



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION AUGUST 22, 2016 ♦ 6:00 P.M.
REGULAR MEETING AUGUST 22, 2016 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 6:00 p.m.

Mayor Childs called Town Council to order at 6:00 p.m. Monday, August 22, 2016 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, and the appointment of a person or persons to a public body. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, and Stevens were in attendance. One seat is vacant. A quorum was present. Mr. Stevens moved to enter executive session at 6:00 p.m. Mr. Johnson second. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 6:09 p.m. Mr. Courtney second. All voted in favor. **MOTION CARRIED.** Mayor Childs said that no action was taken during executive session. Any motions and/or directions to the town administrator will be made during the regular meeting that begins at 6:30 as noted on the agenda under Business Items 7.D. and 7.E. Mayor Childs declared the session adjourned at 6:09 p.m.

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, and Stevens were in attendance. One seat is vacant. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Fire Chief Otte; Planning Building & Zoning Director Morris; Police Chief Keziah; Public Works Director Adair; Events Supervisor Ellis; Finance Manager Gardner, and Building Official Farria.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Mr. Stevens gave the invocation.

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

Mayor Childs invited the candidates in the runoff election to introduce themselves. Ms. Julie Samples and Ms. Wanda Spannuth were present. Mayor Childs reminded everyone the runoff election was tomorrow and encouraged them to vote.

3. AGENDA APPROVAL and 4. MINUTES APPROVAL Executive Session and Regular Meeting August 8, 2016 and Workshop, August 15, 2016.

Mr. Stevens moved to adopt the agenda; to adopt the August 8, 2016 executive session and regular meeting minutes, and the August 15th workshop minutes as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED**

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

Stormwater committee chairman Sandra Elliott. You heard the personal opinion of one of the committee members on the 36 versus 18 inches. During the last stormwater workshop, the committee concurred not to lose any CRS points or jeopardize the town's obtaining a lower rate level, and to help obtain more points. The CRS committee did not support the stormwater committee's opinion and has

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54 asked council to consider its recommendations for changes that will result in a 200 point loss. This is the
55 beginning of the chisel that we always do on anything that's good. What will be asked next? We as a
56 committee realize that our business community is vital to Surfside Beach. We also understand that
57 commercial buildings from Business 17 already comply with the 18 inch over center line. By amending
58 that section, minimum points would be lost. Changing the residential from 36 to 18 inches might save
59 the builders expenses, and the initial cost to the homeowner, but puts them in greater danger from
60 flooding. We now need to be aware of the flood surge from the ocean, and the flooding [runoff] from
61 the 1,200 acres of stormwater from Horry County that we process. More homes, more streets, more
62 runoff. You can never say never; it will not happen in Surfside. A thought to consider, a disabled
63 individual will need a ramp for any number of steps. The only way to be free of a ramp is slab on grade.
64 Since passing the original ordinance in 2014, we have had 42 new homes built with a 36 inch
65 requirement in the X zone. Development in town is still going on. Our rating of Class 5 is 100 points
66 from being a Class 4. What a benefit for all of us. Now, we will have 300 points to make. Business 17
67 businesses pay 17-percent of the business income in the general fund. They are in Zone X; flood
68 insurance not needed. Ocean [Boulevard] businesses pay 83-percent of the business income in the
69 general fund. They pay flood insurance premiums. Let's help the Ocean [Boulevard] businesses and all
70 properties in the zones that require flood insurance. Please pass amendments on commercial Business
71 17 only, if it is necessary. The businesses are grandfathered. Thank you.

72
73 Ms. Betty Lowery, 4th Avenue North. I don't know whether this came up as a group request or if
74 it was a request by an individual. There are no minor decisions, just as there are no minor elections.
75 Every decision you make changes Surfside forever. Sometimes in small ways; sometimes major. During
76 campaigning and speeches from this podium, I continuously heard those who said how much they love
77 Surfside. When you love something, you take care of it. You protect it. You help it get better, and you
78 watch with pride all those improvements, whether it's a car you've restored or children you're raising.
79 You do nothing that damages what you love. Even if you have to make the occasional personal sacrifice.
80 If this change is made, it improves nothing. It damages quite a lot. Much has been made of the current
81 ordinance not being business friendly. Has anyone thought about how unfriendly the new ordinance is
82 going to be for the businesses on the beach side of 17? Those that are not only in a flood plain like all of
83 Surfside, but in a flood zone, unlike those along [Highway] 17. Those businesses pay the majority of the
84 taxes that support the town. Has anyone thought about what they already pay in flood insurance, and
85 how the change in the CRS rating will ultimately affect their rates, and their ability to maintain their
86 businesses? It's as if you're saving our toes and throwing away our foot. Construction cost is used as an
87 excuse. Construction is cheap, if you use substandard materials. But, ultimately, you pay for that as
88 well; 18 inches supposed to be good enough. In education, I constantly heard that an education that
89 was just good enough wasn't good enough. Shouldn't that apply to protect our businesses and
90 residences, and everyone's insurance policies? So, you want Surfside to be business friendly. So, you
91 love Surfside Beach. Show us how much.

