



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES  
EXECUTIVE SESSION JANUARY 10, 2017 ♦ 5:00 P.M.  
REGULAR MEETING JANUARY 10, 2017 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

**Executive Session – 5:00 p.m.**

Mayor Childs called Town Council to order at 5:00 p.m. Tuesday, January 10, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person or persons to a public body; and FOIA §30-4-70(a)(2) to discuss proposed contractual arrangements for the proposed sale or purchase of real property, and to hear legal advice from the town attorney. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Others present: Town Attorney Mike Battle; Town Administrator Fellner, and Town Clerk Herrmann. Mr. Stevens moved to enter executive session pursuant to the code as stated by Mayor Childs at 5:00 p.m. Mr. Ott second. All voted in favor. **MOTION CARRIED.** Mr. Ott moved to reconvene regular session at 6:27 p.m. Mr. Stevens and Mr. Courtney second. All voted in favor. **MOTION CARRIED.** Mayor Childs said for the record 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 p.m. as noted on the agenda under Business Items 7.G. and 7.H. Mayor Childs declared the session adjourned at 6:27 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, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann, and Events Supervisor Ellis.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

- A. Invocation: Pastor Allen Rogers from the Life Church of Myrtle Beach gave the invocation.
- B. Pledge of Allegiance: Mayor Childs led the Pledge.

**3. AGENDA APPROVAL**

Mr. Stevens moved to adopt the agenda as presented. Mr. Ott second.

Mr. Ott moved to amend the agenda to defer Business Item 7.A. to a later date. Mr. Courtney second. Mr. Ott explained that additional time was needed to review the information and that he would prefer a full council presented when the matter is discussed. **Motion to amend CARRIED.**

All voted in favor of the primary motion as amended. **MOTION CARRIED AS AMENDED.**

**4. MINUTES APPROVAL**

**Executive Session and Regular Meeting December 12, 2016.** Mr. Stevens moved to adopt the December 13, 2016 executive session and regular meeting minutes as presented. Mr. Courtney second. All voted in favor. **MOTION CARRIED**

54 **5. PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)  
55

56 Ms. Holly Watson, Oak Drive North: Good evening. This is in reference to item number 7.C.  
57 We've been asked now to fork over another \$19,000 for permit funding for the culvert infrastructure at  
58 the Myrtle swash. And I'm sorry, but I'm confused, because we already did that on September 13, and I  
59 quote, motion to authorize an unbudgeted expenditure for the engineering of the culvert infrastructure  
60 under Ocean Boulevard and extending slightly beyond the west side of the road and to proceed with the  
61 emergency repair of the northern Myrtle swash bulkhead. We would like to bid the nonemergency  
62 portion of the project in October to be completed in the off season. Both the AC Army Corp of Engineers  
63 and OCRM have authorized the work to proceed. So, it appears that we're kind of double dipping here  
64 on the same project. I believe that our engineer probably has already got the permits for this, so why  
65 are we spending another \$19,000 for permits when it should have been included back in September per  
66 the request that you all voted on then? I'd like for you all to table that until you can read the contract  
67 with DDC Engineers, and find out why it's going to take another \$19,000, especially since you loaded an  
68 additional \$11,750 on a change order before the job even started. Part of that was engineering. And, I  
69 would like for the engineering design of this one little bridge to go out for bid as well as the construction  
70 for that. We don't seem to be able to put these things out for bid, either engineering, nothing's been put  
71 out for bid. Thank you.  
72

73 **6. COMMUNICATIONS**  
74

75 **A. Comprehensive Annual Financial Report, Green Finney & Horton CPA.**  
76

77 Ms. Emily Sobczak presented the Comprehensive Annual Financial Report for the year ending  
78 June 30, 2016. The summary was that the town was in good financial condition as of June 30, 2016. A  
79 copy of the audit letter and PowerPoint presentation are attached to these minutes.  
80

81 There were no questions or comments by Town Council.  
82

83 **B. Administrator's Report.**  
84

85 Ms. Fellner presented the written report, a copy of which is attached hereto. The  
86 accommodations tax committee meeting was rescheduled for February 16<sup>th</sup> at 4:00 p.m. at the request of  
87 its chairman.  
88

89 **Consensus Items:**  
90

91 1. Blue Cross/Blue Shield employee health insurance premium increases for 2017 are 2.5-  
92 percent for the town, and 3.24-percent for employees. The Finance Committee recommends approving  
93 the increase. Town Council **CONCURRED**.  
94

95 2. Accommodations Tax Proviso 106.2. It is time to notify the Department of Revenue (DOR) of  
96 the town's intention to participate in the Accommodations Tax Proviso 106.2 for the 2017 Bike Events.  
97 Town Council was asked to authorize Mayor Childs to send a letter to DOR requesting \$50,000 be  
98 withheld for these events. Town Council **CONCURRED**.  
99

100 Mr. Ott suggested sending the United States Coast Guard a certified letter regarding the  
101 damaged piles at the end of the pier to ensure they know. Ms. Fellner said that was a wonderful idea.  
102

103 Mr. Stevens agreed.  
104

105 Mr. Ott asked who sat on the County Transportation Committee (CTC) and where they met. Ms.  
106 Fellner said it is a county committee, and meets in Conway. Funds are generated through gas taxes, etc.

107 The committee receives funds that are divided among local governments for road projects. Mr. Adair  
108 usually attends twice a year.

109  
110 Mayor Childs said he attended a meeting and the committee did not object. The committee  
111 wanted to send a board member to view the projects being done by the town and then report to the  
112 committee. It sounded encouraging that the CTC would approve the town's request. Ms. Fellner said the  
113 town is hoping for \$275,000; CTC generally disallows draining and sidewalks.

114  
115 Ms. Samples asked if an email message could be sent once she received the amount of CTC  
116 funds awarded. Ms. Fellner said it would probably be sent this evening. Ms. Samples agreed that the  
117 Youth Association was charged to get back with the town about their requirements and expectations.  
118 Since they have not responded and they do have registration open on line, could staff please reach out to  
119 them. Ms. Fellner said Ms. Ellis had already reached out to the Youth Association. Ms. Samples asked if  
120 they would be forthcoming with their list of requirements and expectations. Ms. Fellner said we don't  
121 have a response on that yet; she would reach out to them tomorrow. Ms. Samples appreciated that,  
122 because she would like to have it settled. Regarding the public's question about the FOIA request, how  
123 many requests are being processed now? Ms. Fellner believed only one remains to be fulfilled. Ms.  
124 Herrmann said there is only one to be answered. The department director sent the information to Ms.  
125 Fellner for approval so it can be sent to the requestor. Ms. Fellner explained the clerk was asked,  
126 because she keeps all FOIA requests; they must be funneled through the clerk. She logs requests; sends  
127 them to the proper department for response; records responses, and ensures responses are timely.

128  
129 Mr. Stevens asked how long it normally takes to respond to a FOIA request. Ms. Fellner said she  
130 had responded within five minutes when the request was easy. If the request involves research and  
131 copying, it could take longer, because the town doesn't have a big staff. Mr. Stevens asked if Federal  
132 Law dictated a time limit. Ms. Fellner said it does not.

133  
134 Mr. Ott believed the request was for digital copies, which is good because they won't have to be  
135 printed out. Thank you.

136  
137 There were no other questions or comments.

## 138 139 **7. BUSINESS**

### 140 141 **A. First Reading Ordinance #16-0834 to amend §2-131 Appointment and §2-133** 142 **Duties of the Town Clerk, Mayor Pro Tempore Otte and Councilmember Courtney, Liaisons.**

143  
144 This item deferred, see item 3 Agenda Approval above.

### 145 146 **B. Resolution #17-177 to Support the RIA Grant for the Myrtle Swash Culvert Bridge,** 147 **Administrator Fellner.**

148  
149 Mr. Ott moved to adopt Resolution #17-177 as presented. Mr. Courtney second.

150  
151 Ms. Fellner explained the resolution was required as part of the grant application to confirm that  
152 Town Council was committed to the project.

153  
154 Mr. Stevens understood that a grant was being sought, but asked if a price had been determined  
155 for the project. Ms. Fellner said \$500,000 was being requested. With a contingency, the culvert will be  
156 slightly over \$500,000. She explained that \$500,000 is the maximum grant award. Staff estimates the  
157 cost will be somewhere around \$400,000. But, everybody puts a 25-percent contingency in there,  
158 because depending on when you let bids, who the construction company is, and a "zillion" other factors  
159 like in water, until they get in there doing the project they are not exactly sure what has to be done.

