



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES**  
**EXECUTIVE SESSION, May 9, 2017 ♦ 6:00 P.M.**  
**REGULAR MEETING, May 9, 2017 ♦ 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. Tuesday, May 9, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(2) to discuss the proposed sale or purchase of real property. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Samples, and Stevens were in attendance. Councilmember Pellegrino was absent. A quorum was present. Mr. Johnson moved to enter executive session at 6:00 p.m. Ms. Samples second. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 6:29 p.m. 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 Item 7.F. Mayor Childs declared the session adjourned at 6:29 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, Samples, and Stevens were in attendance. Councilmember Pellegrino was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann, and Planning Building & Zoning Director Morris.

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

A. Invocation: Reverend Kirk Lawton from Ocean Lakes Campground Ministries gave the invocation.

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

**3. AGENDA APPROVAL.**

Mr. Johnson moved to adopt the agenda as presented. Mr. Courtney second. All voted in favor. **MOTION CARRIED.**

**4. MINUTES APPROVAL.**

**A. Landscape & Tree Ordinance Workshop April 18, 2017, and B. Regular Meeting April 25, 2017.** Mr. Johnson moved to adopt the April 18, 2017 landscape and tree ordinance workshop minutes and the April 25, 2017 regular meeting minutes as presented. Mr. Stevens second. All voted in favor. **MOTION CARRIED**

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

Ms. Patricia Magliette, Harbor Lights Drive: Hello, I will be quick. This [is a] little gem of a town. I'm seeing here on the agenda is landscape and tree ordinance workshop, and why am I thinking that there is about this work, landscape and tree ordinance that's gonna contain something called a

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54 misdemeanor. All I wanted do is say real quick that a misdemeanor, if you violate something by accident,  
55 it's gonna be a stain on your personal character. A misdemeanor can be offset with fines or jail time. A  
56 misdemeanor sticks with you, and that's harsh for township law. I can see state law or federal law, but to  
57 put a misdemeanor into township law it's gonna tank our real estate values. No one is gonna want to buy  
58 property here, if we have to be careful because of misdemeanor laws. It's gonna implode our property  
59 values and then we won't be able to sell our houses except for ten cents on the dollar. When all of us  
60 have that hardship of course people can buy it for ten cents on the dollar, and they can come back and  
61 get rid of that misdemeanor stuff. I'm not happy living in a place where things can be township  
62 misdemeanors. It sounds like too much big government. It sounds like big brother and it frightens me  
63 quite actually. So whatever we do with these tree ordinances let's not get heavy handed with the law and  
64 breathe down peoples' back and call misdemeanors. Thank you very much.  
65

66 Mr. Bill Kingkon, Dogwood Drive North: I attended the workshop and found it very interesting.  
67 People put a lot of time into it, and I appreciate their work. By the way, I thank you all for your work.  
68 There are parts of it that I agree with. The fact that it establishes parameters for new construction. It  
69 tells you how many trees per zone you live in, and what kind of trees. That's very standard. I've seen  
70 that in other towns. What I haven't seen is having to go to get a permit to have a tree cut down. I have  
71 to speak against this. I think we've gone too far, and I think it should be up to the homeowner to decide  
72 what limb needs to be trimmed, and if a tree he thinks needs to be removed, he should be able to  
73 remove it. This is not a homeowners association. This is a city. I ask you all to vote against this, and let's  
74 get that part out of the regulations. Thank you.  
75

76 Ms. Kathy Goddard, 15<sup>th</sup> Avenue South: I, too, am sort of against it, because I'd be  
77 misdemeanored [sic] to death for the limbs I've cut off my trees that I've pruned back away from our  
78 house to save damage to our roof in the storms we've hand. I've pruned many, many, many and I would  
79 be constantly misdemeanored [sic] to death. I think it's very wrong to apply that. Thank you.  
80

81 Mr. Mike Holt, Yaupon Drive North: Well, councilmembers and Surfside residents, this evening  
82 could be a landmark evening. No pun intended. But, we could very well see an end to a much debated  
83 subject, the good old Surfside Beach tree ordinance. Many of us have spoken out against this ordinance,  
84 and for this ordinance and both sides have made many valid points, but the overriding point, in my  
85 opinion, is the number of restrictive regulations being imposed on the residents. Now these grand old  
86 oaks and other landmark trees, they should be protected from contractors that come in and clear cut all  
87 the trees in order to have space for just one more unit that we can build on. But eight or ten pages of  
88 rules, and ordinances, and regulations, and fines that council has put forth is just way too restrictive. A  
89 homeowner should not be afraid to trim a limb on his property because if I make a mistake and cut 7 1/2  
90 inch limb, and I thought it was 7 inches, I could be fined and charged with misdemeanor, and have a  
91 criminal record. This could very easily happen. A much simpler solution would be to make the size of the  
92 tree limb say 16 inches in diameter, much like the Asheboro subdivision in Dorchester County. That's up  
93 [near] a Westvaco Tree Sanctuary neighborhood. This way, a homeowner could prune or trim his trees,  
94 but something 16 inches and larger would require professional tree service who could do it safely and  
95 would know all the rules and the ordinances. Many of the new members of Town Council ran their  
96 campaign on promises of easing burdens and regulations. Well folks, now's your time to act. Thank you.  
97

98 Ms. Carol Holt, Yaupon Drive North: I just want to make a few comments regarding the tree  
99 ordinance. Everyone knows this tree ordinance has been debated here in Surfside for many, many years.  
100 Town Council has asked for an ordinance that would reduce the overregulation for the town residents. I  
101 believe the proposed changes have not reduced the overregulation and the possibility of heavy fines and  
102 misdemeanor charges remain a part of the ordinance. I guess I'm just naive. I don't believe that the  
103 majority the town's homeowners want to remove trees from their property unless it's a necessity. Many  
104 residents and voters are against the proposed tree ordinance. All the residents who spoke at the Town  
105 Council workshops and the public hearing were in opposition to the ordinance, with the exception of the  
106 planning commission members who actually wrote the recommendation. I don't believe any of the town