92
93 Ms. Holly Watson, North Oak Drive. I had the privilege of attending the [flood] workshop. I
94 keep hearing that Surfside Beach is business unfriendly, and that's the reason why you are even
95 considering this ordinance. Surfside Beach is not business unfriendly. As a matter of fact, according to
96 the minutes over the past seven months we've had 38 businesses that moved into our little town. That's
97 pretty good considering that we're only two miles long. Our business is so friendly that our pier is having
98 to expand its restaurant at a cost of \$45,000. Our business is so good that you've got to stand in line
99 over at Crabby Mike's, and Malibu's is only taking reservations now, because they have such a crowd.
100 You also heard from Valentino's they started valet parking, because there is no place to park over there.
101 So, we must be doing something right. I just want to remind you again, how we are so business friendly.
102 We have our beach, and it's beautiful. We just finished redoing Surfside Drive, and it's gorgeous; plenty
103 of parking; plenty of access to our beach. We have the best and most knowledgeable building
104 inspectors, so we don't have any shoddy building going on in our town any longer. We have a new
105 multi-million dollar fire department with an ISO rating of 1 that saves our commercial businesses several
106 thousands of dollars on insurance premiums, and also the homeowners. We have a very good police

107 department that is situated within two miles of everything here. I don't understand how anybody could
108 say we are business unfriendly. We may have had a couple of people who came into town and may have
109 presented something that didn't go along with our population, since we're mostly over 50 and there are
110 tourists here. You're always going to have one or two, but as a whole, our town is wonderful. We've got
111 some very long-time businesses that have been very successful. Using that as an excuse to try to fool
112 with an ordinance that is paying off tremendously, and will pay off in the future every single year that
113 FEMA decides to raise its rates, and that will be every single year until it recoups its cost. You see what
114 is going on now in the news with the floods [in Louisiana.] Don't fool with it. If it ain't broke, don't fix it
115 [sic.] Thank you.

116
117 **6. COMMUNICATIONS**
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119 **A. Surfside Beach Resort, LLC, Mr. Phil Vassar.** Mayor Childs presented Mr. Vassar with a
120 check in the amount of \$5.00 to pay for the transfer of Parcel X from Surfside Beach Resort to the Town
121 of Surfside Beach. Second reading of the ordinance to accept the property is under Business Item 7.A.
122

123 **B. Employee Award: Templeton Blain, Jr., 15 years.** Mr. Blain was unable to attend. Mr.
124 Adair offered to deliver his plaque, pin, and check.
125

126 **C. Department Reports.**
127

128 **i. Events.** Supervisor Ellis presented the written report, a copy of which is attached hereto.
129 There were no questions or comments.
130

131 **ii. Finance.** Finance Manager Gardner presented the written report, a copy of which is attached
132 hereto.
133

134 Mr. Courtney reminded Ms. Gardner that the FY2017 budget needs to bring the town's police and
135 fire salaries up to parity with other agencies, and recommendations should be presented to council. Ms.
136 Gardner said she would remember to do so.
137

138 **iii. Fire.** Chief Otte presented the written report, a copy of which is attached hereto.
139

140 Mr. Courtney said there were 132 mutual aid runs in the report. He asked if the department
141 responds to Ocean Lakes. Chief Otte said the mutual aid agreement includes the campground, Glens
142 Bay Road and Deerfield.
143

144 Mr. Ott asked if there was a cost to residents for the children's birthday party held at the station.
145 Chief Otte said there was no cost. Parties are also held at the town parks, and the department take the
146 trucks for children to see. Mr. Ott suggested that the department advertise the availability of the fire
147 house for a birthday party. Chief Otte said that could be advertised on the website and on social media.
148 Mr. Ott said that was a great benefit and was free to the residents.
149

150 **iv. Planning, Building & Zoning.** Director Morris presented the written report, a copy of
151 which is attached hereto.
152

153 Mr. Stevens asked Ms. Morris to explain the process when windows needed to be replaced. Ms.
154 Morris said the permit applications are on the counter. The individual would complete it; give it to the
155 permit technician, and then she issues the permit. Mr. Stevens asked if requirements were different for
156 homes near the beach. Ms. Morris said windows with a rating of BP50 are used; windows on the ocean
157 front are required to be impact glass, which is a State Building Code requirement.
158

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159 Mr. Ott said if he read the report correctly, the department had brought in \$145,000 in two-thirds
160 of the year. He thought that was terrific, and added that he liked the detailed report with pictures. He
161 asked how the responses were on the survey questionnaires. Ms. Morris said Ms. Fellner reviewed all of
162 the replies, and there has not been one negative response as of this date. All comments were very
163 positive. A spread sheet of the survey results will be prepared at the end of the month for Town Council.
164

165 Mr. Johnson thanked Ms. Morris for being proactive and initiating the surveys. He thought that
166 was a step towards creating a better atmosphere, although it may not be as bad as perceived.
167

168 Mayor Childs said the pictures in the report are getting better. They cover the whole page.
169

170 Mr. Courtney thanked Ms. Morris because the spreadsheets clarify the time necessary to obtain a
171 permit. He was glad that information was being documented.
172

173 **v. Police.** Chief Keziah presented the written report, a copy of which is attached hereto.
174

175 Mr. Johnson asked what the average time was for an officer to graduate from the police
176 academy. Chief Keziah said the full academy is 12 weeks; then the officer has to work 28 shifts in field
177 training, which is about two months. When field training is completed, a supervisor will shadow the
178 officer. All total it is an average of about three months to get an officer on duty.
179

180 Chief Keziah noted that during June and July there were nine burglaries of vehicles and
181 residences. He hoped by the end of this week there would be an arrest to close out all nine events, and
182 some property would be recovered.
183