160 Should the price go over \$500,000, the additional part of the contingency would be about \$38,000 that  
161 could eventually be the financial responsibility of the town. The engineering for this project is  
162 approximately \$30,000 for the bridge and the two alignments. The permitting cost of \$19,000 that is  
163 being requested later in this meeting is not for this resolution. Mr. Stevens agreed with the citizen that  
164 spoke earlier in that he thought Town Council already voted for permit funding. Why is another  
165 permitting fee being charged? Ms. Fellner explained that the permitting that was already done was for  
166 the emergency repairs. The Army Corps and OCRM require separate, additional permits because this  
167 work is not being done on an emergency basis. The engineer projected the permit cost at \$10,000, if the  
168 cost is less, then the town would not pay that. Mr. Stevens asked what guarantee the town had that the  
169 \$500,000 grant would be awarded. Ms. Fellner said there is no guarantee. Mr. Stevens asked if the  
170 project was put out for bids. Ms. Fellner said no; she would not let bids until the grant was received.  
171 Once the grant is awarded, then a construction bid has to be let.

172  
173 All voted in favor of adopting Resolution #17-1777. **MOTION CARRIED.**

174  
175 **C. Permit Funding for Myrtle Swash Outfall Bridge Replacement Project,**  
176 **Administrator Fellner.**

177  
178 Mr. Ott moved to approve an estimated \$19,000 permit funding for the Myrtle swash outfall  
179 bridge replacement project. Ms. Samples second.

180  
181 Ms. Fellner presented the decision paper, a copy of which is on file. She explained these permits  
182 were required to replace the bridge and perform the necessary alignments on each side. Permitting  
183 would not move forward if the RIA grant is denied.

184  
185 Mr. Pellegrino said emergency expenditures were approved after Tropical Storm Joaquim [sic] to  
186 repair the north side and also do the engineering for that project as well as this bridge. There was  
187 another incident recently where the engineering firm was asked for an estimate; a quote for costs. You  
188 just explained there were circumstances here with working under an emergency. Shouldn't the  
189 engineering firm understand how this works and be able to provide better cost estimates? He was  
190 confused by this. Ms. Fellner said in a perfect world, yes. But I don't think this is a perfect world. In the  
191 emergency situation, they're asked to step up and give their best estimate, because the Army Corp and  
192 OCRM are granting emergency permits. So, you have a lot of work taking place and they're trying to  
193 figure out all the cost to the best of their ability. There are adjustments. That's all I can say. It's like  
194 when you're building a house. Sometimes there are change orders; things that happen when you're  
195 building your house.

196  
197 Ms. Fellner said she heard a lot of discussion about the engineering firm here. If Town Council  
198 wants to go out for RFQ for an engineering firm and consider a new engineering firm, she would be  
199 happy to do that. But, she would hate to change engineers in the middle of this particular project.

200  
201 Mr. Stevens asked if the \$19,000 was being paid to one engineer. Ms. Fellner said that was the  
202 best estimate; the cost may be less. Mr. Stevens thought anything over \$10,000 is supposed to be put  
203 out to bid. There are many competent engineering companies. We need to exercise fiscal responsibility  
204 to the tax payers; everything over that amount should be put out for bids. Ms. Fellner understood, but  
205 said that engineering, like an attorney, is clearly cited as a professional service which is an exception with  
206 regard to bidding. Mr. Stevens personally wanted to see these things going out for bids because there  
207 are many companies out here. We need to tighten our purse strings; use common sense. It's being  
208 done on the national level; Air Force One was cancelled due to cost, etc. The town needs to do the same  
209 thing. If we don't do bids, then we're throwing money away. Ms. Fellner did not want council to think  
210 that bids were not done, because bids were certainly done. She reiterated that there is an exception for  
211 professional services, like attorneys and engineering, in the procurement law.  
212

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213 Ms. Samples said just to be clear, the \$19,000 is for permits for OCRM and the Army Corp of  
214 Engineers. Ms. Fellner said that is correct. Ms. Samples said this was not a discussion about services,  
215 but we were talking about permits, and this is an estimate of what those permits may cost. Ms. Fellner  
216 said that is correct. Ms. Samples said right now, Town Council is being asked to authorize \$19,000 just  
217 to make sure we are permitted and ready to act, if the grant is awarded. Ms. Fellner said yes, ma'am.

218  
219 Mr. Stevens asked if that price was given by the engineering firm. Ms. Fellner said that is the  
220 engineering firm's estimate. If the permits do not cost \$19,000, the town will only pay the actual cost.  
221 Mr. Stevens said that was quite a bit of money just to get permits.

222  
223 Mayor Childs, Mayor Pro Tempore Otte, and Councilmembers Courtney and Samples voted in  
224 favor. Councilmembers Pellegrino and Stevens voted against. **MOTION CARRIED** to authorize permits  
225 funding for the Myrtle swash outfall bridge replacement and necessary alignments project carried.

226  
227 **D. Kid's Fair, Supervisor Ellis.**

228  
229 Ms. Ellis presented the decision paper, a copy of which is on file.

230  
231 Mr. Courtney moved to hold the Kid's Fair jointly with the Easter Egg Hunt to be funded by  
232 accommodations tax funds. Mr. Ott second.

233  
234 Mr. Ott said he did not understand why there was insufficient tourism in June for  
235 accommodations tax to pay for the event. He thought June was a big tourist time. Ms. Ellis explained  
236 that July usually is. There isn't really a set requirement. I've asked, and you just don't get the tourist;  
237 you get the locals. Mr. Ott said he was not against holding it at Easter, he was asking why  
238 accommodations tax would not fund the event in June, because there are a lot of tourists.

239  
240 Mr. Pellegrino asked what the concerns were about holding the Kid's Fair right after the Easter  
241 Egg Hunt. Ms. Ellis said she had no concerns. At the meeting, council wanted to separate the events.

242  
243 Mr. Courtney wanted the events combined. Kids are out of school in early June. Having the  
244 event in April makes it difficult for local school kids to attend.

245  
246 Ms. Samples asked if Ms. Ellis like the idea of combining the Kid's Fair with the Easter Egg Hunt.  
247 Does that work better and there are more participants. Ms. Ellis said there are more participants, and as  
248 I stated before, if you have the Kid's Fair in June or July you are most likely to be rained out. During the  
249 past three years in a row, the Kid's Fair was cancelled twice each year because of rain. It doesn't matter  
250 to me either way. You will have more children participate if the two events are combined. The Easter  
251 Egg Hunt last for about ten minutes. Ms. Samples said she supports combining them.

252  
253 Mr. Pellegrino said obviously the Easter Egg Hunt is at Eastertime. I do think we should keep it  
254 in March or April over the Easter holiday. I don't understand the argument of kids not being able to  
255 attend, because the event is held on a Saturday. In fact, we have a lot of visitors during that time also.

256  
257 Mr. Stevens asked if the event was held during Spring Break. Ms. Ellis said yes, sir.

258  
259 Mr. Courtney believed that Easter falls on April 16<sup>th</sup> this year. Ms. Ellis said yes, sir.

260  
261 Ms. Ellis asked if Town Council wished to combine the events for just this year or should the  
262 events be combined every year.

263  
264 Mayor Childs asked if the events should be combined this year, and see how it works.  
265



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266 Mr. Courtney wanted to try it this year to see how it works. If it doesn't work out great, then  
267 we'll see what we can do next year.

268  
269 Mr. Pellegrino said just for clarification, Mr. Courtney you're saying combine it in June this year?  
270

271 Mr. Courtney, no, in April.  
272

273 All voted in favor to combine the Kid's Fair and the Easter Egg Hunt to be held in April this year.  
274 **MOTION CARRIED.**

275  
276 **E. Bar-B-Que Festival, Supervisor Ellis.**  
277

278 Ms. Ellis presented the decision paper, a copy of which is on file.  
279

280 Mr. Ott moved to authorize Festival Promotions to sell beer at the annual Bar-B-Que Festival. Ms.  
281 Samples second.

