautify that Property and make it something to be proud of. The other thing is the Beautification Committee, and we would be really happy to have them come in. They can hang the basket of flowers around it, or do landscaping, providing it stays within the era of the eighteen hundred because that's what we're looking to do.

We decided it should be where we did the stage for the living history, which seemed like a perfect place for it. Five years ago, we couldn't have said that because five years ago, they didn't trim the trees, and the trees were in the way. But now, it is doable. We've been out there, we measured, and nothing will hinder it. So with that thought, and hopefully you had time to review everything, we would like to get your blessings to go forward with this and turn that corner into a beautiful park, the way that we intended from day one and make that vision become a reality.

Mayor Hellyer asked, have you made the decision, whether you're going to be an independent 501 C, or you're going to be part of the Horry County Historical Society?

If we go with the County, it's just a matter of transferring, and we would automatically be a 501 C 3, we will be talking to an attorney, to be sure the financial end of it. We want to know if we can have our financial account or if it has to be filtered through the Horry County Treasurer. And if it does, then we're going to have our treasure keep track so that any funds that we received are earmarked for this project that we're working on. The other thing is, if we go to Horry County, one of us must go on the board, The Horry County Historical Society. That way, they are kept informed as to what will take place. And Sherry has volunteered to do that. Sherry has been with us from day one and is very knowledgeable about everything that we happen to like.

Mayor Hellyer, You're talking about becoming part of the Horry County Historical Society. Ms. Suliman stated, possibly. But we still have that option of being independent ourselves, and once we get all the facts from Horry County, then our decision will be made. But we don't want it to slow us down, and we know we have one way or the other. We just want to see that park working.

Mayor Hellyer asked that you get grant money from somebody, they're always conditions and covenants and everything that goes with it. If we accepted a grant to put up a gazebo on our property on Third and Willow, is there going to be a covenant on that or restrictions?

Ms. Suliman stated the property is yours. Not ours, all we're doing is donating a gazebo to the Town. This is our gift to the Town, The Historical Society's gift to the Town. We have no value in it except for the vision.

Although, no matter what we do, one is still reserved for some of the advantages that the Town has given us as a historical society, like the clubhouse meetings. We've talked a little bit about this. And, you know, because there are a lot of people who are interested in what we're doing and, I mean, we kept it going for five years. We have all agreed that we're willing to hop over there if that means it's going to get things done for us with a 501 C 3 because that's the key right there.

We still do presentations, people want to hear about the history of the Ark plantation, and there's a lot more that I didn't mention, there's one more marker I'd like to get, and it's right there off Surfside Drive down by Myrtle. You guys drive by it every day, but you never realized it. In 1893 there was a great storm, the Flagg storm. That was one of the worst storms that hit the Carolina Curves. It's one of the top ones on record, 2000 people lost their lives that night. The dunes used to run down to Garden City. If you drive by, again, going south, you will see a pitch of land, about six feet high, with a tree on it. That's part of the dunes and what saved the Ark Plantation house. It would be nice to have an educational marker there. You have a lot of history in this town, and you just may not realize it. And what we're still doing research.

Mayor Hellyer stated the Historical Society has an account with the Town, and there is \$3600 in an account held by the town. If you become part of the County, does that money need to be transferred to the County?

Ms. Suliman stated that It's going to cost us \$738 per sign. If you allow us to put the one up on Myrtle and Surfside Drive, this will leave us, maybe, \$200 in that account, after all the signs are installed.

Mayor Hellyer asked Mr. Pieper if he has reviewed this information. Mr. Pieper stated at this point, and it is just conversation. Mayor Hellyer also asked if everyone was in agreement with the 501 C 3?

Councilmember Drake asked if they become a 501 C 3, there was a big donation all of a sudden, would we be able to retain that money? My recommendation is that you become an independent 501 C 3.

Six months ago, we talked about how the Town can support us. We went that route because we don't have a building. There's a handful of us who have been faithful and loyal to doing this from day one, and I thank God for them.

