



TOWN COUNCIL EMERGENCY MEETING MINUTES
TUESDAY, APRIL 21, 2020 • 10:30am

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1. **CALL TO ORDER** Mayor Hellyer called the emergency meeting to order at 10:32 am. Mayor Hellyer, Mayor Pro Tempore Scoles, Councilmembers Pellegrino, Drake, Dietrich, Holder, and Keating were in attendance via telephone. Others present Town Attorney Crosby, Town Administrator Pieper, and Town Clerk Sheri Medina also via telephone.

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2. **APPROVAL OF MINUTES** April 14, 2020, Emergency Meeting Minutes. Councilmember Scoles made a motion to approve the minutes from the April 14, 2020 Emergency meeting. Councilmember Dietrich second. Councilmember Keating requested that we ensure the signature block is on the final documents since it did not seem to be on the version she had in hand. All voted in favor. **Motion Carried.** Councilmember Scoles stated the minutes are sent out to the Council well before a meeting for comment, and it would be advantageous for Council to respond at that time with changes or corrections because there is too much time being spent discussing minutes during a meeting.

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3. BUSINESS ITEMS

A. **ORDINANCE #20-0919 - EMERGENCY ORDINANCE OF THE TOWN OF SURFSIDE BEACH COVID-19 (E.O. 04) – BEACH ACCESS PARKING/BEACH REGULATIONS**

Mayor Hellyer stated we have four (4) options. Option (A) and Option (B) were included in the packet, or do nothing (i.e. remove beach access restrictions and make no other changes), or keep beaches closed. **Option A** Parking in Town of Surfside Beach parking lots offering paid parking is temporarily restricted to only those vehicles displaying valid Town of Surfside Beach parking decals. Signage necessary for notice to the public shall be erected. Surfside's beach access will be opened with the following stipulations to help ensure the health and safety during the COVID-19 Crisis. Beach activities will be limited to non-stationary exercise activities include walking, jogging, or riding bicycles. In addition, no sunbathing, sitting in chairs, lying on blankets, or grouping of more than three people; social distancing shall be utilized; and no fishing or surfing will be permitted. All beach equipment such as blankets, towels, chairs, tents, and coolers will not be allowed at this time. Public restrooms will remain closed. The Town of Surfside Beach Police Department is authorized to enforce Executive Orders and ordinances during a declared emergency. Any person who violates such provision shall, upon conviction, Chapter 8 of the Town of Surfside Beach Code of Ordinances, be punishable by a fine not exceeding \$500, imprisonment for a term not exceeding 30 days, or both, for each violation.

Option B is the same ordinance without restricted beach activities.

Councilmember Drake asked for clarification of the other two choices. His understanding is that one is to keep the beach closed, and one is to adopt Option A. Mr. Pieper stated the two other choices are to go by the Governor's order (open beach accesses) or keep the beach closed. Mayor Hellyer re-clarified the difference between both Ordinances. Councilmember Keating asked to ensure the previous order regarding beach access is being rescinded. Mayor Hellyer stated the restriction would be removed today per the Governor, effective noon. Ms. Crosby stated superseding of an Ordinance is in all Ordinances. There would be no need for additional language. Also, Ms. Crosby stated the Governor's declaration of emergency and previous executive orders had not been rescinded; such as, the 6-foot distancing or limited outdoor activities. Mayor Hellyer stated there are four options. Councilmember Drake made a motion to adopt option (B), which would be to open up the beaches without restriction, with the paid parking limited to parking decals only so that the Surfside residents can enjoy their beach, social distancing and minimum gatherings are maintained. The police will monitor the beach for compliance. Councilmember Dietrich stated keep it closed; do not need to invite more problems. Councilmember Holder seconded. Councilmember Scoles thanked Mr. Pieper and Mrs. Medina for getting this meeting together