282  
283 Mr. Courtney wanted to see how this worked this year.  
284

285 Ms. Samples asked if selling beer was the only recommendation that Festival Promotions  
286 provided. Ms. Ellis said they also recommended raising the vendor fees, which she already did. Ms.  
287 Samples asked if the town would receive any financial benefit. Ms. Ellis said a meeting would be held  
288 with Festival Promotions to discuss the contract. Town Council will decide whether to accept the contract  
289 terms. Generally, the percentages are 50:50. Ms. Samples said staff is in a position to negotiate. Ms.  
290 Ellis said the percentages could not be determined until Town Council authorizes the beer sales.  
291

292 Mr. Stevens was familiar with Festival Promotions. A similar event was held at Market Common  
293 where draft beer was sold. The event was handled very well. Mr. Mike Shank is very reputable and does  
294 a good job. My concern is where will the beer be sold, and will the area in which to drink the beer be  
295 designated. Ms. Ellis explained that Mr. Shank will manage all aspects of the beer sales and service. Mr.  
296 Stevens asked if this was to be decided upon tonight.  
297

298 Mayor Childs said yes. Ms. Ellis said there is a decision paper.  
299

300 Mr. Stevens asked if the contract should be reviewed prior to approving beer sales. Mayor Childs  
301 explained that if the contract terms were not acceptable, Town Council did not have to approve it. Ms.  
302 Ellis said the contract could not be negotiated until staff knows whether beer sales would be allowed by  
303 Town Council.  
304

305 Mr. Ott said last year we had our first bar-b-que festival that was two days. The event looked  
306 very successful; there were a lot of people there. He asked how much money the town lost. He believed  
307 it was a lot of money, based on comments he heard. Ms. Ellis said the event came very close to breaking  
308 even, and proceeded to explain the expenses. She would email the exact numbers to councilmembers.  
309 Mr. Ott asked if we lose money on the family festival. Ms. Ellis said the festival doesn't pay for itself; no  
310 event does. Mr. Ott did not think the taxpayers need to be paying for events, which is why we asked for  
311 something that could help us break even. I would just like to break even on them. He asked how the  
312 town was compensated for the sale of the bar-b-que from the town event as compared to a restaurant  
313 making the sale. Ms. Ellis explained that the total price charged for the plates included the food cost,  
314 hospitality tax, and sales tax.  
315

316 Mr. Courtney asked how many local vendors participated in this event last year, and were they  
317 given a discount rate. Ms. Ellis said there were 50 vendors; everybody paid the same price. Mr.  
318 Courtney said regarding the beer truck, he cautioned council on the location and where the beer will be

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319 drunk. Very clear areas should be designated, because we don't want beer going out of the zone and  
320 should stay in the food court. Ms. Ellis said yes, sir.

321  
322 Mr. Pellegrino said the budget [vision] meeting is in two weeks. We can talk about what we  
323 want to fund in the future. But, one thing that is not mentioned with these events is they are an  
324 investment. We are a tourism community. Sometimes you have to spend money to give a nice event so  
325 people will come to town again, and again. [Marketing for the town] has to be part of the decision, too.  
326 These events make our community better.

327  
328 Mayor Childs said that was a very good point, Mr. Pellegrino.

329  
330 Mr. Stevens concurred with Mr. Pellegrino that it was good anytime people could be brought into  
331 town. Selling the beer, we will get 50-percent of the sales. Ms. Ellis said if that is what Town Council  
332 agreed to. Mr. Stevens asked if the bar-b-que could be negotiated with a vendor for a 50:50 split. Ms.  
333 Ellis said the town is no longer going to sell bar-b-que. The vendors will pay an entry fee to cook their  
334 own bar-b-que; they buy the product, cook it, sell it, and keep the money. Mr. Stevens asked if there  
335 were 50 vendors last year. Ms. Ellis said it was limited to 50 vendors because Surfside Drive was under  
336 construction, and the space was limited at the Yaupon Drive parking lot. This year Surfside Drive will be  
337 blocked off from Ocean Boulevard up to Myrtle Drive, possibly further, if necessary.

338  
339 Mr. Pellegrino said \$50 was charged last year, and asked what the new charge is. Ms. Ellis said  
340 the fee was raised to \$75.

341  
342 Mr. Courtney was concerned that the taxpayers were picking up the event cost. We need to  
343 break even. I understand Mr. Pellegrino's position on this as tourism, but taxpayers have to at least  
344 break even on these events.

345  
346 Mr. Ott said Ms. Ellis, you did a very good job on this for the first year. It was successful and  
347 why we are opening it up to see if we can bring more cash in so we can expand it and make it better.  
348 Ms. Ellis said thank you.

349  
350 Mayor Childs said it wasn't too long ago that we had a lot of kick-back; we can't have it in March,  
351 it's too cold. The days that the festival has fallen on have been absolutely gorgeous. Ms. Ellis said yes,  
352 they have.

353  
354 Mr. Courtney thanked Ms. Ellis for the Breakfast with Santa. It was very successful. Good job.  
355 Ms. Ellis said thank you.

356  
357 All members voted in favor of allowing Festival Promotions to sell beer at the Bar-b-que Festival.

358 **MOTION CARRIED.**

359  
360 **Bid Award: FEMA Consultant Specialist Involving Structures in Water, Administrator**  
361 **Fellner.**

362  
363 Mr. Ott moved to award the bid for a FEMA Consultant Specialist Involving Structures in Water to  
364 Hagerty Consulting [*contractor's name added by friendly amendment*]. Mr. Pellegrino second. [*Mr.*  
365 *Pellegrino accepted friendly amendment.*]

366  
367 Ms. Fellner presented the decision paper, a copy of which is on file.

368  
369 Mr. Pellegrino asked for examples of work that Hagerty had done locally. Ms. Fellner said  
370 currently, Hagerty is working for the county and has constructed many marine structures. Information  
371 on local projects would be provided to councilmembers. Mr. Pellegrino asked if the feedback was very

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372 positive. Ms. Fellner said she called Mr. Justin Powell, the county assistant administrator, who deals with  
373 Hagerty. Mr. Powell's recommendations for ranking were almost identical to town staff's. Mr. Pellegrino  
374 asked if Mr. Powell's recommendation was based on the amount of money the county acquired from  
375 FEMA. Ms. Fellner said considerations were expertise, the amount of money the county could get back,  
376 work, hazard mitigation, and time savings to county staff. The county's problems are a much bigger  
377 scope. Sometimes they don't have someone to negotiate through the whole problem. For instance,  
378 FEMA will be assigned a new project manager so we will be starting all over. We don't mind because our  
379 scope will be one thing: the pier. Hazard mitigation for the town might include concrete casing on piers.  
380 Mr. Pellegrino asked if the consultant would find money for loss of revenue. Ms. Fellner said FEMA will  
381 not reimburse for loss of revenue.  
382

383 Mr. Stevens referred to section (c) on the decision paper and asked if the cost reimbursement up  
384 to 75-percent was guaranteed. Ms. Fellner said nothing is guaranteed with FEMA. Hagerty is a  
385 consulting firm that works on FEMA issues; they have been very successful. Mr. Stevens asked if the  
386 consultants would consider all types of materials. Ms. Fellner said for hazard mitigation purposes that  
387 would be discussed with FEMA. However, FEMA generally replaces with the same materials you have.  
388 The first thing that has to be discussed is whether our pier is more than 50-percent damaged. This will  
389 be a process. It will not be let's sit down and three weeks later come out the back end. That is not the  
390 way this works. Mr. Stevens asked what the time frame is. Ms. Fellner said her best guess and her  
391 greatest hope is that in June FEMA agrees with our specialist, and us, and we've come to an agreement,  
392 and then we could begin the construction portion out for bids; plan to let our businesses finishes out this  
393 summer, which has been discussed with the businesses; and in October start construction with  
394 completion being done by the end of May 2018. That is the best case scenario. Mr. Stevens asked if  
395 there a possibility of getting concrete pilings. Ms. Fellner that would be hazard mitigation issue. There is  
396 always a possibility, but there is no guarantee. Concrete piling is more expensive than wood. In this  
397 area a wooden pier will normally last 20 to 30 years, unless a big storm destroys it. A wooden pier would  
398 cost less and would not be such a big burden on the taxpayers. During that time, a proposal will be  
399 made to set aside a minimum of \$150,000 annually in the pier fund for catastrophic construction, once  
400 the pier has repaid the general fund, and to also annually pay \$50,000 for beach renourishment in the  
401 capital projects fund from the pier fund. Mr. Stevens said concrete pilings were mentioned because he  
402 went to Jacksonville Beach, Florida in 1973 and saw the same concrete pier during a visit this past  
403 December, even though Florida has had many significant storms since then. The pier has wood planks,  
404 but the pilings lasted for the past 44 years. Ms. Fellner said the point was well taken; she would love to  
405 see a concrete pier. When the time comes, the Mayor has promised that there will be public input  
406 meetings. There are many alternatives when there is money set aside for reconstruction. Twenty years  
407 from now, if the pier is destroyed, the town will be in a position to pay extra for all the hazard mitigation  
408 they want and to build a concrete pier. Then there won't be a burden on the taxpayers in the short term.  
409 I'm just asking you to keep an open mind. There are many possibilities here, and I know that council will  
410 consider them all.  
411

412 Mr. Pellegrino said from a financial aspect, that we need to keep in mind the town is responsible  
413 for 25-percent of the cost, if the town does get money from FEMA. For a wood pier costing \$2 million, it  
414 would be a minimum of \$250,000. For a concrete pier, it would be around \$500,000. That is what  
415 council needs to consider.  
416