184 Mr. Pellegrino said the police department was also getting positive feedback as shown on the
185 email messages in the report. Several messages stated that the officers went above and beyond the call
186 of duty to ensure the public and visitors were welcomed. Officers are also dealing with different
187 situations, including legal issues, very professionally. He appreciated that and asked Chief Keziah to
188 please pass that on to the officers. When you arrest someone's son and they thank you for doing your
189 job, well, that's a positive thing. I respect that man for letting his son accept that accountability, too.
190 That doesn't happen in this society very often. Thank you very much, because it sounds like the officers
191 are trained very well, and really go above and beyond to sure everyone is happy to be here. Chief Keziah
192 said thank you, and he would pass the comments along.
193

194 Mr. Courtney asked how many officers had left the town this year, and last year. Chief Keziah
195 said best guess was four or five this year, but he did not have numbers for last year. Mr. Courtney was
196 concerned because the town wants to keep its officers here. The organizational subcommittee has
197 discussed bringing officers up to parity. Chief Keziah said Horry County is also working on strategies to
198 retain officers. The county lost nine officers last month. He would pass the county's strategies on to the
199 administrator. Mr. Courtney wanted to see a cost analysis for losing an officer, including rehire, training,
200 gear, and everything else involved. He reiterated the importance of retaining our trained officers, and
201 asked Chief Keziah to get that information to him. Chief Keziah said it would be done. Mr. Courtney said
202 thank you; he appreciated it.
203

204 **vi. Public Works.** Director Adair presented the written report, a copy of which is attached
205 hereto.
206

207 Mr. Courtney had noticed that many people were dumping televisions on empty lots. He asked
208 Mr. Adair if he could offer a solution to this problem. Mr. Adair said it was well publicized by the Solid
209 Waste Authority and on the town's website that electronic waste is banned from the landfill, which is why
210 many people are placing their old items on empty lots. Sanitation will pick it up from the empty lots and
211 store it until an event is scheduled. Mr. Courtney asked what the cost was to the town for the pickups.

212 Mr. Adair said the town has to pay regardless of whether the item is taken to the semi-annual drop off
213 event or picked it up roadside. Cost is the employee's pay, and truck operation. The town pays between
214 \$5 and \$6 thousand a year to dispose of e-waste. Mr. Courtney believed it was important for the public
215 to know this is illegal. If anyone sees this happening, please report it. People place all kinds of debris on
216 vacant lots, because they know the town will pick it up. It looks horrible and costs the town money. The
217 drop-off program seems to only work for the honest people. Mr. Adair said the sanitation laborers drive
218 up and down streets checking for debris when they are not doing rollouts. Mr. Courtney asked when
219 maintenance would begin on the beach walkovers. Mr. Adair explained that structure maintenance and
220 cleaning was done year round. Renovations occur during the winter months. The town built three 12 x
221 12 foot walkovers with a seating area last winter, and expects to build three this coming winter. One of
222 the smaller walkovers was totally rebuilt last winter, also. Now that the Keep Surfside Beach Beautiful
223 Committee reactivated the Adopt-A-Beach program, that should help keep the beach clean. Mr. Courtney
224 reiterated his concern that nails were popping up, and some areas needed maintenance. Mr. Adair said
225 absolutely; it was an ongoing process. Mr. Courtney said thank you and that Mr. Adair's staff was doing
226 a good job.

227
228 Mr. Ott said his crew had done a marvelous job for the town during the tourist season. Our
229 town looked very nice; very clean; the beaches, and the access areas. Please tell your crew thank you
230 very much. *(Applause)*

231
232 **D. Administrator's Report.** Ms. Fellner presented the written report, a copy of which is
233 attached hereto. Ms. Fellner added to the response regarding lawsuits that she could publicly state there
234 are currently four cases in which the town is named: (1) *William Rempfer, Sr. vs. Town of Surfside*
235 *Beach*, concerning real property; (2) *William Rempfer, Sr. vs. Town of Surfside Beach*, concerning a dock
236 issue; (3) *Samuel Miller vs. Scott Keeling*, defendant, et al, in which the town is named as a third party,
237 concerning a fencing dispute and (4) *Jamie Alston, et al vs. Dillon Shook, et al*, in which the town is
238 named as a third party, concerning wrongful death.

239
240 Mr. Pellegrino was happy to hear the beach renourishment project would start in November. He
241 asked if she heard whether the project would begin on the north or south end of the beach. Ms. Fellner
242 said that decision would probably be made near to or when the bid is awarded in December. As soon as
243 she finds out, she will advise council. Mr. Pellegrino asked if the project is still projected to last nine
244 months. Ms. Fellner said there was no change to the completion timeline.

245
246 Mr. Ott thanked Ms. Fellner for her report, and an honest answer on the lawsuits. He asked if
247 there are any employee suits at this time. Ms. Fellner said no, sir. The four mentioned are the "totality
248 of what we have."

249
250 Mr. Courtney asked if it was true that she was served with letters threatening suits from time to
251 time. Ms. Fellner explained that she receives letters all the time. Mr. Courtney asked if most times the
252 problems were mitigated. Ms. Fellner said that was correct. Mr. Courtney asked if the lawsuit must be
253 filed before it is considered an action. Ms. Fellner said that was correct.