Ms. Suliman stated that each plaque is going to have a QR code on each. And the QR code is where you can take your phone, and you can scan it, and it will link you up to the Surfside Beach Historical Society. It will also provide a link to the Horry County Historical Society, and any other data that Surfside Beach may have. And so you're able to have at your fingertips the history of Horry County. Quite honestly, I like the name Surfside Beach Historical Society. We would need the help of the town. And that hasn't changed. Our vision had not changed since 2015 when we came on board.

We were the revitalization of the Surfside Beach Historical Society. I have been working on this history for over 20 years. Others have been working on history for probably about 20 years, as well. Ben and I did the presentation to the Town five years ago. And it was shortly after that the Town bought the land on Third and Willow. So do we have your blessings to go forward in ordering the signs, start there, then the 501 C 3, and once they have the 501 C 3, then that's where we start with the grant money.

Councilmember Drake asked how long would it take to get the 501 C 3. Ms. Suliman stated about 30 days. You can start acting on it once you started the paperwork process. Once you receive the Federal ID number, you are good to go.

Mayor Hellyer stated I just want to make sure that you were not encumbering our Property with obligations from grant money or anything else. That that Property still belongs to the Town and the residents.

Councilmember Scoles asked what exactly what was being asked of the Council, to order the plaques or move forward with the 501C? Ms. Suliman said we do not need permission to move forward with the 501C. We already know that 501C is the best way to go. We have already lost because of it.

Mayor Hellyer asked, do you know why the town would not allow you to become a 501C.

I know I had to come up there and humble myself. Say, let's go back to the beginning and start this all over. Because you read it, if you got that packet, you read in that newsletter that revitalizing the Historical Society in our intention was to get grant money and to pursue improving that land so that it would be a nice place for the general public. That was taken away from us. I don't even know why that "Do not trespass" sign was put up. Mr. Pieper, do you have any insight on that?

Mr. Pieper stated that the thing that comes to mind is, at one point, the groundwater level was an issue and many potholes. I believe they were trying to do some type of swap out for Huckabee park because they wanted to sell.

Councilmember Pellegrino stated they were trying to remove encumbrance from how it could be for some part of that. But any in previous Council before, before any of these guys were here recommended that we didn't allow them moving forward. With 501 C 3. And honestly, I don't remember what the reason was, but I was by the directive of our Council. I don't remember what the reason was.

Mr. Pieper stated it can easily be structured if they're under the County to where the monies are still directed to their cause; it's just working that out with the County as you're structuring that. There are certainly advantages, and Joyce and I've talked about this when I first met them. I told them right off that you need to be a 501 C 3 to raise any significant amounts of money because people aren't going to donate without that. Again, there are advantages to them going under their umbrella, because there's a lot of requirements they have to meet with filing to this and that. And at that time, you all weren't interested in doing all that. And I don't think you have the people to help do it. So there are advantages to them doing that. That is something they'll have to weigh. There's no obligation to the Town.

Ms. Suliman stated you would be receiving the gazebo from the Historical Society as a gift. We may want to put a little plaque on it. But other than that, maybe we can use it for the living history that, which, by the way, we are not having this year because of COVID.

Mr. Pieper stated what they would do, it'd be just like any other grant, when they become a bonafide 501, C 3, they can then apply for grants, and you would have to bless their application, and that would allow them to apply for funds.

Councilmember Keating said just to be clear, for right now, we have an account set aside for the Historical Society that has a little over \$3600 in it. And of that \$3600, you want to spend close to \$3,000 for the educational pedestals.

Ms. Suliman stated that I think you have a breakdown of that. I believe you have it, \$500 of it was the donation for the memorial marker we put up a plaque in the corner for the memorial marker, then we can use that \$500 there. This will allow us enough to get the fifth marker for Surfside Drive. So, you have \$4100 available. And you've got, you've got about \$3000 listed here, so you want to add additional markers.

But another thing it does, it gives the general public the view, hey, we're doing something over there now, instead of just sending on it.

Councilmember Keating stated does the \$735 includes the installation of the pedestals? Ms. Suliman said no, maybe the Town may help out with the historical marker.

So we would have to get with John Adair to figure out when his people would be available to do the installation. I can keep you informed as to how long it takes.

Councilmember Drake asked if there any restrictions on the property considering there is residential housing around behind it? Ms. Suliman stated there would be events there like the living history events.