417 Ms. Samples supported the recommendation for Hagerty Consulting. I am pleased to hear that  
418 they have been doing some local work. One of my concerns is that only local bid received was the  
419 highest bid, which was disappointing, because I really would've liked to use a local contractor. It does  
420 beg the question about the scope of work for these bids to be so different. I'm concerned about what  
421 was actually asked of them. There's a big difference between a \$60,000 and \$180,000 bid. Ms. Fellner  
422 explained the \$180,000 bid was ranked fourth was because Thomas and Hutton is in Myrtle Beach, but  
423 they are subcontracting the work to ROSTAN. Ms. Samples said the responsibility and accountability was  
424 still local, and I liked that. Again, I support your recommendation, because of the price point. I think the



425 next time we engage more and get involved in the scope of work. I am concerned that maybe it was not  
426 clear to some as it may have been to others. Ms. Fellner said yes.  
427

428 Mr. Courtney said I contacted Witt O'Briens and GP Strategies. Their concern about giving a bid  
429 was there was no scope of work provided. Ms. Fellner said there was a scope. It was in Exhibit A. Mr.  
430 Courtney asked for clarification. Ms. Fellner said there was an exhibit on the back of the last page that  
431 explained exactly what we wanted. They also had every opportunity through addenda to ask questions  
432 regarding the scope of work. That was in the bid, as well. We responded to everyone within the correct  
433 allotted time period, and the addenda were all posted on the website, as well. To just say 'well, I didn't  
434 understand the scope of work' [is no argument,] because the name of who to call and the phone number  
435 were included in the bid package.  
436

437 Mayor Childs said I hear what you're saying, which is a great idea about putting money aside for  
438 pier reconstruction. Like Mr. Stevens, we all would like to see concrete pilings, because we know how  
439 long they will last. But, I also agree with Mr. Pellegrino. Hopefully, we can work it out. Everyone's  
440 points were well taken.  
441

442 All voted in favor to award the bid to Hagerty Consulting. **MOTION CARRIED.**  
443

444 **G. Board Appointments. i. Zoning Appeals (1 term expiring) – Volunteer: Ms. Terri**  
445 **Lauer, and ii. Construction Appeals (1 Vacancy) – Volunteer: Mr. Jack O'Quinn.**  
446

447 Mr. Stevens moved to appoint Ms. Terri Lauer to the Board of Zoning Appeals, and Mr. Jack  
448 O'Quinn to the Construction Board of Appeals. Mr. Ott second. All voted in favor. **MOTION CARRIED.**  
449

450 **H. Motions and/or Directions to the Town Administrator from Executive Session.**  
451

452 There were no motions or directions to the town administrator from executive session.  
453

## 454 **8. TOWN COUNCIL DISCUSSION**

455 **A. Proposed Ordinance to establish Saltwater Fishing Regulations, Administrator**  
456 **Fellner.**  
457

458 Ms. Fellner presented the decision paper and proposed ordinance, which are in file.  
459  
460

461 Ms. Samples said I have some real concerns about this. I'm very concerned about fishermen  
462 fishing in the height of our tourist season where we have thousands of people coming to use the beach  
463 and swim. I think it's dangerous. I would certainly recommend that fishing be prohibited on the beach  
464 during the height of our tourist season.  
465

466 Mr. Pellegrino said I disagree with Ms. Samples. We do have a lot of people that rent their  
467 houses to fishermen. With no pier to go to they will still want to fish. Obviously, there is a safety issue,  
468 but I think we should look at some compromise where they have morning fishing or something to that  
469 extent. If we prohibit surf fishing for the entire season with no pier, we're going to lose customers for  
470 the rental houses. I guarantee it. When you watch renters taking five to ten fishing rods out of their  
471 cars, you know they want to go fishing. I would not agree on any fishing ban during the tourist season,  
472 but possibly some time limitations.  
473

474 Ms. Fellner said she could look into it as there may be some regulations by the Department of  
475 Natural Resources (DNR), since it grants saltwater fishing licenses. We may have to have some places to  
476 allow fishing, but I don't know that for a fact.  
477

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478 Mr. Courtney said this is a very tough decision. When the pier went down we had surfers out  
479 there, and people fishing. We had swimmers out there; tourists. I've surf cast for a long time, you have  
480 to be careful. When you have swimmers and surfers out there it could be a problem. It could be a  
481 liability issue. As it stands now, we have a pier that we have no swimming within 300 feet of each side  
482 of it. I have watched kids surfing where fishermen were trying to cast out. An argument occurred. It's  
483 really a safety issue that comes down to liability. If someone gets hooked, it's a liability issue on the  
484 town. I think we should really be cautious about this. I understand the fishermen have the right to fish,  
485 and the surfers should be able to surf. Kids should be able to swim, and our tourists should have a safe  
486 environment for swimming. I wish council would be cautious with this.

487  
488 Mr. Ott said I agree with what everybody has said. I have an issue with the hooks being out  
489 there where people are swimming. Our main business is tourism. Taking two football field lengths, one  
490 on each side of the pier to allow for fishing means the town makes nothing on that. We used to make  
491 something on the pier, but now giving up 600 feet of our beach, we will make nothing. It is very  
492 dangerous to have fishing there, and like Mr. Pellegrino said they can fish after a certain time. But when  
493 we have our tourists here that is our main objective to cater to our tourists.

494  
495 Mr. Stevens said I have a lot of mixed feelings on this. One is we have a lot of fishermen in  
496 town. We have fishermen that visit here. They are tourists, too. They come here to fish on our pier. All  
497 those who were fishing off the pier will now have to fish off the beach. If we outlaw them, basically what  
498 we've done is we've outlawed our own citizens to fish in the ocean. Secondly, you had the police  
499 checking people for fishing licenses, which is not their job. That's the job of DNR. Thirdly, I understand  
500 about surfing and fish hooks. As a fisherman and former surfer, it's something that we need to look into  
501 a lot better. I would like some legal opinions. Right now you've got no swimming within 300 feet of the  
502 pier on either side, right? Ms. Fellner said that was correct. Mr. Stevens asked if that was currently in  
503 effect. Ms. Fellner said it was not codified, so technically, it was not enforceable. Having said that, often  
504 times the police officers will tell swimmers to move along. Mr. Stevens said people like to go to the pier  
505 that is a central part of the beach where visit the restaurants in the area, and keep out of the sun.  
506 Keeping the people from swimming causes a problem. I'd like to see some compromise where we can  
507 designate an area for fishing only just like we have for surfers. Fishing is part of our tourism.

508  
509 Mr. Ott said I agree with you on a lot of that, but we also have the Garden City Pier, and until  
510 our pier is repaired; there's also a Myrtle Beach State Park pier that people can go on. There are plenty  
511 of other spots where people can surf fish. I think the time would be good to let them early in the  
512 morning, late in the evening and since you're a fisherman, you know that the fish only bite during certain  
513 times of the day. You can figure that out pretty well. We do have 100 feet on each side of the pier that  
514 I would be willing to give up. But, I don't want to see any young children with hooks in their eyes. We  
515 don't usually have casting on the beach. When we had the fishing pier there was none. You don't have  
516 to go far away to find great fishing spots.

517  
518 Mr. Courtney said I do agree with Mr. Ott about surf casting on the beach. It is different from  
519 the pier. I've been on the pier for many years walking in the middle of the pier and teaching my  
520 daughters to watch for those hooks to ensure there is no accident. When you are on the beach, kids will  
521 be running around, people playing games, and they won't be watching for surf casting. I urge that the  
522 town checks how other municipalities regulate surf casting. Ms. Fellner said the proposed ordinance was  
523 modeled after the North Myrtle Beach ordinance. Mr. Courtney said my concern is safety. I have nothing  
524 against surf casters. But, tourists will not be familiar with surf casters and how to stay safe. I am not  
525 saying surf casters are reckless, but the glare of the sun and many other contributing factors accidents  
526 could happen and I don't want to see that happen to our tourists or our children.

527  
528 Mr. Pellegrino said the proposed ordinance states that surf fishing will be allowed before 10:00  
529 a.m. and after 5:00 p.m. Is that consistent with Myrtle Beach and North Myrtle Beach? Ms. Fellner said I  
530 believe that is consistent with North Myrtle Beach. I'm not sure that it is consistent with Myrtle Beach.