254
255 Mayor Childs said sometimes courtesy letters were sent to let you know that something was in
256 the works. Ms. Fellner said right, and sometimes there are misunderstandings. The complainant might
257 think the town has done something that has not been done or we think someone has action an action; so
258 problems can be mitigated before a suit is filed.

259 260 **7. BUSINESS**

261
262 **A. Second Reading Ordinance #16-0831 to purchase Parcel X from Surfside Beach**
263 **Resort, LLC, Administrator Fellner.** Ms. Fellner presented the decision paper and ordinance, copies
264 of which are on file.

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Mr. Ott asked if there were sketches of the proposed construction that the public could view. Ms. Fellner said no renderings were available now. The next step in this process is to have an architect prepare plans. When the drawings are prepared, they would be displayed.

Mr. Stevens moved to adopt second reading of Ordinance #16-0831 to purchase Parcel X as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED.**

B. First Reading Ordinance #16-0832 to amend Chapter 14, Flood Damage Prevention, Director Morris. Ms. Morris presented the decision paper and ordinance, copies of which are on file.

Mr. Courtney moved to amend Ordinance #16-0832, Section 14-19, Item 1, to include the following: *Non-Commercial developable lots outside of the Special Flood Hazard Area (SFHA) shall have an average grade of all adjacent lots. A foundation/current conditions survey shall be provided and approved prior to the foundation being poured or piers being filled prior to additional inspections being performed. Adjacent lot grades shall be measured at a minimum of 20 feet into all adjacent lots.* Mr. Ott second.

Mr. Courtney explained that problem has been identified by contractors building in lots that are lower grade without adding any fill dirt, which creates a bowl effect. The goal is to get all homes in the area up on grade to eliminate flooding and help with stormwater control. He had no problem lowering the minimum building height to 18 inches in Zone X and commercial districts, as long as the lots were similarly graded. He wanted to make sure that stormwater management was sufficient for the builders and that the town retain as many CRS points as possible. He did not want to lose any points, because it was very important to keep insurance rates down.

Mr. Johnson called *point of order*, saying that a business item had not been introduced, so an amendment was out of order. He apologized for bring this forward, but no motion to accept Ordinance #16-0832 was on the floor. Before he would approve any amendment, he preferred to adopt first reading, and then consider the amendment to be added at second reading.

Mr. Stevens supported Mr. Johnson's point; a motion to adopt first reading was required before any amendments could be offered.

Mr. Ott asked if Ms. Herrmann could assist. Ms. Herrmann said the process is to offer a motion to accept or adopt the business item, and then any amendments could be offered as the primary motion was discussed.

Mr. Stevens moved to adopt Ordinance #16-0832. Mr. Johnson second. Ms. Herrmann said, that without objection, Mr. Courtney's amendment could stand. There were no objections.

Mr. Stevens was unclear of Mr. Courtney's amendment, and asked for a printed copy. Mr. Courtney asked if Ms. Morris to explain the proposed amendment. Ms. Morris said many of the town's vacant parcels in Zone X are bowl shaped. Developers are building without grading the lots, which creates low-lying areas. Some developers have built as is, and provided a stormwater management system, but because no grading was done to match neighboring properties, the lower lots still hold water. Mr. Courtney's amendment recommends that the town require undeveloped lots to be filled to equal the average topography of neighboring property. Some contractors do the opposite; they bring in several loads of fill, which creates higher grades and causes water to runoff onto the neighboring lower property. The amendment is designed to require everyone to have similar topography; the same average grade so that each lot will have the same height. Mr. Stevens said that was a wise decision, and he supported the amendment.

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Ms. Morris said the requirements for new construction already include a topography map of the existing property. Surveyors said surveys today include 20 feet within all the adjacent lots, so the only additional cost would be to the developer for an extra survey; probably around \$200.

Mr. Pellegrino also supports the amendment, because there were situations in the past where grades were higher or lower that created drainage issues even though builders were required to submit stormwater plans. Who is accountable when the stormwater plan doesn't work properly? Ms. Morris said the builders are accountable, and that has been addressed in several cases. There is actually a small newly constructed area in town that is constantly having the same problems with the engineering. The stormwater plan was approved to meet the 100 year flood, but the lots around them are built up so high that the lots still hold water. This situation will continue, if the code does not include a requirement that grades are close to average for the area.

Mr. Ott asked if his understanding was correct in that when construction was being done on a bowl shaped lot, the builder would be required to raise the grade to equal the neighboring lots so there would not be runoff into the lower lot. Ms. Morris said exactly, and that would eliminate ponding on that property.

Mayor Childs said he and Ms. Morris discussed this a long time ago, but somehow the issue "just fell through the cracks." He supported Mr. Courtney's amendment and thought it was long overdue, because that situation is around town now.

Mr. Stevens asked if this means that no builder can build up a lot up high. All lots would have to be equal. Ms. Morris said that was exactly right. Mr. Stevens asked if lots would still have swales and places where water drains off. Ms. Morris said as the code states, stormwater plans will be required for every lot. It would be up to the engineer to decide what the proper plan is, whether it is a swale, or infiltration system with buried perforated pipes.

Mr. Johnson asked if this would apply to every flood zone. Ms. Morris said just the non-flood zones.

Mr. Ott asked if the town could gain points, if the amendment is adopted. Ms. Morris said yes, if this is added to the ordinance as written, it will eliminate ponding and lower lots. So, the town will get some credit for that.