Councilmember Keating stated Well, I think it's probably already zoned is public land that we did last year, correct? So, it would be just a matter of the permitting process, and the verification that we can put the signs and they're within the zoning requirements, et cetera. There is probably check and balance as to what you can put there, that will have to go through the permitting process. Make sure it has all of those blessings. I don't know what those particular zoning regulations are, but that is something that's going to have to be verified before we go forward with a gazebo and everything else.

Are we looking at raw gazebo? Are we going to add the electric to it? I know that when we do the event, you have electricity right there on Third Avenue. And I would like to have electricity built-in when it is ordered.

Councilmember Drake stated I just want to make sure that we do it in the right order. You need to check the zoning even before installing the signs. It would be a shame to install the signs then find out according to zoning they are not in the right place. And I just want to make sure we're doing it in the right process.

Ms. Suliman stated that's why we're getting a 501 C3; that first will open up the door for you to get the grant monies. And now, you're in that you can say, OK, we can move forward. And you better believe, I'll be contacting Coastal Carolina University also. I mean, they're the first ones I will speak to.

Councilmember Scoles stated we already have markers there from the State.

So yeah, I understand what you're wanting. But there's no problem putting markers there. We already have one there on that land is the point I'm trying to make.

Councilmember Keating stated I would just circle back with the Planning and Building department and make sure that there you have confirmation in writing that the markers are compliant, they can be placed on that property that there are no additional approvals needed. Just to make sure you've got all those I's dotted and t's crossed before you spend your money and then find out, Yeah, no, you can't

Mr. Pieper stated what I would suggest is that the Society bring you quotes in after they've done that, taking bids, then have you approve it from there. Ms. Suliman said she has the quotes. It's not something that's going to be done overnight, that's for sure. You must start somewhere.

Councilmember Scoles stated I think it's a good idea to get some more quotes also. I think it's a great idea, the markers, and everything, but maybe we can get some competitive quotes here on this, and that would help everyone in the long run.

Ms. Suliman asked if we had to wait for another meeting to get the money?

Mr. Pieper stated they are still under the direction of the town so, and you'd have to follow the procurement.

Councilmember Pellegrino stated he would like to give a consensus that the Historical Society to work with the administrator. Go through the process and purchase the markers.

Councilmember Keating stated I think you just have to like I said, cross the T's dot the I's, make sure that, you know, a 24-foot diameter gazebo at the location is going to be acceptable. Because we don't want to be surprised later that someone says, oh, there's this nuance, in, our zoning ordinance, and says you can't do that. So, just, get that verification out of the Building and Permitting department, and, you know, ultimately, you're going to be able to go forward with it.

Mayor Hellyer stated We all know that for a Shed, or a gazebo, anything over 200 square feet is going to need an engineering report from the flood.

Mayor Hellyer stated the signs that you're talking about, the ones that you want to purchase now with the \$3600, and then you can work with the town administrator to get that done

Mr. Pieper suggested to Ms. Suliman to just take your plan to them, and show them a full plan of what you're looking at. And, as I've already said, get it blessed.

Ms. Suliman asked if the expenditures include the sign for Surfside Drive. Councilmember Drake asked if that is where the big, massive pile of dirt with a fence around it? Ms. Suliman Stated yes, and people drive by it every day. And the only reason why the House standing was because they took an ax to the floor to allow the water to run through. And like I said, 2000 people lost their lives that night.

Mayor Hellyer stated you have everything you need. You're going to do the 501 C, and you're going to work with an administrator to get your signs and get the plans together for what you want.

## **8. BUSINESS - None**

## **9. PUBLIC COMMENTS – Town Services or Business Conducted**

A. **Email from Bill Kinken read by the Mayor.** Good evening Mayor, Council Members, and fellow citizens, my name is Bill Kinken @1312 N Dogwood Dr., and I am appalled about reading that half the Council is suing the other half. What a joke! I understand that 3 members favor one pier bidder over another bidder, but that is not an excuse to make our town a joke. Any lingering question that applies to one bidder applies to all bidders and should have been asked and satisfied during your interview with bidders and engineers. All these objections are just a SMOKESCREEN to stir up the taxpayers. Your job is to work together to run our town and get our pier built based on the FACTS presented during the Q&A period. There is also the matter of the Mayor and his wife being paid for work with one of the bidders. If this is true or was true, then the Mayor should excuse himself if a vote is taken on that bidder. I wish all of you the best, and I know each of you love our town, or you would not have run to be on the Council. Please work it out so the pier can be rebuilt. Regards, Bill Kinken