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531 Mr. Pellegrino said Myrtle Beach has several piers. Honestly, I'm fine with that. You say they can go to  
532 Garden City or Myrtle Beach; they can go rent houses there, too, instead of in Surfside Beach. I run on  
533 the beach all summer in the mornings. I see fishermen there all the time all through the entire summer.  
534 They leave before it gets crowded and that's good. I would agree with before 10:00 a.m. and after 5:00  
535 p.m. I think that is a good compromise.  
536

537 Ms. Samples said this is going to be a temporary situation. Eventually, the pier will be opened  
538 and there will be a place to fish. My concern about assigning times is monitoring. The recommendation  
539 is that life guards, town beach service personnel and police officers do the monitoring of people fishing  
540 on the beach. I think that is asking a lot. We can't get our lifeguards to enforce no smoking on the  
541 beach; no drinking alcohol on the beach. Requiring beach services personnel to do this will not happen.  
542 I think our police officers are pretty busy on our streets. I'm concerned about setting times temporarily,  
543 and having somebody there to monitor surf fishermen. This is why I suggested prohibiting surf fishing all  
544 together. It is a temporary solution. I'm more concerned about safety than I am anything else, which is  
545 why I made the suggestion to prohibit surf fishing.  
546

547 Mr. Pellegrino asked if there were any restrictions now. Ms. Fellner said no. The procedure and  
548 past practice has been to have the lifeguard ask fishermen to move on to less crowded areas when  
549 people begin water activities. If the fisherman refuses, then a police officer would respond. Mr.  
550 Pellegrino said during the summer months when the beach is busy at two o'clock in the afternoon, you  
551 don't see people fishing. Again, I think this is a great compromise. There are very few people on the  
552 beach before 10:00 a.m. and after 5:00 p.m.  
553

554 Ms. Samples said that was when we had a pier. Now that we don't have a pier, my concern is  
555 that we will see surf fishermen on the beach.  
556

557 Mr. Pellegrino understood it was an enforcement issue, but I agree with trying to enforce more  
558 than just saying no fishing.  
559

560 Mr. Courtney understood both Mr. Pellegrino's and Ms. Samples' points. I've seen where our  
561 season of lifeguards gets narrowed down as they go back to college. It's very hard. Our lifeguards get  
562 spread out throughout the beach. There's very little coverage. Now, I'm going to tell you for a fact that  
563 I've seen surf casting at three o'clock; two o'clock in the afternoon. The last time I was down there  
564 before the weather changed my kids were out there surfing, and the older kids were getting into an  
565 argument when they asked a fisherman if he could move down. One family had young ones in the water  
566 and they were surf casting over them. It turned into an altercation where the police had to be called on  
567 to the beach. We just don't have enough lifeguards to police this. When they're selling chairs, they're  
568 not watching the water.  
569

570 Mr. Stevens said being a fisherman he understands that one of the things to consider is that  
571 most people will fish some in the summer. The best fishing is usually in the fall and spring. I agree,  
572 again, that we don't have the manpower to police all this. I don't think the lifeguards would be able to  
573 do it and I certainly don't think the police will be able to do it. I think we need to work out a compromise  
574 that will allow some fishing at some time of the year. We can always suggest they go down to other  
575 piers, but like Mr. Pellegrino said, they may stay down there, too, until we get our pier rebuilt. We would  
576 just be sending our tourists to another beach, and possibly losing a few of our fishermen to Springmaid  
577 Beach or other areas where piers are operational. We need to fill the town's rooms up during the off  
578 season. I think this is something that needs to be studied really well before we take any action. I  
579 understand the safety factor. I know what it feels like to get hooked.  
580

581 Ms. Fellner said all I'm asking tonight is whether council wants me to bring back an ordinance for  
582 consideration.  
583

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584 Mayor Childs said there are a couple more who would like to speak.  
585

586 Mr. Courtney said I believe there's a solution to it. If we work on it, we can find out what it is.  
587 Zoning areas that could be used for fishing, swimming or surfing for the time being is just a suggestion.  
588

589 Ms. Fellner asked if council would be amenable to having a workshop and inviting the public to  
590 speak and give input. Several members agreed. Ms. Fellner said the workshop would be scheduled prior  
591 to the first meeting in February. Mayor Childs asked the clerk to find out a convenient date for  
592 councilmembers and publish the date.  
593

594 Mayor Childs believed that all surf fishermen were very considerate. They don't want to see  
595 anybody get hurt. I like Mr. Pellegrino's idea of certain hours during the day and I don't think any  
596 fisherman would object to that. I also agree with Ms. Samples. I've spoken with them personally and  
597 found that the lifeguards do not think they have the responsibility to tell anybody to do anything,  
598 including smoking, drinking, etc. If we get to that point, we should have Mr. Bigham who is in charge of  
599 the lifeguards visit so he can be instructed that the lifeguards do have that authority and they should help  
600 the town by enforcing its beach codes. The workshop is a good idea. We can hear fishermen's input,  
601 swimmers, surfers, and the general public.  
602

603 Mr. Ott said if our business is tourism, if you have 100 fishermen out there, we have 10,000  
604 people sitting on the beach. If you're thinking people are going to go to Garden City and stay because  
605 they can fish there; well, if you hook one little kid with a hook, there's 10,000 people going somewhere  
606 else.  
607

608 Mr. Courtney said we also have to take into consideration the swashes; the outfalls where signs  
609 are posted from DHEC (South Carolina Department of Health and Environmental Control) do not swim. I  
610 believe it's a hundred feet. With that being said, there's very little room for all these activities. Food for  
611 thought.  
612

613 **B. Any matters of concern or information to be discussed.**  
614

615 Ms. Samples said I would like to talk about the pier, not that we haven't talked about that a lot  
616 tonight. I know that we are working on getting a consultant so that we can maximize the amount of  
617 reimbursement that we're going to get. I feel, and I am curious to hear what other councilmembers  
618 think, that we need to start discussions now on the pier, and what our intent is. Most importantly,  
619 because our pier is publicly owned, the pier belongs to all of us. We have talked in the past about having  
620 workshops so that the public can have the opportunity to provide their ideas, recommendations, and  
621 solutions. I don't see why we can't start doing that now. I would love to hear some ideas, because we  
622 need them. I have an idea of what I would like to see happen, but I don't know if it's going to be  
623 feasible or whether council would agree with it. I bet there are many citizens who have great plans and  
624 ideas. When this was brought up before, the Mayor suggested that we have a series of meetings for  
625 public input. I don't see why we can't start the public meetings now so that when we are ready  
626 financially, we can start the process right away and make things happen quickly.  
627

628 Mayor Childs said I totally agree with Ms. Samples. I've asked if we can have three public  
629 meetings. If you can't make the first one, you could possibly make the second one or the third one. I  
630 think Ms. Samples has a great point. Let's go ahead and get these workshops scheduled to find out what  
631 we all would like to do. One factor is the amount of money we might have. But when we decide what  
632 we want, we can chop away if the plan is too dreamy. She's right, it would stop any further delay. I  
633 think even in the best case scenario that the pier will be finished as soon as we think. I think FEMA is  
634 probably loaded up right now with all the damages that were done. I'm sure that the town's pier might  
635 not be on the top of its priority list. I would like to start the meetings. I hope that council would agree

636 to schedule the workshops, possibly one a month to give the public plenty of time to think and plan to  
637 attend.

638  
639 Mr. Courtney agreed with Ms. Samples that we do have to act now, and start moving forward.  
640 Again, this will take some time. If we start now we'll get a lot further. Putting it off and waiting for  
641 another year or two, it will still have the pier hanging off at the edge.

642  
643 Mr. Stevens agreed with Ms. Samples. We definitely need to get started on the pier. I thought  
644 we would've already had a meeting by now. It is our focal point for the town. We need to find out what  
645 the citizens want. I'd like to get citizens' feedback as soon as possible.

646  
647 Mr. Ott said you have my consensus on this.

648  
649 Mr. Pellegrino said yes, I agree a hundred percent. We do need ideas. We've talked a lot over  
650 the years about how to make the pier a destination; something that people staying in in Myrtle Beach or  
651 Garden City would want to come visit. We honestly haven't come up with any great ideas; some ideas,  
652 but not great ideas. We do need you help coming up with great ideas.

653  
654 Mayor Childs thought that the workshops should be scheduled after the meeting in Columbia that  
655 is the end of the month. Ms. Fellner said the workshop for the proposed fishing ordinance would be on  
656 the same day as the first meeting in February before the regular meeting. Later in February we can start  
657 the scheduling for the pier workshops in the succeeding months.

658  
659 Council **CONCURRED**.