107 residents should be heavily fined and possibly charged with a misdemeanor because they mistakenly cut  
108 a 7.5 inch limb without a permit, nor should new residents face the same issues because they were not  
109 aware of the restrictions. According to Section 17-729 of the proposed ordinance, all applications for  
110 zoning and/or building permits shall be accompanied by a tree protection plan. That means that the  
111 homeowner who wants to prune a 7.5 inch limb must also submit a tree protection plan along with an  
112 application for his zoning permit. Please correct me if I'm wrong, because this is some information I  
113 received from a former town councilmember in a nearby town. He said actually it's the permit  
114 requirement that initiates the process for the mandated fees and penalties, et cetera. They're regulated  
115 by the South Carolina Code. So, if this is indeed correct, the permit requirements for homeowners could  
116 be eliminated with the exception of maybe the specimen and landmark trees, and then the possibility of  
117 residents receiving such fines and charges could be greatly reduced. As town residents, we should have  
118 some control of our property and should not be required to obtain a zoning permit and submit a tree  
119 protection plan if we have a 7.5 inch limb that is hanging over our home. Town residents are asking for  
120 changes and I believe that Town Council wants to work with residents to find solutions. I know it's not  
121 easy. Each of you must weigh the pros and cons; put aside your personal feelings, and vote what you  
122 believe is right for the town and its residents. Thank you for allowing me to speak.

123  
124 Ms. Carrie Johnson, Harbor Lights Drive: I'm a member of the planning and zoning  
125 [commission]. I hope you pass this ordinance as written. Planning and zoning had numerous workshops.  
126 We spent many hours relaxing rules of the previous ordinance making it is lenient as possible and still  
127 protecting our trees. I know one of the arguments is that the property owner should be able decide what  
128 kind of trees they want and be able to cut and trim at will without many, if any, rules. So why do we  
129 have other ordinances in place that tell us how we can use our property. If property owners were allowed  
130 to do whatever they want just because they own the property, we could have a bed-and-breakfast, a  
131 convenience store, or car lot right in the middle of a residential area. So ordinances are not made to  
132 simply restrict the property owner from doing whatever they want, but to also protect adjoining property  
133 owners and the value of the properties. The tree ordinance is no different. As far as allowing the  
134 Palmetto tree to be a replacement tree, The Palmetto is the state tree because it was used during the  
135 Revolutionary war to build a fort against attack from the British and thus, it was named the state tree.  
136 The ordinance does not say you cannot plant a Palmetto tree. You can plant as many as you want, and  
137 you can replace non-protected trees, but it should not be used to replace a protected tree. [The  
138 Palmetto] is not a hardwood tree; it does not suck up the water a hardwood tree does, which helps with  
139 our stormwater, nor do they have an umbrella of a hardwood, which not only provides shade, but also  
140 protects against wind. Last but not least, I certainly hope you will not relax the fines for cutting trees.  
141 Remember, they are only in place for someone that does not get a permit when one is required. As long  
142 as they obey the ordinance there is no fine. It is no different than someone getting a permit to drive. If  
143 you're caught driving without, there is a fine. If you obey the law, there is no fine. Also history has shown  
144 us that with lesser fines trees will be cut without a permit and fines paid. You can never please everyone.  
145 Planning and zoning did research; we checked what other towns do; we listened to the people, and we  
146 feel that this tree ordinance as written is fair to all. Thank you.

147  
148 **6. COMMUNICATIONS. Administrator's Report.**

149  
150 Ms. Fellner presented the written report, a copy of which is attached hereto. She noted that  
151 Director Adair was in negotiations with four contractors for the 3<sup>rd</sup> Avenue South swash repair.  
152 Negotiations should be completed by the end of this week. A special meeting will need to be called to  
153 authorize the unbudgeted expenditure and/or the scope of work once the responses are received so the  
154 repair can begin.

155  
156 Mr. Stevens said for the record, "You had mentioned the budget and I've got a question to ask  
157 you, and this was in our administrative expenses. In 2015 the town spent \$245,000 in salaries, which  
158 included an assistant administrator, and then in 2016 and 2018, it was 205 and then you're proposing  
159 199,000, which does not include an assistant administrator. So there's a difference in that of \$46,000 less

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160 that will be spending in the 2018. Yet, the operating expenses for 2015 were 99,000 and 98,000 but the  
161 proposed budget for operating expenses is 150,000 which is a difference of 52,000. Some examples, for  
162 example was the travel and training jumped from 15,000 to 31,000. An increase of \$16,000. Professional  
163 services jumped from 28,000 to 49,000, an increase of \$21,000. Miscellaneous businesses in 2015 were  
164 \$600 and they jumped to \$6,250 with an increase of \$5600. Contractual expenses jumped from 10,000  
165 to 16,000. An increase of \$6,000. Altogether these total increases, a total of \$55,000 in operating  
166 expenses, which with a little creative financial juggling could pay for the assistant administrator. It seems  
167 that these absorbent figures with no reason just because...I need an answer why there is a \$55,000  
168 increase in operating expenses, when we were at \$98,000 in the time years before; 98, \$99,000. We've  
169 jumped up \$55,000. I know that you'd like to have a assistant administrator, but you're making \$105,000  
170 a year to manage a 1.6 square 9 square mile town [sic]. That is really grossly overpaid for a, that size of  
171 a town. We, we have seen poor spending of our taxpayers money, and we have failed in the last five  
172 years to bring any substantial business in the pot, that would have a positive impact on the revenues of  
173 this town. So could you explain why we jumped from 99 to 98 thousand to \$150 some thousand?" Ms.  
174 Fellner said Councilman Stevens I didn't come with my budget book prepared to answer those type of  
175 questions tonight. I'd be happy to email the information to you. Mr. Stevens, "By the way, Ms. Herrmann,  
176 I want everything I said on the record, because I think this is kind of strange that we're jumping up that  
177 much. We went back because we cut out [the former administrative assistant] and now were going to  
178 spend an extra \$50,000. Mayor Childs said Mr. Stevens, does this have anything to do with the  
179 administrator's report?

180  
181 Ms. Samples called *point of order*. Mr. Stevens is actually calling out employee's names, which is  
182 the first no-no, and secondly, let me just say that we discussed this at the budget workshop. If you, Mr.  
183 Stevens, would have been at the budget workshop... Mr. Stevens said, "I was there." Ms. Samples  
184 continued saying you came late and you left early. So when we discussed this, you were not there.