B. **Judy Henion, 11<sup>th</sup> Ave North,** to follow up on Mr. Kinken, I'd like to applaud the three who took a stand for Our Town. It was amazing to me. The Surfside Beach Historical Society was even told they had to go out and seek other bids, and they had to have comparable bids to be reviewed. It appears to me that when you're talking about a \$740 sign, that's a little bit much, but when you're talking about \$15 to \$17 million pier, we can't have a public discussion on that. So I think it's a little bit beyond what is understandable by most people who have intelligent thought about them, that you would request someone to go out and get bids on a \$750 sign, and then bring it in and compare them. So let's do that for the pier. So let's do the right thing for all residents because none of us want our taxes to go up.

C. **Chris Stamey, 715 Cedar Dr.**, I've been coming to meetings for a while. Council did a lot of meetings on the pier. And it was voted to pass this pier and award the bids. For some reason, now we have people who are suing other council members. For voting on something that is right, we need the pier. We've worked on the pier. For some reason, to delay this process, Why? I have no clue. You've looked into the bids. You've had all three people come in and talk to you about the bids. So go ahead and award the bid to the people who are supposed to have it, and be done with it, and move on, instead of arguing on Facebook, calling people out by name, making fun of people being on the Council, who are doing their jobs. But it seems like if certain people don't get their way, they don't want to do it. I mean, there is just no compromise whatsoever from y'all. It's like one side against the other. Now, we have a lawsuit against the Council. People, get over yourselves, Go, and do what's right. You have to pay your bill. Award it to the people you voted for, you took a vote, and it passed to award the bid.

D. **Melody Lane Laveglia, 1510 Cedar Drive North**, I, too, would like to see the pier built, and I would like you guys to do what you have to do. Get it together, all of you. This has been going on a long time, and now that you say there hasn't been a lot of discussions, We've been discussing it for years. We've been, we've had workshops, We've had all kinds of stuff for years. It's time just to get it done, and it is going to be expensive. It's going to cost all of us. But we, we want the pier to be done. At least some of us want that pier to be done. Though, my other reason for coming up here was that. I don't know how many people know or if you are all aware of it, but not all of the citizens are aware of the CAHPS program that the police department has, where they call some of our senior citizens who are shut-ins once a week and check on them. I happen to have a neighbor who is one of those people that they check on, and it just, with all of the negative publicity that's going on all across our country about police departments. I am so thankful to live in a town where we have such a wonderful police department. I think they do such a good job. My neighbor last week told the lady, I think it's to Tanika, is that her name to cause, that he didn't have masks. Well, she sent a police officer over to his house with some masks, So, I just want to say, thank you to our police chief, and our police force, they do such a great job, and, and make us all feel safe, And I know that we have, we are so blessed in this Town, In so many ways. We're blessed with all of you guys, too, so please, just get this pier done for us.

#### 10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

A. Councilmember Scoles thanked everyone for coming this evening, and also those that call in. I appreciate the Historical Society very much, and it was a great presentation and package. Sorry, your film did not work, but I also agree with the residents, we have a great police department, and we're very blessed in this Town. It's a lovely, lovely town, and why there's so much negativity going around, I hate to see that, and it is making our town look bad. There's no reason for that. So, I hope everyone will stay safe during his pandemic and hope to hear from you through e-mails and back at the council meeting. Thank you.