660  
661 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)

662  
663 Ms. Holly Watson, North Oak Drive: There are several bridge building companies in this state  
664 and nationwide that do design builds. All I need to know is how long you want the pier. There's also  
665 some associations where concrete or cement manufacturers are involved with. We can put an ad in the  
666 association to ask for ideas and presentations. I think that a concrete pier would be much better than a  
667 wood pier. I understand that FEMA will only give us what we had before as far as the allowance for  
668 money. So, when we take bids, we should ask for a bid on a wooden pier so that we can get our money  
669 back from FEMA reimbursement whatever for that amount. But, I really believe with all the problems  
670 we've had with this wooden pier, all the maintenance money that we've spent and everything else  
671 involved with it, and this is twice now that we've rebuilt this pier. So, let's see if we can't go for  
672 something that's a little bit more stable. Something that will be there for many, many years. You still  
673 see a lot of old concrete bridges that are standing all over where they're old. They were built in the 30's  
674 and 40's. They're still viable. That's for vehicular traffic. You know that there's all kinds of things we  
675 could do with the pier. There's floating piers. There's concrete piers. To me, I would prefer concrete.  
676 Less maintenance, more stability, you can get insurance. So, anyway, I think that we ought to get  
677 design build firms to come in and give us proposals of what they are able to do. Then also go and look  
678 on our own to see what other cities are doing. There's some Florida places that have concrete piers. It's  
679 not impossible, and as far as some of our engineering in town, as well, bridge builders. There's several  
680 of them that are design build. They work in water, and they've done bridges in water and that's what  
681 they do. Okay. I just need the length of the pier. I'll be glad to make the contacts for you.

682  
683 Mr. Ray Miller, Portofino III Homeowners Association President: We've been in discussions with  
684 Ms. Fellner for the past four months about the damage to the bulkhead south side of 3<sup>rd</sup> Avenue South  
685 swash. We'd like to know when we're going to have an answer, because every high tide makes that a  
686 little worse. A little more washes out from underneath from one of the houses. I've sent each of you a  
687 letter. Emailed each of you. Do I need to leave it to get it on record? Okay, let me start there. This is  
688 to the Town Councilmembers. The members of the Portofino III Homeowners Association wish to bring



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689 to the attention of the Town Council a matter which has been unresolved for the past four months. A  
690 matter which we believe will be brought before the council in a closed session on January 10<sup>th</sup>, 2017.  
691 During Tropical Storm Hermine in September 2016 the southern bulkhead on the 3<sup>rd</sup> Avenue South swash  
692 was undercut by the force of flowing water and washed away the ground behind the bulkhead and under  
693 the carport of 311-A South Ocean Boulevard, one of the ten homes in Portofino III. A few days following  
694 the storm we went with Micki Fellner and John Adair at the site and were told that the bulkhead was on  
695 Portofino III's property, and that the town would not be responsible for the repairs. We strongly  
696 disagreed with that conclusion. Several weeks later during Hurricane Matthew, the bulkhead actually  
697 came apart and more ground was washed away behind the bulkhead and further compromising the  
698 home at 311-A South Ocean Boulevard. In the months that have passed since our first meeting with  
699 Micki Fellner, we've had several more meetings with her to try to convince her that the bulkhead could  
700 not possibly be the responsibility of ten Portofino III homeowners. She is now bringing the matter before  
701 the Town Council. Our research on this matter has uncovered documents which support our position.  
702 We have discovered a plat from 1995 which clearly shows a five foot easement on the south side of the  
703 bulkhead. We are also in possession of the 1995 letter on the Town of Surfside Beach letterhead which  
704 states that the builder of the Portofino III community that until the easement is granted to the Town the  
705 project cannot go forward. The project went forward and the houses were built. The longer the repair is  
706 delayed, the worse the situation becomes. Every high time washes a little more of the ground behind the  
707 bulkhead. The washout is slowly working its way east where it will be soon compromising the parking  
708 lot. Another storm would be devastating. The rental season will soon be upon us and the damage to  
709 311-A South Ocean Boulevard makes the rental of that home impossible. It has been four months since  
710 the initial damage. We find it hard to believe that the town expects ten homeowners to be responsible  
711 for a bulkhead in which the town diverts millions of gallons of water annually. We believe it is time for  
712 the Town of Surfside Beach to step up and do the right thing. The longer that repair is delayed, the  
713 more costly the repairs will become. We are hopeful that the town will begin the repairs quickly and that  
714 we will not have to resort to legal action, which would only increase the cost for all concerned. Time is of  
715 the essence. If any of the board members wish to meet with us at the site and first hand going [sic], the  
716 damage of the bulkhead, we're more than willing to do so. And, here we are. So it's been four months.  
717 We have a copy of the easement here, and it states grantee, town of Surfside shall have the right to dig  
718 ditches, channels, and to take other such actions as is reasonably necessary to ensure the proper  
719 operation of the drainage facility located on the grantors' property as described herein. I find it difficult  
720 to believe that the Portofino III Homeowners Association could be responsible for that bulkhead. The  
721 bulkhead was there prior to those homes being built. According to what we have here, I don't  
722 understand what the problem is. I really don't. How by those homes being built we've somehow  
723 inherited the responsibility of that bulkhead. I can't see the town putting the responsibility on ten  
724 nonresident homeowners to keep that water flowing through (*time ended*) that swash. I don't know. It  
725 just doesn't make sense to me. I know you guys met earlier tonight. This was discussed, hopefully.  
726 We're just looking for a definitive answer so we can proceed or not proceed, because we cannot accept  
727 the responsibility for this.

728  
729 Mayor Childs asked Mr. Miller to keep in touch with Ms. Fellner, as she was the person to speak  
730 with about this situation.

731  
732 Mr. Rob Ganassa, Portofino III homeowner: I'm not an attorney, but Mr. Miller and I went over  
733 to the courthouse, and I do have some documents for you, in case you haven't seen them. (*Mr. Ganassa*  
734 *distributed copies of letter and survey, which are on file.*) This is a copy of the plat with the easement  
735 before any house was built, Mr. Mayor. A copy of the letter from Surfside Beach to Scalise Properties. I  
736 hope you've all seen these, but if you haven't, these are copies. You're welcome to keep them. Mr.  
737 Miller, I think, did a fantastic job explaining how we're just in shock and awe how ten homeowners can  
738 be responsible for all that water coming through the swash, and time is of the essence. The gentleman  
739 is not here who owns the house that is in jeopardy. That area where the bulkhead was compromised  
740 further, we also took measurements. The measurement was originally 20 feet by 5 feet wide, six feet  
741 deep. Under the man's concrete carport sand has been washed out. It is now up to 35 feet long, still 5

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742 feet wide, six feet deep and half way under his carport. So the more time goes, this man's house might  
743 start going into the water. To think that these homeowners are going to be responsible for this; one,  
744 you've got to think about a couple of other things. If I may just kind of brainstorm, who's ever going to  
745 be able to buy, sell one of those houses with some kind of liability over your head that you're going to be  
746 responsible for some swash and the bulkhead? It's never going to happen. So, the next thing is  
747 somebody is going to say well, why am I paying \$14,000 a year property taxes when I can't sell this  
748 house for half of what I paid for it? So, the next thing you know there's less revenue for the town. It's  
749 just not a very good situation. My experience in the 12 years I've been an owner is Surfside Beach has  
750 been nothing but fantastic. I mean, what a great place. I preach to everybody. Listen here to you guys,  
751 great comments back and forth on everything. But this is just absurd. It's absurd. We, I'd like to know  
752 when we might expect some decision from you, and then what you base it on, if we need to get counsel.  
753 But, we tried to do it ourselves, but over at the courthouse trying to find things, but this has got to be  
754 solved before the rental season. This man, he's livid. I think one or maybe more of you have spoken to  
755 him. But, he's a West Virginia owner, he just can't make it all the time to come to these things. So, any  
756 questions for me. Mr. Stevens called for the floor. Mayor Childs said no, this is not the time to do that,  
757 Mr. Stevens. I'm sorry, sir. Mr. Ganassa: How would we proceed, Mr. Mayor? Mayor Childs said he  
758 should keep in contact with the administrator. She's the one you want to contact. Mr. Ganassa: She's  
759 been wonderful, very helpful. But, you all make the decisions. Mayor Childs said Ms. Fellner is the  
760 council's contact, also. Mr. Ganassa: Okay, no idea of time tables? Are we going to just keep waiting  
761 another month; two months? Mayor Childs asked Mr. Ganassa to meet with the administrator. We'll do  
762 everything we can to expedite things. Mr. Ganassa: Okay, thank you very much. Let's make it a great  
763 year.

764  
765 Frank Farrino, South Ocean Boulevard: We love Surfside. Been here for 20 years. I was  
766 instrumental in getting the other side of the swash, okay, where you guys did a fantastic job with those  
767 blocks, okay. At the time, I spoke to John Adair and I said why don't you just continue it, okay? Those  
768 beams are rotten. They're falling apart. It's a hazard. You're talking about hazards with fishing, et  
769 cetera. That driveway is ready to collapse. It's right here on 3<sup>rd</sup> Avenue up the street. Take a ride; take  
770 a look. Park in the lot and see. I wouldn't want my kids even on the cement. You know, we all pay  
771 taxes; a lot of taxes here. You're talking about little bar-b-ques. We've got \$14,000 in taxes every year  
772 on these houses. Am I, am I preaching to nobody here? You know, just get out and look. It's your  
773 swash. This doesn't make sense. That's all I've got to say. Please, this is mine [sic.]