185  
186 Mr. Stevens: "I was there and Mr. Pellegrino said we cut the budget salaries by \$50,000, and  
187 then I find out our operating expenses went up \$50,000 during the same time." Mayor Childs said, Mr.  
188 Stevens, I think maybe you want to talk about that when we adopt second reading of the ordinance. (\*\*)

189  
190 Mr. Johnson called *point of order*. Mayor Childs said point taken.

191  
192 Mr. Stevens said, "I have another question. We, you got on your administrator's point, you've  
193 been talking to financial entities, but I have no idea who the financial entities. Do you have any  
194 information that you could share with the public on the financial entities that you, director of finance and  
195 you are meeting?" Ms. Fellner said I don't at this time. These are things that will be bid should council  
196 direct that this be done. Mr. Stevens said, "We're talking, we're talking about when you say financial  
197 entities, we're talking about banks and things, right?" Ms. Fellner said a bond attorney and financial  
198 advisor, thus far. Mr. Stevens said, "Just a bond, so we don't know if we're borrowing it from a bank or  
199 borrowing from the government or whatever?" Ms. Fellner said at this point, no. That's a decision council  
200 has to make. Mr. Stevens said, "Has, has, have y'all looked; I know there's several citizens said we can  
201 get the loans as low as 1.4-percent. Have you, or 1.25-percent. Have you looked into those?" Ms. Fellner  
202 reiterated that this is something that a financial advisor is going to have to be involved with. Mr. Stevens  
203 said, "When will Town Council learn this information?" Ms. Fellner said probably be within the next two  
204 months. Mr. Stevens said, "Okay. And you also have on the thing, you've got initial, you've discussion  
205 with FEMA. When can council get some information on the discussion with FEMA and what is processed,  
206 proceeding there? I think the citizens want to know, as well." Ms. Fellner said I'm sure they do, and it's  
207 going to be within the next two months. Council will be told and then there are going to be two public  
208 workshops on this to take input from the public, and see how they feel on it. Mr. Stevens said, "I have a  
209 third question. You have met with Thomas and Hutton, our new engineer. Has there been a contract or  
210 anything signed with them?" Ms. Fellner said no, there has not. Mr. Stevens said, "Isn't that the proper  
211 procedure?" Ms. Fellner said no, because we are a small town, and we're not paying them a blanket fee  
212 to work for us. Mr. Stevens said, "Did we sign contracts with the former engineers?" Ms. Fellner said we

213 only sign contracts on a project basis, and that's the normal procedure. Mr. Stevens said "Okay, alright.  
214 Thirdly, I've had this, a lot of people have been hitting me with this, and I have to ask the question. I  
215 understand the Town of Surfside Beach is using TransUnion for background checks. I verified that  
216 information from several sources. My question to you is very simple and I want this on the record. Has  
217 this administration of the town ever ordered a background check on any town citizen, any town property  
218 owner in Surfside Beach, any relative of a property owner, any member of this Town Council, or any  
219 member of any committee without their knowledge? If this administration has done so, where did the  
220 administration get the authorization to do such background checks?" Ms. Fellner said the police have  
221 ordered them; that's who orders and uses TransUnion. Administration does not do that. Mr. Stevens said,  
222 "So your answer is the administration has never ordered a background check on anybody?" Ms. Fellner  
223 said the only person would be Ms. Ellis who might order background checks for coaches, but that's with a  
224 signature. Mr. Stevens said, "So what you're saying is nobody's ever ordered from administration has  
225 ever order a background check on any person, whatsoever, that I just mentioned?" Ms. Fellner said well,  
226 I can speak certainly for me. I have never done that. Mr. Stevens said, "Okay, thank you."  
227

228 Mr. Courtney asked for an update on Mr. Adair's work on Ocean Boulevard to replace pedestrian  
229 crossover signage and repaint crossovers. I had asked him last winter to try to put up the South Carolina  
230 State Law yield signs for pedestrians in rights-of-way. Our tourists should be able to cross Ocean  
231 Boulevard in a safe manner. I would ask that he provide a list of his projects with updates. The second  
232 question I have you is that I've heard rumors that is there going to be repaving 16<sup>th</sup> Avenue South. I'd  
233 like to know why he would to be doing this in the beginning of the season. Many second homeowners  
234 use that street. In my opinion, to start in summer I'd like a list of his projects and when they are  
235 scheduled. Again, we have people coming from out of state for their second homes and they have boats  
236 and trailers etc. and to have the road close at the start of the season would be foolish. Ms. Fellner said  
237 yes, I'll be happy to get those and provide those all of council.  
238

239 Ms. Samples said Mr. Adair provided a list of the road projects at the budget workshop. Ms.  
240 Fellner said he did. Ms. Samples said so we all do have that copy; we got it at the budget workshop. Ms.  
241 Fellner said but I'm happy to email it to everyone again.  
242

243 Mr. Ott said thank you for your report, Ms. Fellner. If I remember correctly from our budget  
244 workshop, we did allow an assistant for a time period that would not be working, but reviewing what you  
245 do before you retire, and to be introduced to other businesses entities in the area, town, cities, and the  
246 county, so they can actually hit the ground running when you walk out the door and they sit in that chair.  
247 Is that correct? Ms. Fellner said that is correct, yes, sir. Mr. Ott said that will be the reason for an  
248 assistant here, so that we don't miss a heartbeat, and they stay there. The other thing is Mr. Courtney  
249 said about the missing signs on the Ocean Boulevard; I did not stop for somebody the other day. There  
250 are no signs there. If you go down Ocean Boulevard in Myrtle Beach, they have a sign at every  
251 crosswalk. We need to step up. I counted them; there's probably about 50 signs we need. Thank you,  
252 Ms. Fellner, for your report, again.  
253

## 254 7. BUSINESS

### 255 A. Second Reading Ordinance #17-0843 to amend the FY2016-2017 Municipal 256 Budget, Administrator Fellner.

257 Ms. Samples moved to adopt second reading of Ordinance #17-0843 to amend the FY2016-2017  
258 Municipal Budget. Mr. Johnson second. The decision paper and ordinance are on file. All voted in favor.  
259 **MOTION CARRIED.**  
260

261 Ms. Fellner said for the public's benefit that the purpose is just to amend the budget of all funds  
262 with significant changes during the year due to beach renourishment, FEMA reimbursements, hurricane  
263  
264

265 Matthew cost, fund transfers, and also to amend the accommodations tax funds based on the  
266 accommodations tax committee resolution.