Mr. Stevens referred to page 110-3 of the CRS Coordinator's Manual and said the town is currently at Level 5. Properties in a special flood hazard zone get a 25-percent discount on flood insurance premiums. Outside of the special flood hazard zone, ratings between Level 5 and Level 1 is a 10-percent savings. Ms. Morris said that was correct. Mr. Stevens asked if the 25-percent was guaranteed or whether it fluctuated. Ms. Morris said that is a guaranteed savings. Mr. Stevens said a constituent only had a 17-percent savings and ask why that might be. Ms. Morris explained that there is a form letter on the town's website stating that if your property is in a flood zone, the town is now a Class 5, which can be printed and taken to your insurance company. If the individual did not get a 25-percent discount, he can certainly call her. Mr. Stevens asked if a property located east of Dogwood in a flood area qualified for a 25-percent savings. Ms. Morris said yes. Mr. Stevens said during the workshop he heard that second homeowners would save money, but that rates were going up. Ms. Morris said rates will go up for everyone within the flood zone, because the Federal Government is no longer subsidizing policies. Flood insurance rates will increase annually for anyone within the flood area until the market rate for the property is reached. If you do not live in your property 80-percent of the time, and you cannot show proof you live there 80-percent of time, there is an annual \$250 surcharge on flood premiums; that surcharge also applies to commercial properties.

371 Mr. Courtney said with the amendment the town would not lose its Level 5 rating. Ms. Morris
372 said it will not; that is correct.

373
374 Mr. Ott thought that the full reduction of 25-percent would not be received until 2017. Ms.
375 Morris said it was effective May 1, 2016.

376
377 Mayor Childs called for a vote on Mr. Courtney's amendment. All voted in favor. **MOTION TO**
378 **AMEND CARRIED.**

379
380 Mayor Childs called for a vote on the motion to adopt first reading of Ordinance #16-0832 as
381 amended. All voted in favor. **MOTION CARRIED AS AMENDED.**

382
383 **C. Resolution #16-171 Declaration of Results of Special Municipal Election August 9,**
384 **2016, Administrator Fellner.** Ms. Fellner presented the decision paper and resolution, copies of which
385 will be filed with the Horry County Clerk of Court and attached to these minutes.

386
387 Mr. Stevens moved to adopt Resolution #16-171 Declaration of Results of Special Municipal
388 Election August 9, 2016. Mr. Johnson second. All voted in favor. **MOTION CARRIED.**

389
390 **D. Appointments: (Appointments were discussed in executive session at 6:00 p.m.)**
391 **i. Board of Zoning Appeals (2 vacancies), Volunteers: Mr. Guy Lanham, Mr. Steve Taylor; ii.**
392 **Planning Commission (1 vacancy), Volunteers: Mr. Ron Crouch, Mr. Charles Siebold; iii.**
393 **Council Liaison to Historical Society, Mayor Childs, and iv. Council Liaison to Business**
394 **Committee, Councilmember Pellegrino.**

395
396 Mr. Johnson moved to appoint Mr. Guy Lanham and Mr. Steve Taylor to the board of zoning
397 appeals; Mr. Charles Seibold to the planning commission; Mayor Childs as liaison to the Historical Society,
398 and Mr. Pellegrino as liaison to the Business Committee. Mr. Stevens second. All voted in favor.
399 **MOTION CARRIED.**

400
401 **E. Any Motions and/or Directions to the Town Administrator from Executive Session**
402 **at 6:00 p.m.** There were no motions or directions offered.

403
404 **8. TOWN COUNCIL DISCUSSION**

405
406 **A. Direction to Staff concerning SCDOT (South Carolina Department of**
407 **Transportation) Highway 17 Improvements.** Ms. Fellner presented the decision paper, a copy of
408 which is on file. The primary goal is to reopen the 10th Avenue North crossover and to close the existing
409 crossover at 11th Avenue North.

410
411 Mr. Pellegrino asked if you would be able to travel either direction from 10th Avenue North. The
412 original plan on 11th was to only head north, and then make a left to go south. Ms. Fellner believed it
413 would be the same.

414
415 Ms. Fellner explained that this was not for Town Council to decide which option was best; it was
416 simply to ask SCDOT to consider the suggestions made by Mr. Crouch as a possible option.

417
418 Mr. Courtney had been in contact with SCDOT, and did not see any problems asking them to
419 consider the suggestion. SCDOT was cooperating very well with the town.

420
421 Mr. Pellegrino asked what SCDOT would bring back to the town after it looks at it. Ms. Fellner
422 explained that SCDOT owns Highway 17, and it will ultimately make the decision. The town will ask
423 SCDOT to look at Mr. Crouch's proposal and to consider whether it makes the most sense in view of all

424 the things stated in his letter; i.e. 11th Avenue is more residential in nature, etc. Mr. Crouch stated a
425 number of good reasons that perhaps SCDOT did not know or consider. We want the best option and
426 outcome for our town, which is why staff recommends that it be presented to SCDOT.

427
428 Mr. Stevens thought Mr. Crouch's suggestions were well done and thought out. He researched
429 the issue, and his suggestion makes common sense. He supported the recommendation to ask SCDOT to
430 look at it.

431
432 Mr. Pellegrino asked whether he should recuse since his in-laws live on 11th Avenue North, and
433 his children play there. He has a very biased opinion. Mayor Childs said this was just a consensus, and
434 asked if recusal was necessary. Ms. Herrmann said that only Mr. Pellegrino could make the decision to
435 recuse.