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55 so expeditiously. Mrs. Scoles feels that it is too soon to open the beaches. How will this action affect us down
56 the road? Councilmember Scoles stated she had received many requests not to open the beach. The beach
57 belongs to the government. We only maintain the beach. That is how we receive FEMA money. All that we are
58 patrolling at this time is the public accesses. Once public access is open, we cannot control who walks down
59 them. Councilmember Dietrich supports Councilmember Scoles comments.
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61 Councilmember Pellegrino is in support of Option (A); this will guarantee that people will not be in large groups
62 on the beach. Councilmember Holder stated he would like to get the thing going. He feels that Option A is the
63 best option. It keeps people from grouping together. Councilmember Keating asked how many of the furloughed
64 Police Officers will need to be reinstated to adequately patrol the beach? We have furloughed our beach officers.
65 While we don't own the beach, we are within our legal rights to be providing restrictions on what can or can't be
66 done on the beach to ensure public health and safety. Option A would be an excellent option to open the town
67 slowly. Mr. Pieper stated Option A would require the least resources required and safer for the public. Beach
68 ambassadors would not be needed. We would be slowly rolling the town back. Town Attorney stated since the
69 beach is within the town, police officers can enforce action on the beach. As long as those regulations are
70 narrowly tailored, the police can enforce it on the beach. The Governor closed the beach access and boat ramps;
71 this was to tailor the restrictions narrowly. Mayor Hellyer stated the stay at home order is still in effect. The
72 people who don't want to be susceptible can choose not to go on the beach. He has received many emails, more
73 have been to request the beach be open.
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75 The motion on the table was for Option B. Councilmember Drake voted in favor. Councilmembers Keating,
76 Dietrich, Scoles, Holder, Pellegrino, and Mayor Hellyer voted against. **Motion failed.**
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78 Councilmember Keating made a motion for Option A to have restricted parking for parking decals only, and open
79 beach access for restricted beach activity. Councilmember Holder Seconded. Councilmembers Drake, Keating,
80 Holder, Pellegrino, and Mayor Hellyer voted in favor. Councilmember Scoles and Dietrich voted against. **Motion**
81 **carried.**
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83 Option A will be used. Mayor Hellyer asked if dogs were still allowed on the beach. Councilmember Holder stated
84 people should be able to walk their dogs. Councilmember Pellegrino agreed. The other issue is short term rentals.
85 In a previous executive order, we stated we were going to restrict them until May 1. It has not changed. The
86 Council needs to keep that under consideration whether to extend that order. Councilmember Dietrich stated
87 that it should be discussed May 1. Councilmember Scoles stated she understands that if people are scared, they
88 can stay off the beach, but these people are still going to the grocery stores. Waiting another week or two could
89 stop or slow the potential of the spread of the virus.
90 Councilmember Keating called a point of order.
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92 B. REQUEST TO EXTEND PIER BIDS 30 DAYS

93 Councilmember Drake made a motion not to extend the pier bids. Councilmember Dietrich seconded.
94 Councilmember Keating asked to confirm that we have 11 bidders declared, and how many bidders requested an
95 extension? Mr. Pieper confirmed that we have 11 bidders, and stated there has only been one request for
96 extension in writing. The contractors have a hard time getting prices from their subcontractors. Councilmember
97 Keating said if it is only one bidder requesting an extension, there are ten other bidders to choose from.
98 Councilmember Scoles requested that there be a 30-day extension. Consider what we are going through at this
99 time. Contractors cannot get workers or resources. Mayor Hellyer stated the bid was put out and gave bidders 30
100 days to compile their bids. There are a lot of businesses struggling. By not extending the bid, the competition
101 could make for a better price. Councilmember Holder stated that Contractors are not able to get prices with a lot
102 of businesses closed, which could result in fewer bids. Councilmember Pellegrino stated the trend is that we just
103 had the lowest month on new homes starts, meaning people will be looking for workers looking for working a few
104 months. Construction is still booming. There will be a lot of workers looking for work and does not wish to extend
105 the bids. Councilmember Keating stated that construction companies are not in shut down mode. We have ten
106 other bidders to choose from. Councilmembers Drake, Dietrich, Pellegrino, Keating, and Mayor Hellyer voted in
107 favor. Councilmembers Scoles and Holder voted against. **Motion carried.**
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109 Councilmember Keating talked about doing better with our meetings designation and content to comply with
110 FOIA.
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112 Councilmember Drake stated he would like to see everyone go back to life as usual. We need to start looking at
113 the Constitution. Freedom should come first. We are in a learning curve. Hopefully, in November, this will all be
114 over. Stay safe.

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116 Councilmember Scoles thanked all the staff; they are not only doing regular duties but are working extra time
117 keeping residents informed to ensure our health and safety.

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119 Councilmember Dietrich agreed. Thank you so much to everyone.

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121 Mayor Hellyer thanked everyone for the cooperation that we have had. I don't think residents realize the
122 magnitude of the decisions that the Council has to make at this time. Decisions are made with all residents in
123 mind. Mayor Hellyer also thanked all of the residents who called in to listen and Council for working together.

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125 **4. ADJOURNMENT** Councilmember Dietrich made a motion to adjourn at 11:22 am. Councilmember Pellegrino
126 seconded. All voted in favor. **Motion Carried.**
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130 **Surfside Beach Town Council**

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134 Robert Heller, Mayor

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137 Bruce H. Dietrich, Town Council

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137 David L. Pellegrino

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140 Cindy Keating, Town Council

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139 Michael Drake, Town Council

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143 Debbie Scoles, Mayor Pro Tempore

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142 Paul Holder, Town Council

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146 Sheri L Medina
147 Town Clerk
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