267  
268 **B. First Reading Ordinance #17-0839 to amend Chapter 17, §17-700, et seq.**  
269 **Landscape and Trees, Director Morris.**

270  
271 Mr. Johnson moved to adopt Ordinance #17-0839 as presented. Mr. Courtney second.

272  
273 Ms. Samples moved to amend Section 17-722 of Ordinance #17-0839 under zoning permit  
274 requirements for pruning and tree removal, owners of existing residents, no permit is required for  
275 pruning or trimming or removal of a tree, with the exception of a landmark tree. Mr. Courtney second.

276  
277 Ms. Samples said I feel that in general, no homeowner wants to cut a tree unless it is causing  
278 them an issue. No homeowner should be required to go to town hall to get a permit to trim a tree, to  
279 prune a tree. They want to do it for a lot of reasons, just to improve property values, or to ensure that  
280 that tree doesn't fall off at the next heavy wind. There are those people who do want to go in and cut a  
281 lot of trees down, and do a lot of work, but we cannot legislate for one or two people. We have to  
282 legislate for the group as a whole, and I feel that we all care about trees. We like trees. We don't want to  
283 get rid of trees. It's an expense to get rid of a tree. We typically want to do it if it's diseased, or again if it  
284 is hanging precariously over something on our property, or if it's close to our foundation, and we know  
285 it's going to create a problem. As residents, we want to maintain our property, and we want to maintain  
286 the value of our properties, and one thing we know is that this tree ordinance is heavily restrictive. I want  
287 to put the responsibility on the homeowner to be able to do what they want to do as it relates to pruning  
288 and cutting and removing a tree, with the exception of a landmark tree.

289  
290 Mr. Ott said I would like to say that I agree with Ms. Samples. We do own this property. I don't  
291 believe, as she said, that anyone is going to just clear-cut the property. They're going to leave the tree. I  
292 live with a hickory tree from hell. In two and a half months of the year, I can't park on the west side of  
293 my driveway. The tree drops 2 inch diameter nuts that will dent your car. I haven't cut that thing down,  
294 and I don't think people will just go out and cut down their beautiful trees this town. Thank you.

295  
296 All voted in favor. **MOTION TO AMEND CARRIED.**

297  
298 Ms. Samples moved to amend Section 17-725.1, which is a table, to add the South Carolina State  
299 Tree, the Palmetto tree, to the list of approved replacement trees. Mr. Courtney and Mr. Stevens second.

300  
301 Ms. Samples said it's our State Tree, it's a Palmetto tree. If you want to use it to replace  
302 something, go ahead.

303  
304 Mr. Courtney showed a PowerPoint presentation to show why the Palmetto tree is so important in  
305 some areas. He said I'd like to show some pictures that clearly show why it is very important to support  
306 Ms. Samples' motion. I went to all of our areas around town and spent a lot of time looking at these  
307 areas. We have R1, R2 and R3. These districts have smaller lots, lot large lots, and there are some larger  
308 lots in the R1 district. (There was a pause while the projector was repaired.)

309  
310 Mr. Stevens said while they're working on the projector, I might add that we had a citizen get up  
311 and say that the [Palmetto] tree was used for a fort. That's a pretty strong tree to take cannonball fire. If  
312 it's that's strong, I'm all for it. Mr. Ott said while we're waiting I could add that the reason is because it's  
313 like a stack of straws. If you look at it from the top, and that's why it compresses when hit with a  
314 cannonball, and springs right back.

315  
316 The projector was repaired and the presentation continued. Mr. Courtney said starting off with  
317 the R3 district, this is why I want to bring to this to your attention. I looked around a lot of your houses

318 to see how this tree ordinance would affect us. This is a very hard decision. Probably one of the toughest  
319 ones since I've been on council. When we're changing an ordinance, I was never a big fan about  
320 changing an ordinance. I always like to amend them, if I was going to do anything with them. But as we  
321 look into the R3 areas and this is new development that was built, as you'll see, this is R3. We have  
322 stormwater swales required on both sides of the home. The setback is 5 foot. Stormwater grate is located  
323 in the rear of the yard. Lots are typically 3,500 to 3,600 feet. He referred to a photograph and said you'll  
324 see if any of these Palmetto palms were to go down, and the homeowner had to replace it with an oak,  
325 there'd be no room for the roots to grow. As roots grow from a Palmetto tree, they go down in a small  
326 ball and actually absorb water. They love water; palm trees love the water. As far as shading goes, I  
327 particularly like the palm trees when I go on vacation. I like to sit underneath one. They're beautiful and I  
328 like it. These homes were built last year (*showing more pictures*). There is no way you could put an oak  
329 tree over there with the [spreading] of the root system, it's going to go underneath the foundation of  
330 that home. There is no way you can put an oak tree between those two houses with the setbacks. The  
331 property line over here runs right in between [the houses.] There is absolutely no room for it. So if this  
332 owner had to replace this tree from the replacement list he would not be able to do that. It would be  
333 impossible. [The roots] would crack their foundation. The other side of the house has a swale. An oak  
334 tree would rot out and fall over if it was in that swale, because it would be saturated. The owners put  
335 palm trees in here near the swale. They also have electrical here. In the R3 district it's not even possible  
336 to be put a replacement tree that's on the list. The property shown in the picture had a patio and a  
337 drainage system running at the back of the lot. An oak tree would impact the drainage system. I just  
338 don't see how it's possible to not have the Palmetto tree on the replacement list.  
339