436
437 Mr. Johnson and Mr. Courtney also supported the recommendation. Mr. Courtney added that Ms.
438 Johns, project supervisor, was very nice and has cooperated well with the town. He felt sure Ms. Johns
439 would let the town know what they decide.

440
441 Mayor Childs said that was all SCDOT would do; review the suggestion and let them know what
442 they think.

443
444 Town Council **CONCURRED** to direct Staff to ask SCDOT to review Mr. Crouch's suggestions for
445 consideration.

446
447 **B. Any matters of concern or information to be discussed.**

448
449 There was no other discussion.

450
451 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)

452
453 Ms. Wanda Burgess, 15th Avenue South. I want to comment about the money spent on the Ark
454 Plantation property at 3rd Avenue South, because it was mentioned at the last council meeting. Once the
455 educational programs get started at the property, which I believe starts in November, the town can apply
456 for education grants to recoup a lot of the cost. I personally don't think you can put a price on history. I
457 think we're very fortunate to have that property in town. We need to understand we can recoup a lot of
458 the cost. I know Mayor Childs being the society's liaison now will be learning much more about that.

459
460 Ms. Terri Lauer, Harbor Lights Drive. How many of our current residents love the look of our
461 beach front? No super large houses, no high rise condos, no parking garages, and just two hotels. This
462 could all change. Yes, change. All it takes is four members of Town Council. Height requirements can
463 be raised by just four votes. We could become an instant Myrtle Beach. There are some in our town
464 who see dollar signs when they look at beach front property. What I see is a gorgeous beach
465 unobstructed by clutter; a beach that serves its residents and thousands of visitors each year. This is our
466 town; our beach. Some folks will dig deep in their pockets to try to buy this election with slander and
467 lies. We will not turn our town over to speculators. Please vote tomorrow and let your voice be heard.
468 Vote to keep Surfside unique. Vote for the look we all came here to enjoy and love. Vote to keep the
469 existing height restrictions. Call or approach any of our councilmembers. Let your Town
470 Councilmembers know **we**, (*speaker's emphasis*) the residents, and voters of Surfside Beach don't
471 approve of any height changes. Thank you. (*Applause*)

472
473 Ms. Betty Lowery, 4th Avenue North. I want to thank Mr. Courtney for his comments about the
474 lot grades. I am between Cedar and Hollywood on 3rd and 4th Avenues. When it rains we have a duck
475 pond. My house was built in 1964, so many of these regulations were not in place. Each house on the
476 perimeter of the block was built up underneath and the area in the center between the houses is lower.

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477 There isn't much that can be done about it now. Thank you very much for considering the grade
478 elevations. You all know how I feel about the nasty political flyers. There was someone who felt
479 pressured, because a councilmember was campaigning for someone and identified himself as a
480 councilmember first. Because of that the individual felt compelled to support a particular candidate by
481 posting a sign. Hopefully, this will be the last election we have at least until November. Please, be very
482 careful about how you handle yourself, if you campaign for anybody. Making someone feel like that
483 because you are a councilmember and that you know more than anyone else, and they feel pressured
484 into doing something like that borders on being unethical. I was horrified when I went through my mail.
485 If you feel like you have to absolutely destroy the opposing candidate to improve the chances of the one
486 that you're supporting then that doesn't say very much about how you feel about your personal person.
487 If you feel like your person is so weak that you absolutely have to eliminate any [credibility of] the person
488 running against him, then why are you supporting that person. That makes no sense whatsoever. If you
489 think that you're supporting a good, strong, intelligent candidate, why do you have to be that way? It
490 doesn't make any sense at all. I'm talking to people both fore and aft. I kept thinking about maracas;
491 you shake them and they make a whole lot of noise. Some used to be seed pods. The seeds inside were
492 a promise of a new plant; new life. If you break open a maraca, the seeds are dead. The seeds won't
493 grow; there's no life; no hope, and no promise. If all you are going to do is make noise, you are no more
494 than that maraca. You have no life or anything to offer us. If you are so angry all the time that all you
495 want to do is to punish somebody, rather than to support your candidate, for heaven's sake, buy a
496 muzzle! Tape your fingers together! *(Speaker's emphasis.)* Spend your anger somewhere else. You're
497 going to have a heart attack. This has just got to stop. I've been here so long, and elections have not
498 been this nasty until about the last six years. I don't know what happened, but I sure hope it stops. This
499 is just crazy and it's embarrassing to the entire town. People are laughing. Thank you so much. This
500 has been a really nice council meeting. You all worked well together. Everybody was nice. *(Big sigh)*,
501 thank you! *(Applause)*