B. Councilmember Keating stated, likewise want to thank everybody for coming tonight, and all those calling in, and thank the Historical Society for their presentation, and their interest in keeping the history alive of our Town and communicating to our residents and in our visitors that it's a nod in the right direction. There's a lot of angst about the pier. There's a lot of unknowns about the pier. My position has always been that we need to be discussing the value proposition of each one of the bids to understand what it brings to the Town, and we need to be doing it out in front of our residents. We have about five very significant cost items that have never been brought up, that have never been discussed, that the questions have never answered, that are the responsibility of the Town. These items, including an extension of the architect engineer's contract because they are by definition identified as the owners' representative throughout the construction process. We have two different engineering analysis and contracts that we have to lead out for inspections and verifications. The Town's responsible for hazardous material abatement and disposal that we don't have any quotes or bids for. The Town is responsible for some very significant insurance items for the project. All these items are likely to cost the Town probably an additional three to \$3.5 million. So, when we say we have a \$9 million grant, we have a \$4 million bond that gives us 13 against a \$17 million project. So, one of my questions tonight, to Director King, had she been available, and made the financial evaluation, is: how are we going to pay \$17 million for this project? And until we can get that answer, I don't think we're prepared to commit ourselves, our Town, and our residents, to any specific bid project, because each one of the bidders gave us an offer that exceeds our budget. Have a great night. Have a great weekend. Stay safe, and we will see you in two weeks, if not before. Thank you.

C. Councilmember Dietrich stated it's good to see you all again. Sorry for missing the last few meetings. Thank you all for coming out. Thank you all for everything. The pier, we have to get it done, it's as simple as that, it's got to get fixed. Let's get it done. I don't want to hear about it anymore. I truly don't, and I'm tired of it. It's just dumb. We've got to get it built. Let's get it done. Let's get everybody on board and get it done. We can do this. Chief, I spent 24 years doing your job, best PD around in a long time, God bless you, God bless you men and women, and thank you so much for everything you do. Folks have a safe trip home. I'll see you two weeks, I hope.

D. Councilmember Pellegrino stated thank you very much for the history presentation, and I think the park is going to look nice in a few years. The officer or police departments know that our residents mentioned them. That program is very important, where they check in here. And now obviously with the virus, So I do appreciate that. I would like to request that the clerk and the administrator add to the discussion for the next meeting. To talk about are one lot perceived councils interested in sending that to the Planning Commission. The reason I bring that up is right now, as you can see, there's a lot of construction on most of the empty lots. So the next cycle over the next five years is going to be people who knock down old houses and build new houses, which is fine. But, we need to decide if we want to, right now, r1 is 9000 sq feet, which is pretty big. There's some huge corner lots or some big lots, whether we want to allow more subdividing and allow trees to be taken down. So it looks more like the front rows and the back rows, and that's something that we just need to discuss, I think, to see where Council wants to go with that and if we want to give Planning Commission some direction to do some work on that.

And I would like to thank Ms. King and the staff, the directors and the administrator because we went through a hard time with COVID, and although a lot of the rentals are full now, we went through a stretched area where we lost a lot of rentals, and if you look at the general fund, the expenditures are well below the revenues. So, they did a really good job adjusting and controlling that, and that's a very big positive for the Town., as far as that pier, I agree, we need to move forward, and people keep saying, we never talk about it. We never talked about it. But luckily, we had a resident who talked to me, and they did some research on their own. And since we started this project, back in 2016, we've had 60 opportunities for the public to give input and public hearings, all different workshops, different events. So, you can't say that the public wasn't involved. And we went through an exhaustive process to get bids, and we did get multiple bids, and then we went through a process where we interviewed each bidder, and then we followed up with a meeting with the engineers and architects to make sure we had full understanding. So we did do our due diligence and, and that's something we need to hash through a few things now. But we need to move forward with that. Thank you very much for coming. Thank you for being involved in our Town. Have a great night.

E. Councilmember Drake thanked everyone for tuning in tonight and coming out and seeing everybody. It has been a long, hard road the last 30 days, but we're back in it and going forward. And I wish Mr. Holder good luck. He had a little something going on, but I hope he will get to feel better soon. But as far as the pier goes, I think we need to look at it, and on an expense, or expense part is, can we afford it? Can we afford to keep going forward bored with it? It's going to be very expensive. We were at 10 million, Then we're at 12, and then we're at 15, and the latest 17 million. That is before we get change orders for this or that. Before we get there, we need to look at it. And all I'm personally asking for this slow down just a little bit. Let's get some information on it so that everybody can be informed. Everybody will know what it is and go forward. Thank you very much.