340 Mr. Courtney showed pictures of the rental areas on Surfside Drive. This area is beautiful, and  
341 said this is where we make our money. It's where people want to come on vacation. They are coming  
342 here for palm trees. If they want to see oak trees, there are plenty of places to go, like Conway. But as  
343 you can see here looking at where those homes are there is no where you can put oaks in there. So if  
344 any of these trees go down, how is that you can put an oak tree there with the canopy and with the root  
345 system. It's just not happening. You put an oak as a replacement tree, it's going to break up the  
346 foundation, and even the drainage system. This is a major concern with that amendment that Ms.  
347 Samples added to it. Mr. Courtney continued showing other examples of lots upon which oak trees could  
348 not be grown and encouraged council to support the amendment to allow Palmetto trees as a  
349 replacement tree, and gave an example of how he tried to save an oak tree at his house which is in an  
350 R3 district, but was unable to do so.  
351

352 Mr. Ott asked if the Palmetto was the only palm tree allowed. Ms. Samples said there are actually  
353 five palms trees that are indigenous to South Carolina, but they're all called Palmetto trees.  
354

355 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Samples and Stevens  
356 voted in favor. Mr. Johnson voted against. **MOTION TO AMEND CARRIED.**  
357

358 Ms. Samples moved to amend Section 17-725 tree replacement, existing residents will only be  
359 required to replace trees if a landmark tree has been removed. Mr. Courtney second.  
360

361 All voted in favor. **MOTION TO AMEND CARRIED.**  
362

363 Ms. Samples moved to amend Ordinance 17-0839, to delete any reference to the tree mitigation;  
364 delete Section 17-730 in its entirety and replace it with 'Section 17-730 Penalties. Penalties for failure to  
365 comply with this article shall be determined by the current nursery market value, plus installation cost  
366 based on the average cost from three nurseries;' Section 17-740 delete the entire paragraph beginning  
367 'All fines collected' and replace the paragraph with 'All fines and penalties collected as a result of  
368 enforcement of this article shall be placed in the general fund;' and finally to direct staff to transfer the  
369 current balance in the tree mitigation fund to the general fund. Mr. Courtney second.  
370

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371 Ms. Samples said this is just a housekeeping item to ensure that any monies that are collected  
372 from fines are placed into a tree mitigation fund, which is part of the general fund, which is where it  
373 should've been all along as opposed to a separate fund.  
374

375 Mr. Johnson said I would just like to make the comment, I'm the kind of guy that sits up here  
376 and I don't like changes at the last-minute, and this is what is happening now. Although this is the first  
377 reading, this is the first I've heard all of these changes, and I don't know if it's a lack of respect for fellow  
378 councilmembers or what. It is first reading, and we can always bring back.  
379

380 Ms. Samples said I may respond to Mr. Johnson. Mr. Johnson please no disrespect intended. This  
381 is what we do. We get an ordinance. We review it, and we make motions to ordinances for those things  
382 that we would like to see changed. There's no other opportunity to do that, except for these types of  
383 meetings. Mr. Johnson said that is correct.  
384

385 All voted in favor. **MOTION TO AMEND CARRIED.**  
386

387 Mr. Courtney moved to amend Section 17-740 to delete the sentence 'Any person or entity who  
388 violates any provision of this article shall have committed a misdemeanor;' and add 'Any person or entity  
389 who violates a provision of this article shall receive an immediately stop work order on the project for a  
390 minimum of 30 days not to exceed 120 days.' Ms. Sample second.  
391

392 Mr. Courtney said I want to be honest with you, in all my years of law enforcement, I've enforced  
393 laws and ordinances. When you go to fill out a job application and are asked if you ever committed a  
394 crime, what they're talking about is a misdemeanor or felony. To have someone charged with a  
395 misdemeanor [for cutting a tree or limb,] to me is a little excessive. It's absurd. You're talking about  
396 someone that could come from out of state who owns a second home here that does not know the  
397 ordinances and by accident cuts a limb, and then they are charged with a misdemeanor. Are they going  
398 to be taken down to J. Ruben [Detention Center] and put an orange jumpsuit? Is their picture going to  
399 be put on the public page and be sitting inside the jail asking why I am here, because I cut a tree branch  
400 down. If it's a misdemeanor, it goes on your permanent record, and I don't think it's right, and just don't  
401 see how it could be. I've heard conversations that this has to be according to the state law. We are our  
402 own municipality. We're setting the ordinances. I don't see why it has to be any more than a stop work  
403 order. By doing the stop work order this whole ordinance was originally started because the contractors  
404 were clear cutting. It really didn't have much to do with the homeowners, and it was to stop the  
405 contractors from clear cutting by hitting them with a fine. [The contractor who developed my  
406 neighborhood] took down every tree around me to build homes they put 12 new homes. They had no  
407 problem paying a fine of \$200 a tree; they made \$1 million on those houses. To pay a \$6,000 fine was  
408 nothing to them. Giving a homeowner a stop work order for 30-120 days would really hurt them, because  
409 they've gotta stop the job, and those guys gotta move on. That's how you stop it. I cannot support giving  
410 someone a misdemeanor for this.  
411

412 Mr. Ott said I need to clarify that in the past amendment that all fines have been removed,  
413 except the fine for removing a landmark tree, which remains at \$10,000. The other ones were removed  
414 because the amendment stated we can cut any diameter tree without a \$500 fine, because we don't  
415 need a permit the removing of un-protected trees. Fine for removing a protected or specimen tree  
416 without a permit for 4 inch caliper tree is removed, because you don't need a permit. Fine for failure to  
417 obtain a permit is removed, because you do not need a permit. Am I correct with that?  
418

419 Ms. Samples said Mr. Ott, we have not made a motion to remove fines. Penalties should not be  
420 an issue for an existing homeowner, because we've just made it easier for an existing homeowner to go  
421 in and take care of business.  
422



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May 9, 2017

423 Mayor Childs said discussion should be on Mr. Courtney's amendment. Mr. Ott said he's  
424 amending 17-740 penalties. I need to understand this before you vote. Mr. Ott continued saying that said  
425 that we didn't remove fines, but we removed the object of obtaining a permit, for which most fines are  
426 incurred. Ms. Samples said as I understand Mr. Courtney's motion was to only change the misdemeanor  
427 infraction. His motion did not include any fines. Mr. Ott said he did bring up Section 17-740 penalties and  
428 these articles within that article have been removed so that needs to be included in Mr. Courtney's  
429 amendment. Ms. Samples said the previous motion as it related to the housekeeping item in the tree  
430 mitigation fund, Section 17-740 deleted the entire paragraph beginning 'all fines collected and replaced'  
431 and replace the paragraph with 'All fines and penalties collected as a result of enforcement of this article  
432 shall be placed in the general fund.' We were talking about where the money was going. Mr. Ott said the  
433 only the only monies that's going to be going into a mitigation fund is the only fine left \$10,000 for  
434 cutting a landmark tree, so you might as well throw that one out.  
435