502
503 Mr. Tom Dodge, 15th Avenue North. I've lived in town for 25 years, so I have a little history. In
504 my opinion, the mafia seems to be operating right here in Mayberry. I could hardly believe the two
505 females I read last week concede the election and to the right thing. Holy Mackerel, how stupid!
506 *(Speaker's emphasis.)* We live in a democracy. Is Mrs. Spannuth's opponent that afraid of losing the
507 election like her husband did that she would stoop this low? One of the pieces of trash said us locals
508 have a long memory. Well, their memory isn't really that long, since it appears that they do not
509 remember the election four years ago when a gutless person was on computer sites hiding behind the
510 name Step-Up. Let me refresh your memory, Mr. Samples was our mayor. My wife, Rod Smith, and
511 Beth Kohlmann were on council. In my opinion, Step-Up was behind the awful, disgusting mailings and
512 her postings on the computer. They continued throughout the election process. That is until I spoke up
513 at a council meeting criticizing her. Don't pick on my family, folks. I ended up my talk asking her to step
514 up to the microphone after me or shut up. Having no character at all, she chose to shut up. She was
515 never heard from again. So, you people who got your knickers in a knot at the last meeting really do not
516 have long memories. Oh, by the way, me and my friends all feel that Step-Up was Ms. Spannuth's
517 opponent. Why wasn't she the one asked to concede? Now, I'm upset. My family comes first, folks.
518 Where was the public and Town Council outcry about our town administrator lying to us about lawsuits?
519 In my opinion, Mayor Samples was responsible for at least four lawsuits the town lost that cost Surfside
520 Beach citizens well over \$600,000. Ms. Taylor and Ms. Henderson, where is your memory on this? We
521 cannot afford another Samples.

522
523 Ms. Holly Watson, North Oak Drive. I'm sitting here listening to the hate; listening to the insults
524 and innuendo; talk about the hate mail and everything going on. I want to tell all of us that we are only
525 hurting ourselves. I spent thousands of dollars to run my campaign for Town Council in April 2016. It
526 takes at least \$3,000 for anybody that has the courage enough to come into this lion's den that we call
527 an election. What it does when we do this type of hate and innuendo and whispering is it absolutely,
528 positively discourages anybody from running for office. What kind of message are we sending our kids?
529 Does anybody really want to get their name slandered out in public like this? I think not. Come on,

530 folks, we're better than this. We're educated people. We're classy people. This is Surfside Beach. This
531 isn't the slum somewhere where we have gangs fighting against each other. There are only 800 voters
532 in this little town. It's us against the outside. Let's not fight among ourselves. We have enough to do
533 right here in our little town. Let's worry about getting grants on the outside and bringing money in. You
534 never fight among your family. You always fight against the enemy. We're not our own enemy, or are
535 we really? We're discouraging people from running for office. We can't even get enough people to sit on
536 committees, on boards or commissions. Why would they when we all act like this? We're acting like
537 children. I think we need to start acting like adults. I think we need to encourage people to volunteer
538 for committees and to run for office. We need to start loving each other again. Thank you. *(Applause)*
539

540 Ms. Patti Magliette, Harbor Lights Drive. So, tomorrow we're having an election. We live in
541 America, a democracy. We have military who fought for our right to be Americans and vote. Not too
542 many of us vote. Some have valid reasons, but some of us are just lazy. To give due respect to our
543 military, who sacrificed for America, who come back in boxes or with missing body parts, or are
544 emotionally torn up by war, we should give them respect of being grateful. They fight for us. We should
545 return the favor by voting. They fight so our voices can be heard. So, we should let our voices be heard.
546 Get out and vote, regardless of how you feel. We're going to be voting tomorrow in Surfside. I welcome
547 anybody at any time during tomorrow to join me in a little bit of a prayer for Surfside. No, I'm not trying
548 to get y'all religious, but God made the beach. God made our town. He's blessed all of us in a different
549 way. Let's all tomorrow take a moment to say a good prayer of thanks for our town, and pray that it
550 continues to be good and maybe even better. God works in mysterious ways, and if he hears us in
551 prayer, he will answer. Thank you very much. *(Applause)*
552

553 Mr. Steve Shore, 1st Avenue North. In listening to Mr. Dodge's comments about why Ms.
554 Samples was not asked to concede, I decided to respond. In my opinion, 336 to 214 votes was pretty
555 much a deciding factor. That is my rebuttal to that. I wish things were a lot different. That people were
556 more cordial than they are. Unfortunately, things don't work like that in politics, as I found out when I
557 ran for election. My competitors and I ran a clean election. I can honestly say that. I just don't
558 understand all this anger. Whether you're for or against the candidate, like Ms. Magliette and Ms. Lowery
559 stated, we have that right. Thank God we do. I like to thank the council for what they do. If this
560 ugliness would just stop, but I don't know if it will, but it needs to. I don't have the solution. Thank you.
561

562 Ms. Becky Large, South Myrtle Drive. I just want to remind all the councilmembers about the
563 ribbon cutting at the Myrtle Beach Quiet Room at the airport in the baggage claim area. Congressman
564 Rice will be there speaking. Horry County Council Chairman Mark Lazarus, Horry County Council District
565 5 Representative Tyler Servant, and Myrtle Beach Area Chamber of Commerce CEO Brad Dean will
566 attend. This is an excellent opportunity for Surfside Beach to be represented by the councilmembers and
567 to promote its Autism Friendly Travel Destination. It starts at 10:00 a.m. I hope to see you there.
568 *(Applause)*
569

570 **10. TOWN COUNCIL COMMENTS**

571
572 Mr. Stevens: Thank you, Mr. Mayor. I just want to cover a couple of things. Ms. [Lauer] was
573 talking about heights. Just to clarify this, the current height on the R3 ocean front is 55 feet. I used to
574 go down to Ocean Drive Beach where my future wife and I loved the beach cottages. Now there are big
575 high rises in Ocean Drive. I want the height limit of 55 feet to stay right there where it is; never go any
576 higher, never, never, never. I like Surfside like it is. There is no reason for us to raise that. R2 and R1
577 are now 35 feet. As far as I'm concerned, 35 feet is fine. There are some people that said we need a
578 clarification of how it is measured. Maybe spell it out in the ordinance exactly what it means. I've been
579 told that we mirror Georgetown, but we don't. So, that is something we really need to look at. Whether
580 we change it or not that's up to council. It does need clarification so people understand exactly what
581 they're looking at. When I built my house I had no idea what I had to do. They came out and they told
582 me. Basically, I think the very top of my chimney might be about 35 feet one inch. Other than that,