774  
775 Ray Horoho, South Ocean Boulevard: (*\*\*speaking as he approached the podium*) ...although I  
776 do feel their pain, and if it were me I would probably be as passionate about it. First off, [this is] my first  
777 Town Council meeting, and I appreciate all that the town does, and all of your support. [It's] a  
778 wonderful place. We're going into our sixth season here in Surfside, so we're relatively new. But, I just  
779 had two observations, and a question. First, I think when you were talking about the permits and the  
780 \$19K, perhaps you were talking past each other, because I bet cha [sic] if you look into those permits,  
781 the engineering firm is getting a small piece of the money for facilitating the application. But, the permit  
782 is being paid to whoever is letting the permit. I'll bet cha [sic] the two pieces equal the \$19K and the  
783 engineering firm is taking far less \$10K, but I do appreciate Mr. Stevens' concern that we have clarity on  
784 that. Second question from the meeting that entered my mind was the increase in cost on the Blue  
785 Cross/Blue Shield for the employees. If I got that right, you add the two pieces together and it's about a  
786 6-percent increase in the cost of that health care for a year. I wondered if there was any pushback or  
787 any analysis done on whether or not there was an increase in claims filed by the employees. Whether  
788 our employee base entered into a higher risk population by way of age. We added more employees.  
789 Because, I think in this day and age of negotiation, I know from personal experience in business there  
790 are companies that are actually negotiation down their premiums based on cultures of health. So, I just  
791 wonder if we just took that 6-percent as hey, this is it. Here's your increase or did we, do we have any  
792 leverage there? Finally, and I'll try, if I'm in town to attend some of the meetings on the fishing, but this  
793 is purely anecdotal, but in subsequent seasons since we've been here, at least on the 8<sup>th</sup> Avenue  
794 entrance to the beach, we've seen an increase in the sightings of sharks. The more you surf fish off of a

795 pier [sic], the more you're drawing the sharks in. Excuse me, off of the beach. I know that we would  
796 take the kids down, younger family members to the pier, because you could watch the sharks swimming  
797 around the pier, and so I think amongst the safety risks you have to ask yourself are we going to create  
798 more of problem in that regard. Again, I thank you for your attention and all your hard work on behalf of  
799 us.

800  
801 Ms. Terri Lauer, Harbor Lights Drive: Good evening, again, I would like thank council for all your  
802 support and all that you do. One thing that I want to mention that this gentleman just did is the sharks.  
803 Pier fishing, we all know. I've taken a picture of shark. A fisherman catching a fish, and a shark jumping  
804 up getting it. I saw that and I am worried about the sharks with children on the beach. We've lived here  
805 only five years, and about last year, my husband and I went to Charleston and at that time there was a  
806 food festival; food truck festival, which was amazing trying different foods and stuff. So, I was  
807 wondering at the bar-b-que if that ever came up to ask the food trucks to come in. They would pay \$75  
808 to come here. Increase the revenue and the town getting different kinds of foods to taste. It worked for  
809 Charleston. It was a neat thing to experience. So, maybe the Town Council and Ms. Ellis could consider  
810 that. That's all I have to say. Thank you again.

811  
812 Ms. Sandra Bundy, Surfrider Foundation: I'm not here to ask for anything. I'm here to offer  
813 something. I'm a volunteer with Surfrider Foundation Grand Strand Chapter. In case you don't know  
814 about Surfrider Foundation, our mission is to protect, the protection and enjoyment of the ocean's waves  
815 and beaches. I wanted to talk with council a little bit tonight about some of our campaigns that we have  
816 coming up that might just benefit the town. One of the programs, we have an ocean friendly garden. It  
817 seems like during [Hurricane] Matthew especially there was a lot of flooding in the area, and that  
818 program is based on conservation permeability and retention, so that ocean friendly garden program  
819 we're looking for some sites, and if any homeowner tonight might be interested, we'd love to talk to them  
820 about it. We're getting ready to our first school project at Seaside Elementary. Our next program that  
821 we're getting ready to roll out is ocean friendly restaurants. That is meant to help us reduce the plastics  
822 getting into our ocean. So one of the things that we're going to be approaching the restaurants in the  
823 area and try to get them certified as ocean friendly if they have recycling programs, if they do not use  
824 Styrofoam, and that they serve straws by request only. Those are just a few of the things. But, we  
825 would love to have the support of the community. Thank you very much.

826  
827 Ms. Fellner said before council comments started she would like to report that Mr. Adair just sent  
828 a text message saying the town received \$225,000 from CTC tonight.

829  
830 **10. TOWN COUNCIL COMMENTS**

831  
832 Mr. Ott: I want to thank everybody for their comments. We do appreciate everybody's input. I  
833 do, especially. And things that go on in the town, we try to handle as much as we can. There are some  
834 things that we're restricted from at this moment. Thank you for these papers. I appreciate it. I didn't  
835 see those before. It's a new year, and I hope everybody has input for us as we're going to rebuild that  
836 pier. Thank you again for coming out. It's good to see everybody.

837  
838 Mr. Courtney: Yeah, I'd like to thank everyone for coming out. I like the idea of the food trucks.  
839 I think it's a good idea. We had spoken very clearly with the problem we're having with the fishermen on  
840 the beach surf casting, surfing and the swimmers. So, we will address that in a workshop to get more  
841 detail into it. As far as the Surfrider Foundation, I was paying attention. I did receive an email, and I did  
842 contact five local grocery stores. I reached out even to Dollar General; talked to the corporate office, and  
843 it's really based on what the local community wants to do with it. Pretty much what it comes down to is  
844 they're willing to go along with the community. There's many communities throughout the coastal areas  
845 that do this. The cost does impact the consumer. Plastic bags go for a penny. Paper goes for five.  
846 Trader Joe's uses a different type of paper, which is a little bit less. But, it's something that we should  
847 look into to keep the garbage [controlled.] It also helps keep our storm drains free of debris. These are

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848 great ideas. I really appreciate the input from everybody. It's not easy. We're faced with a lot of tough  
849 things coming up. It's going to be a hard year this year. But, we're going to work together as a  
850 community and we're going to make it happen. I really thank you for coming out. See you next time.  
851 Thank you.

852  
853 Mr. Pellegrino: Thank you for coming out tonight. Thank you for the good input. Certainly we  
854 all learn a lot when you guys speak to us with your ideas and concerns. Thanks to Ms. Ellis for Breakfast  
855 with Santa. My son enjoys it thoroughly every year. Talking about our events, that's an ultra-organized  
856 event. I don't know how many of you have children, or grandchildren, who are involved with [Breakfast  
857 with Santa;] but it is very well done. Very organized. And, there's a really good Santa, too, so that  
858 helps. Certainly, ideas for the pier, I mentioned that. We need your ideas. We need some good ideas.  
859 It would be great if people saw our new pier as a destination and came and ate dinner at our pier from  
860 Myrtle Beach, and came and ate dinner from Murrells Inlet to bring new people in the area and see how  
861 great Surfside is so they can come vacation here, possibly live here. Other than that, we have a lot of  
862 things to follow up on and we will follow up on them. Happy New Year, and I hope this is a good year  
863 for you. How about those [Clemson] Tigers!