436 Ms. Samples said there are fines that exist (\*\*) as stated in Section 17-730 penalties for failure  
437 to comply with this article shall be determined by the current nursery market value. Mr. Ott said he was  
438 talking about the amendment that allows a homeowner to cut down any tree on their property without a  
439 permit that effectively eliminated fines.  
440

441 All voted in favor. **MOTION TO AMEND CARRIED.**  
442

443 Mr. Stevens moved to amend Section 17-725 tree replacement for permitted tree removal,  
444 paragraph (c) new construction must meet a minimum diameter of 7 inches or 22 inches in  
445 circumference' to add 'or a minimum of three trees 2 inches in diameter 6 inches in circumference are  
446 greater on the property can count towards any required replacement.' Mr. Courtney second.  
447

448 Mr. Stevens said this is real simple. We are putting one standard on existing residents and then  
449 were putting another standard on new construction. So a contractor who comes to build in Surfside has  
450 to put in a 7 inch tree under retained trees and 22 inches in circumference, which runs a cost of \$4,000  
451 to \$7000, but existing residents can put three trees 2 inches in diameter. This gives the person the option  
452 to put a 7 inch tree or they can put it in three trees 2 inches in diameter, just like the existing residents.  
453 This is fair to the new owner who's building a house, but we're given an option.  
454

455 All voted in favor. **MOTION TO AMEND CARRIED.**  
456

457 Mr. Steven moved to amend Section 17-741 mitigation required for removal of trees without a  
458 permit to delete 'any tree removed without a permit must be replaced with twice the inches removed,  
459 and shall be replaced with species listed in Table 17-725.1 of the Town Code of Ordinance' and replace it  
460 with 'any tree removed without a permit must be replaced with equal the inches removed, and shall be  
461 replaced with equal the inches removed and shall be replaced with species listed in Table 17-725.1.' Mr.  
462 Johnson second.  
463

464 Mr. Stevens said it was very simple. After reading this ordinance, I thought if I was building a  
465 house and a tree was in the middle of my property right where my house sits, or my commercial property  
466 has a tree where the building sits, it would be a costly burden for owners to replace twice the inches cut.  
467 I realize there are people that come here that do not know our laws. (\*\*)  
468

469 Mr. Ott reiterated that permits were no longer required, so in his opinion the point was moot. Mr.  
470 Ott said the ordinance should include that you may not cut a landmark tree.  
471

472 Mr. Courtney asked if the amendment applied to a new home being built on a vacant lot. Mr.  
473 Stevens said it could be a new or existing home or a business. You will be fined if you cut a landmark  
474 tree without a permit, and currently you would have to replace it with 36 2 inch trees. That's a jungle.  
475 If you plant ten 7 inch trees, that would cost \$40,000 - \$70,000.

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527

Mayor Childs, and Councilmembers Courtney, Johnson, Samples and Stevens voted in favor.  
Mayor Pro Tempore Ott voted against. **MOTION TO AMEND CARRIED.**

Mr. Stevens moved to amend Section 17-724 guideline for remote pruning or removal of protected, specimen and landmark trees in the third column of the table, sentence number 2, to state ~~'the planning, building and zoning department and code enforcement officer will allow a tree to be cut when it is determined by a professional surveyor who is licensed to do business in the Town of Surfside Beach, or an engineer for the owner of a residential or commercial property when the following conditions are present: (1) That the protected tree or landmark tree cannot in any way escape the building footprint of a residential building or a commercial building by movement of the building in any direction; (2) That protected or landmark trees would prevent the land from being used either residentially or commercially by the owner, builder, or contractor; (3) A minimum of four replacement trees shall be planted with at least two trees being the same species of the protected or landmark tree removed; said trees shall meet the guidelines set forth in Section 17-725; (4) A release shall be given to the owner, builder, or contractor releasing them from any liability created by cutting of the protected or landmark tree. (5) Replacement trees shall be planted prior to final inspection and issuance of a certificate of occupancy.'~~ Amended by approved motion to state (*verbatim; Mr. Stevens' written correction is filed with the approved minutes*):

**G: IF IS ASCERTAINED AND DETERMINED BY A PROFESSIONAL SURVEY BY A LICENSE LAND SURVEYER [SIC] LICENCED TO DO BUSINESS IN THE TOWN OF SURFSIDE BEACH OR A [SIC] ENGINEER SO LICENSED; OF A RESIDENTIAL PROPERTY OR COMMERCIAL PROPERTY THAT THE FOLLOWING CONDITIONS ARE PRESENT AND THESE CONDITIONS ARE PRESENTED TO THE DIRECTOR OF THE BUILDING DEPARTMENT AS DOCUMENTED.**

**1. That a tree, ~~be it a Protected Tree of Landmark Tree,~~ cannot in anyway escape the building footprint of a Residential Building or a Commercial Building by Movement of the building in any direction, and that Protected or Landmark Tree, would prevent the land from being used either Residentially or Commercially by the owner, builder or contractor; then the following will take place.**

**A) The Director of Building and Code Enforcement Official ~~Shall Verify the Survey Data by the License Land Surveyor, Engineer or Landscape Architect as Factual.~~**

**B) The Owner, Builder or Contractor ~~Shall Not Be Required to appear before the Board of Zoning Appeals~~ and the Director of the Building Department and Code Official ~~shall issue a release excusing the Owner, Builder and or Contractor from the BOZA Hearing.~~**

**C) The Owner, Builder or Contractor ~~Shall plant at a minimum 4 trees,~~ with at least two shall be the same Species as the Landmark Tree that was removed. The Trees that are planted as replacements shall meet the guidelines set forth in SECTION 17-725. Tree replacement For Permitted Tree Removal of Ordinance 17-0389, and shall be planted prior to Final Inspection and Certificate of Occupancy are issued.**

Mr. Ott second, and said that everyone needs to understand that this tree is in the building envelope and cannot be saved.