F. Mayor Hellyer stated I just want you to know that it was a tough decision to make the decision that we made to take this into court. But I was elected to represent the residents and to protect the resident's rights. There were no public hearings that came about, and there are some ways that it came about at that time that was not proper, so I gave the notice to try to rectify it, and the notice was ignored. So the only way that we have to do this was to take it to court, and the court will decide on what goes. We'll know in 15 days, and we want pier to prosper. We want to build it. We want to get it going, but we also want to do it right, because you, the residents, are the ones that are going to be paying for this. So you need to make sure that we have the money to pay for it. Then we can navigate the system to get it done to protect everybody's interest. So I thank you for coming out. And you all have a good evening.

Councilmember Scoles stated I make a motion to adjourn the regular meeting, enter Executive Session pursuant to South Carolina Code Section, 30 -4-70A, discussion of negotiations, incident to propose contractual arrangements, and or receipt of legal advice related to the Surfside Beach fishing pier restoration project bid process. Sections 30- 70, A (1)(2) to discuss negotiations incident to the proposed contractual arrangements with the Atlantic Bruce Restaurant Group. Councilmember Pellegrino seconded.

Councilmember Keating stated the first item about contractual discussions about the pier that's, again, as I've said, multiple times before. We are not talking about contractual arrangements because we don't even have the contract document drafted. We are still talking about positioning and evaluating the bids, or whatever your topic is tonight, that I'm not aware of. But I just don't think it's appropriate that we continue to discuss the pier bids and what it means to the Town behind the closed doors of an executive session because it is a public bid discussion. We're not talking about specific contractual arrangements since we don't have a contract in the first place, and we haven't awarded the bid formally as of yet. Now, if you want to go to Executive Session to discuss the Atlantic Restaurant Group lease, that is clear compliance with the FOIA exclusions from public purview. But the previous item regarding the Pier project? That is is a violation of the Exclusion.

Councilmember Dietrich stated, I think under the circumstances, I would agree with Ms. Keating. A part of this I won't agree to Executive Session tonight because Ms. Keating covered some of it. The rest of it's got to get covered, and the gentleman in the back who spoke said It better than anybody. If you're going to figure this out, let's start doing it because it's got to get resolved. We got a lot of financial stress on a table. We've got a lot of other things sitting on a table. I can't agree with an executive session.

Mayor Hellyer stated I have a question for Elise that you know on what Ms. Keating says, the first part about going in under the negotiation on the pier. Do you agree or disagree with their statement? And what is your advice to the Town?

Town Attorney Crosby stated Council is free to vote or not to close this meeting to go into executive session. But I will say that the way this section under FOIA negotiate discussion of negotiation, incident to propose contractual arrangement, and or receipt of legal advice Fishing Pier Restoration Project process. This process is something that FOIA; that's definitely the absolute subject of what is expected to be talked about with Council. It is up to you.

Councilmembers Pellegrino and Soles voted in favor. Councilmembers Keating, Dietrich, Drake, and Mayor Hellyer voted against. **Motion Failed.**

- 11. EXECUTIVE SESSION** – Motion to adjourn Regular Meeting and enter Executive Session pursuant to South Carolina Code sections 30-4-70-(a) (2) discussion of negotiations incident to proposed contractual arrangements and/or receipt of legal advice related to the Surfside Beach Fishing Pier Restoration Project Bid Process. Sections 30-4-70-(a)(1) and (2) to: discuss negotiations incident to proposed contractual arrangements with Atlantic Restaurant Group.

**MOTIONS RELATED TO EXECUTIVE SESSION**

- 12. ADJOURNMENT** Councilmember Dietrich made a motion to adjourn at 7:50 pm. Councilmember Keating seconded. All voted in favor. **Motion carried.**

**Surfside Beach Town Council**

\_\_\_\_\_  
Robert Hellyer, Mayor

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David L. Pellegrino

\_\_\_\_\_  
Bruce H. Dietrich, Town Council

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Cindy Keating, Town Council

\_\_\_\_\_  
Michael Drake, Town Council

\_\_\_\_\_  
Debbie Scoles, Mayor Pro Tempore

\_\_\_\_\_  
Paul Holder, Town Council

Attest: \_\_\_\_\_  
Sheri L Medina  
Town Clerk

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

**PLEASE NOTE:** Department reports can be viewed by clicking on the links below.