864  
865 Ms. Samples: Thank you, Mr. Mayor. Ms. Bundy, I am a supporter of Surfrider Foundation, and  
866 I certainly support your campaigns and wish you all the luck in the world. Ms. Lauer, I love the idea of  
867 food trucks. We talked about it during the 50<sup>th</sup> Anniversary planning, and I would love to see us have  
868 food trucks come into town at a number of events. Maybe we could have a food truck event. I don't  
869 know. I did not get your last name, I'm sorry. *(From the audience: Ray Horoho.)* Mr. Ray, I appreciate  
870 your comments, and without responding to you directly, I know that our administrator has that  
871 information available and can certainly share with you. She's our point of contact. So, I encourage you  
872 to talk with her. The gentleman that took the time out of your busy day and your vacation to come  
873 speak to us about Portofino, we were briefed tonight, and I do have some concerns. Hopefully, Ms.  
874 Fellner will share with you the up to date information that we have. But, I do not want the night to go by  
875 without acknowledging that you were here and that you have some concerns, and that they are certainly  
876 validated. The most important thing, I think, tonight was the presentation of our CAFR, our audit.  
877 Clearly, this council has been operating effectively and efficiently when it comes to monies. That is due  
878 in large part to our staff. Ms. King, Ms. Fellner, thank you. Some of the notes that I've put together that  
879 I would just like to refresh is this: the CAFR, the audit, was good up till June 30<sup>th</sup> of [2016]. Things have  
880 happened. We had a hurricane since then, so some things have changed. But basically, leading up to  
881 and including this past year, this town has paid off a bond, roads, the building of a police department,  
882 we've paid paved (scrivener's error) roads, we've purchased land, we've update and/or replaced  
883 equipment and vehicles, we reduced the debt and we set aside funds for beach renourishment. We also  
884 assigned three mils to capital replacement, which is what helps us replace our vehicles. We set aside two  
885 mils for stormwater. As of July 1<sup>st</sup> of 2016 in our general fund, as you saw up here [on the PowerPoint],  
886 unassigned funds we show \$1.8 million. Hospitality \$600,000 plus. Accommodations \$140,000 plus.  
887 Disaster recovery program, we have \$400,000 sitting there. Capital replacement fund, we have \$400,000  
888 plus. Capital projects \$200,000 plus. We pay over a half a million dollars just in retirement for our  
889 employees. Since the CAFR, we sent off \$1.3 million for beach renourishment. Moving forward, we had  
890 a hurricane. We have a pier to rebuild. We have swashes to repair. We need to maintain our level of  
891 services. Keep our current infrastructure maintained and operational, and anticipate this year's potential  
892 next hurricane. So, having said all of that, and we got our audit the very end of December. It was great  
893 timing because I was able to spend the holiday reviewing a lot of this information, and again, we've been  
894 operating effectively and efficiently. The numbers don't lie. But, we do have to be prudent in our  
895 spending from this point forward. We have a lot of things coming up. I am confident in this council's  
896 ability to make some tough decisions along with the support of our staff, which I think are unmatched in  
897 their abilities. So, I'm looking forward to the next year. I'm ready to get to work. I know my fellow  
898 council people are ready to get to work. We ask for your support, your input, and your patience. We are  
899 fallible. We don't always have the right information. I can assure you, though, we all want to do the  
900 right thing. There's not one of us up here who doesn't want to do the right thing. We just need to get



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901 the information, the best information we can get to make the best decisions for you. Thank you for  
902 being here this evening. We appreciate your input and participation. Thank you, Mr. Mayor.  
903

904 Mr. Stevens: Thank you, Mr. Mayor. I'll agree with everything Ms. Samples said. She made  
905 some good points. One thing we have to do as citizens, for you as citizens, is we have to watch your  
906 money. We have to make sure that we're financially and fiscally responsible. We've got money, but we  
907 don't need to blow it. We don't need to throw it away. We need to watch our dollars and cents. We  
908 need to make good deals. We need to be more active in making the best deal possible for all the citizens  
909 in town. We've got a pier that we've got to rebuild, and that's going to cost a lot of money. I look  
910 forward to hearing your input and getting all the information that you think we should do for the pier.  
911 We're only seven people up here. We're not all here tonight, but anyway, we're seven people that listen  
912 to you and that's our job; to listen to you and get that information from you. There's a few things we  
913 have to live with. You may not know this, but this is a little history about this area, and in the 1970's the  
914 world's largest tiger shark was caught off the pier at Cherry Grove Beach not far from our area, 1,780  
915 pounds. We're going to have sharks no matter what we do. They're out there. That's the ocean and  
916 that's where they live. I don't want to see any of them bite anybody, but unfortunately, when you have  
917 piers, when you fish, when fishermen go out there, sharks are going to be around. Wish we could do  
918 something about it, Ms. Lauer. (\*\*) we are. As far as the lady that came up here, I like what you said.  
919 I hate to see plastic in the ocean, and plastic polluting the rivers. As a sportsman, I like to go out and  
920 fish in clean water. I don't like to see things floating up and down the river or on the ocean. It's one of  
921 things we like; our beaches are important. We have things like the turtles, Loggerhead Turtles, who  
922 come and nest. Those type things we have to appreciate. We've got a nice little beach here. I  
923 appreciate the folks from Portofino giving us the information. I've got your information. I'll definitely  
924 look over it. I wish I had some more information on that, but I don't. I hope that everybody had a good  
925 Christmas, and a good New Year. For the [Clemson] Tiger fans that are out there sitting in the audience,  
926 I'm a [South Carolina] Gamecock by the way, congratulations. Congratulations. Hunter Renfrow from  
927 Socastee High School, where my daughter went to school, caught the touchdown pass. You should be  
928 very proud that a local fellow won a national championship for a school in South Carolina. I Mr.  
929 Pellegrino said that's he's proud, because he's a Clemson alumni. I pulled for Clemson, by the way, even  
930 though I'm a Gamecock. Congratulations. Thank y'all for coming out. It's so good to see a good crowd.  
931 A lot of people are here. We like to hear your opinions. We like to hear your ideas. So, please come to  
932 our workshops. Let us know what you want. The best way we can help you is you helping us by telling  
933 us by telling us what you need. Thank you for coming out. Have a good evening.  
934

935 Mayor Childs: I just had a couple of comments. One, for the first time since I've been here, the  
936 county is actually taking notice of the plastic bags. I've never heard it before. But it's come up in  
937 conversation over the last couple of weeks. I've read a couple of things. I think we're getting closer to  
938 what you want for the first time. Ms. Lauer, I think you've got a good point. Sharks are like dogs, like  
939 any animal. They're going to go where the food is, and certainly if you draw them there, and I think  
940 we've all been on the pier and seen the sharks looking for when they are throwing things over. So, that  
941 is something to take into consideration. For everybody that heard the administrator just before we  
942 started talking about we have some from the County Transportation [Committee] that is to do 3<sup>rd</sup> Avenue  
943 South. What we want to do is we want to try to mirror Surfside Drive for the businesses over there. It's  
944 really a kind of worn area. Almost looks like a third world country, really. So what we're going to try to  
945 do is try to organize the parking, stormwater, lamp posts, and everything so they can really feel like they  
946 are a part [of the business district.] It's going to really be a nice area. I know the businessmen over  
947 there for some time have asked the town when the town is going do something about this 3<sup>rd</sup> Avenue.  
948 So now we pretty much have what need money wise. We need a little more, but we do have a good  
949 start. Our State Senator Cleary was a big, big help in getting \$100,000 to kick off the project, along with  
950 our District 106 House Representative Russell Fry. So we have to thank them, too, for the first \$100,000.  
951 Mr. Adair was able to get the other \$225,000. We're doing good. We're starting off well. I agree with  
952 everything Ms. Samples said. We are doing good. I think we just have to watch where we go. We'll  
953 probably, I would think we're about the only town or city in the State of South Carolina that is as well off



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954 as we are considering we are a beach community and we have to tolerate storms. We're really doing  
955 good. We have a little hiccup here and there. Things that maybe we can improve on, but we do try, this  
956 council tries to improve and we spend a great deal of time every day and every week. We don't just  
957 come in here a couple of nights a month and that's it. The time that these councilmen put in during the  
958 week, most everybody has no idea of the amount of meetings, the night meetings, we're meeting  
959 tomorrow night at six. It'll probably run till nine; get home at ten. That's quite often, so they really are  
960 working hard for you. We'll just keep things going well. Thank all of council for everything you did.  
961 Thank you for tonight. I wish everybody a very Happy New Year.

962  
963 Ms. Samples reminded the public of the sign workshop on Thursday, January 12<sup>th</sup> at 6:30 p.m.  
964

965 Mayor Childs said notices are published for the various meetings and workshops. He encouraged  
966 everyone to attend the various board, commission, and committee meetings, because those are other  
967 venues where the public can offer input. Your neighbors make up the members of the various  
968 committees. They have the same concerns you have. They are looking for input. Again, he encouraged  
969 everybody to attend all the meetings. The sign ordinance is very important. There have been many  
970 complaints about it, so we would like to have your input.

971  
972 **11. ADJOURNMENT.**  
973

974 Mr. Ott moved to adjourn the meeting at 8:53 p.m. Mr. Courtney second. All voted in  
975 favor. **MOTION CARRIED.**  
976

977 Prepared and submitted by,

978  
979 \_\_\_\_\_  
980 Debra E. Herrmann, CMC, Town Clerk

981 Approved: January 24, 2017  
982

983 \_\_\_\_\_  
984 Robert F. Childs, III, Mayor  
985

986 \_\_\_\_\_  
987 Ron Ott, Mayor Pro Tempore  
988

989 \_\_\_\_\_  
990 Timothy T. Courtney, Town Council

991 \_\_\_\_\_  
992 Mark L. Johnson, Town Council

993 \_\_\_\_\_  
994 David L. Pellegrino, Town Council

995 \_\_\_\_\_  
996 Julie M. Samples, Town Council

997 \_\_\_\_\_  
998 Randle M. Stevens, Town Council

999 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,  
1000 and not intended to be a complete transcript. Appointments to hear recordings may be made with the  
1001 town clerk; a free copy of the audio will be given to you provided you bring a 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 marquee.