Mr. Stevens said an owner, builder or contractor should not have to go to the board of zoning appeals and waste time when a tree is stopping construction. But planning building and zoning director and the code enforcement officer have to agree that the tree cannot be saved. Why waste a man's time going to board of zoning appeals when he could just go ahead build his house. It doesn't make sense to

528 require somebody to waste their time when it could take up to three months; time is money in the  
529 building industry.

530  
531 Ms. Samples said I support that. The only thing that I would like to address is you mentioned the  
532 PB&Z director 'and' the code official; should it not be 'and/or'? Mr. Stevens believed two people should  
533 verify the facts. Ms. Samples said sometimes that was difficult, but I have no problem sending it to  
534 second reading.

535  
536 Mr. Ott said it was a person's property and they should not be made to move their house on a  
537 weird angle to save the tree, if it is not to their liking. It's their property; their home being built, they  
538 would want to save the tree, then they could do it, but it should not be mandatory to move it and have  
539 the house sit all the way over the other side of the setback.

540  
541 Mr. Stevens said I understand Mr. Ott's comment. I had a big oak tree in front of my house and I  
542 did everything possible to save that a tree, because that gave character to my lot. Most people will do  
543 everything they can to save the big oak tree, and anybody that has a nice house or is building a nice  
544 house wants a beautiful tree beside their house, and you do everything you can to save it. But if they can  
545 get out of footprint, why waste your time.

546  
547 Mr. Courtney said I have to agree with that because there have been many times that we heard  
548 on the board of zoning appeals when houses had to be moved to accommodate trees and the  
549 homeowner had no choice but to lose their backyard to meet a setback, or even to move it forward to  
550 the street line.

551  
552 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Samples and Stevens  
553 voted in favor. Councilmember Johnson voted against. **MOTION TO AMEND CARRIED.**

554  
555 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Samples and Stevens  
556 voted in favor of adopting the primary motion as amended. Councilmember Johnson voted against.  
557 **MOTION CARRIED AS AMENDED.**

558  
559 **C. First Reading of Ordinance #17-0840 to add §17-222, Paragraph 5, Board of**  
560 **Zoning Appeals to Hear and Decide appeals to remove a Landmark Tree, Director Morris.**

561  
562 Mr. Ott moved to adopt first reading of Ordinance #17-0840 to add paragraph 5 to Section 17-  
563 222 that the board of zoning appeals has the permission to hear and decide appeals on the removal of  
564 landmark trees. Mr. Courtney and Ms. Samples second.

565  
566 Mr. Stevens said I move to amend Section G, when a landmark tree cannot be out of the  
567 footprint of a building, the same criteria apply, i.e. [~~the planning, building and zoning department and~~  
568 ~~code enforcement officer will allow a tree to be cut when it is determined by a professional surveyor who~~  
569 ~~is licensed to do business in the Town of Surfside Beach, or an engineer for the owner of a residential or~~  
570 ~~commercial property when the following conditions are present: (1) That the protected tree or landmark~~  
571 ~~tree cannot in any way escape the building footprint of a residential building or a commercial building by~~  
572 ~~movement of the building in any direction; (2) That protected or landmark trees would prevent the land~~  
573 ~~from being used either residentially or commercially by the owner, builder, or contractor; (3) A minimum~~  
574 ~~of four replacement trees shall be planted with at least two trees being the same species of the protected~~  
575 ~~or landmark tree removed; said trees shall meet the guidelines set forth in Section 17-725; (4) A release~~  
576 ~~shall be given to the owner, builder, or contractor releasing them from any liability created by cutting of~~  
577 ~~the protected or landmark tree. (5) Replacement trees shall be planted prior to final inspection and~~  
578 ~~issuance of a certificate of occupancy.~~ Amended by approved motion to state (*verbatim; Mr. Stevens'*  
579 *written correction is filed with the approved minutes*):

580

581 G: IF IS ASCERTAINED AND DETERMINED BY A PROFESSIONAL SURVEY BY A LICENSE LAND SURVEYER  
582 [SIC] LICENCED TO DO BUSINESS IN THE TOWN OF SURFSIDE BEACH OR A [SIC] ENGINEER SO  
583 LICENSED; OF A RESIDENTIAL PROPERTY OR COMMERCIAL PROPERTY THAT THE FOLLOWING  
584 CONDITIONS ARE PRESENT AND THESE CONDITIONS ARE PRESENTED TO THE DIRECTOR OF THE  
585 BUILDING DEPARTMENT AS DOCUMENTED.

586  
587 1. That a tree, **be it a Protected Tree of Landmark Tree, cannot in anyway escape the building**  
588 **footprint of a Residential Building or a Commercial Building by Movement of the building in**  
589 **any direction, and that Protected or Landmark Tree, would prevent the land from being used**  
590 **either Residentially or Commercially by the owner, builder or contractor; then the following**  
591 **will take place.**

592  
593 **A) The Director of Building and Code Enforcement Official Shall Verify the Survey Data by the**  
594 **License Land Surveyor, Engineer or Landscape Architect as Factual.**

595  
596 **B) The Owner, Builder or Contractor Shall Not Be Required to appear before the Board of Zoning**  
597 **Appeals and the Director of the Building Department and Code Official shall issue a release excusing**  
598 **the Owner, Builder and or Contractor from the BOZA Hearing.**

599  
600 **C) The Owner, Builder or Contractor Shall plant at a minimum 4 trees, with at least two shall be the**  
601 **same Species as the Landmark Tree that was removed. The Trees that are planted as replacements shall**  
602 **meet the guidelines set forth in SECTION 17-725. Tree replacement For Permitted Tree Removal of**  
603 **Ordinance 17-0389, and shall be planted prior to Final Inspection and Certificate of Occupancy are**  
604 **issued.**

605  
606 Ms. Samples second.