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583 some people said some good things. I liked Ms. Watson's comments. Tomorrow go out and vote. That's
584 your right as a citizen in the United States of America. That's a right you should never ever take for
585 granted. It's too bad that we don't have more people that actually get out and vote. Only a small portion
586 actually vote. Go out and vote. Thank you for coming, and have a good evening.
587

588 Mr. Ott: Thank you, Mr. Mayor. I want to thank everybody for participating in this meeting and
589 offering objective, constructive criticisms. They are greatly taken. Go out and vote tomorrow. The best
590 part of it is it's over no matter what happens; that's it for a couple more months. *(Laughter)* Then it
591 starts all over. Yes, we do love this town. Everybody that comes through that door and sits here for a
592 couple of hours instead of staying home and watching Jeopardy or whatever; we love this town. That's
593 why we are here. We want the best for it. One of the first things that was ever told me when I came
594 here was less is more. Think about it, and you'll understand why we hold that height restriction so
595 sacred. I thank everybody, again, for coming out.
596

597 Mr. Courtney: I want to thank everybody for coming out. As you know, this is an election; I'm
598 very against the mailers, and all the nonsense that went with it. This is a very special town. We all came
599 here for the same reason. You have a new council up here. New members, and we have a new member
600 after tomorrow. We are a working council. We're going to get stuff done the right way. My campaign
601 was under \$700. I used my Weber money [that I was saving for] my Weber grill. I finally got it last
602 week! *(Laughter)* It's great! Thank you. Have a good night. God bless you.
603

604 Mr. Pellegrino: Thank you for coming tonight. As far as the vote tomorrow, please get out and
605 vote. Please, it is very important. We're bombarded with information throughout the world, but in
606 America with social media, the news, flyers, mail outs, and all these other things, please take everything
607 as hearsay until you have evidence. There are things that have been said about all the candidates, all of
608 us up here at some time, and many of you at other times. Everything is hearsay until you have proof or
609 evidence. So, please when you go vote tomorrow, vote on the facts; what you know about the person,
610 and not about any of this other information going around. Also, we talked a little bit about height
611 tonight. I've said this many, many times before. There are two good things, great things that this town
612 has done through numerous councils. One is that the debt was kept at zero, which makes us very
613 healthy when we have situations like having to pay for beach renourishment all at once, and if we have
614 any type of emergency or disaster. The other thing is height requirements. Those are two things that I
615 don't know how many councils back have maintained. As many of you said tonight, we're not the Family
616 Beach if we have a bunch of hotels lining the beach. That's very positive and I'm pretty sure we're going
617 to maintain that in the future. I certainly hope so. I will always vote for that. I do appreciate all of your
618 comments tonight. I say this a lot, too. You guys are for the most part the full time residents here and
619 we hear you all speak at the meetings. I appreciate your input. It certainly impacts my understanding
620 and my direction. Although you are the ones who vote, I represent four customers: full and part time
621 residents; second home owners; businesses, and tourists. I need to vote, and I would hope that
622 everyone on council would, with consideration for all of these groups. When you disagree with us on
623 different things, and we go a certain direction or vote a certain way, please keep in mind that we have a
624 big scope. We have a 1,000 full time residents, but we have 5,000 people that we're accounting for.
625 Please keep that in mind. Certainly keep coming with the comments, and that will help us a lot. Thank
626 you.
627

628 Mr. Johnson: Thank you, Mr. Mayor. I'll keep it short and sweet. Thank you for coming out,
629 and **Vooote** tomorrow! *(Speaker's emphasis. Laughter.)*
630

631 Mayor Childs: I'd like to say one thing to the young lady that spoke about the height restriction.
632 As long as I've been on council, which is a total of six years, and I was very active prior to that six years,
633 I have never, ever heard even one time that anybody suggest that we have more than a 55 foot height
634 limit on the ocean front. It's never, ever been discussed. So, I don't know if somebody told you that
635 that was in the works. You're right, four people on council could change that, but it's never, ever been

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636 discussed. So, sometimes rumors like that get started. I don't know how, but we all hear them. That
637 should be quashed right now, because it's never been thought, never been discussed, never been hinted.
638 I'd like to thank everybody for coming out, and like Mr. Johnson said, don't forget to vote. Get your
639 neighbors out and vote.

640
641 **11. ADJOURNMENT.**

642 Mr. Johnson moved to adjourn the meeting at 8:15 p.m. Mr. Stevens second. All voted in
643 favor. **MOTION CARRIED.**

644
645 Prepared and submitted by,

646
647
648 _____
649 Debra E. Herrmann, CMC, Town Clerk

650 Approved: September 13, 2016

651
652 _____
653 Robert F. Childs, III, Mayor

654
655 _____
656 Ron Ott, Mayor Pro Tempore

657
658 _____
659 Timothy T. Courtney, Town Council

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661 _____
662 Mark L. Johnson, Town Council

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664 _____
665 David L. Pellegrino, Town Council

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667 _____
668 Randle M. Stevens, Town Council

669
670 _____
671 Vacant Seat

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