607  
608 Mr. Ott asked Ms. Morris if the tree was out of the building envelope, but still within where a  
609 swimming pool could be put. Ms. Morris said a swimming pool could be five feet from any setback. Mr.  
610 Ott said if the tree was located in the area for a swimming pool, the owner would need to appeal to the  
611 board of zoning appeals. Ms. Morris said that is correct, unless it is amended to say that. Right now, the  
612 code requires a permit to be issued before any tree removal.

613  
614 Mr. Stevens said for clarification, the amendment only applies to buildings; it does not apply to  
615 swimming pools, driveways, or anything else.

616  
617 Mr. Ott said he was clarifying that there were reasons to appeal to the board of zoning appeals.

618  
619 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Samples and Stevens  
620 voted in favor. Councilmember Johnson voted no. **MOTION TO AMEND CARRIED.**

621  
622 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Samples and Stevens  
623 voted in favor. Councilmember Johnson voted no. **PRIMARY MOTION CARRIED AS AMENDED.**

624  
625 **D. First Reading Ordinance #17-0841 to amend Chapter 13 Fees as relates to**  
626 **Ordinance #17-0840, Director Morris.**

627  
628 Mr. Ott moved to adopt first reading of Ordinance #170841 to amend Chapter 13 fees as relates  
629 to Ordinance #17-0840. Ms. Samples second.

630  
631 Ms. Morris said the planning commission recommended waving the fees for existing residents for  
632 the removal of trees, once approved by the enforcement official. The commission also recommended  
633 waving fees for those having to request an appeal for trees from the board of zoning appeals, and during

634 the review of the ordinance, Chapter 13 ordinance for fees was found to contain errors and omissions  
635 that need to be corrected, and request that those also be approved. The business committee also  
636 recommended the removal of fees for tents and temporary signs, and Mr. Pellegrino is the liaison for that  
637 committee, and he asked that I add that to this ordinance as well.  
638

639 Mr. Ott said as I read this it says it does not just pick out any particular trees; it says all trees.  
640 I'm not so sure that we didn't know how this will apply anymore, since the amendments were put in, but  
641 you're removing all fees. It cost what, between \$40 and \$50 for each hearing, because it's mandatory to  
642 advertise in all local newspapers. If there could be multiple hearings, now that would end up costing the  
643 town quite a few dollars on each hearing, if you could have the five or six hearings a month, and over a  
644 period of the year, you be in the thousands on that. I want council to understand that that could happen,  
645 and there were other things in there. Fees associated with tents and temporary signs, too. You're not  
646 bringing the tents to the board of zoning appeals? Ms. Morris said no. Mr. Ott said but they're all wrapped  
647 into this one ordinance. Ms. Morris said while we were making the recommended changes to the trees,  
648 we found that there were some errors in Chapter 13, so we just made them all at one time, so we  
649 wouldn't have to come back. Mr. Ott said I understand the dropping of the fees, and I just didn't know if  
650 the citizens of this town want to handle the cost for every hearing, because somebody wants to have a  
651 request to appeal a tree, but I believe that if I recognize the amendments that have been made tonight, I  
652 don't think there will be any hearings. Ms. Morris said right, and we'll make those amendments on this, as  
653 well.  
654

655 Mr. Stevens asked for clarification on the use of tents, and open display temporary signs, that's  
656 only for the business district. Ms. Morris said that's correct; the tents, portable banners and things like  
657 that have nothing to do with the board of zoning appeals. The amendment is to waive the \$30 permit fee  
658 for a business to have a temporary tent or banner.  
659

660 All voted in favor. **MOTION CARRIED.**

661 **E. RFP Award – Pier Design, Administrator Fellner.**  
662

663 Ms. Fellner presented the decision paper and explained the purpose is to award the RFP (request  
664 for proposals) for design and engineering services and construction support services for the pier. This  
665 company would be our structural engineer. The recommendation is to award to Collins Engineers, Inc.  
666 They were not the lowest bidder, but they were very close to the lowest bidder. The rationale for the  
667 decision is Collins team has had much requisite experience in the evaluation design of overwater  
668 structures, and in water structures. Collins team has outstanding referrals for quality and responsiveness  
669 from Charleston County and the South Carolina Ports Authority. Collins team has had key staff working  
670 together on large projects for many successive years. They have a very deep bench and Collins team of  
671 key personnel required for the project utilizes fewer subcontractors than their competition. I might say  
672 that I asked our team of FEMA specialists to look at the four bids received, and to point out anything that  
673 Mr. Adair or I might not consider, since they have engineers on staff to do that.  
674

675  
676 Ms. Samples said I support staff's recommendation. Mr. Johnson agreed. Mr. Courtney said I do,  
677 as well.  
678

679 Mr. Stevens asked where Collins Engineer was located. Ms. Fellner said Charleston. Mr. Stevens  
680 asked if they ever built piers before. Ms. Fellner said yes, they have done many pier projects before. Mr.  
681 Stevens asked for locations where Collins built piers. Ms. Fellner said Boston, and Charleston are the only  
682 place I remember, but I will be happy to go back through the RFP and send the information to you. Mr.  
683 Stevens said he would like to know, because I have to go to Charleston and I would like to go and look at  
684 the pier.  
685

686 Mr. Courtney asked if there is a timeframe for completion. Ms. Fellner said no, and what's going  
687 to happen very quickly in the next two months is when you bring on your structural engineer that starts  
688 all the processes working. Like I said, I think within the next two months is a reasonable timeframe when  
689 they will start talking to council, and we will have two public workshops at least to show people financial  
690 options, possibly rough renderings, and also to give council and the public time to ask any questions so  
691 that council can make an informed decision on this, and determine how they want to proceed.

692  
693 Mr. Stevens asked if materials were chosen to rebuild the pier. Ms. Fellner said no, we would be  
694 guided by our structural engineer.

695  
696 Ms. Samples moved to award the RFP to Collins Engineering, Inc. Mr. Ott second. All voted in  
697 favor. **MOTION CARRIED.**

698  
699 **F. Motions and/or directions to Town Administrator from Executive Session.**

700  
701 Mr. Johnson moved to direct the town administrator to enter into land purchase negotiations as  
702 directed by council. Mr. Ott second.

703  
704 Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, and Stevens  
705 voted in favor. Councilmember Samples voted against. **MOTION CARRIED.**

706  
707 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.

708  
709 Mr. Stevens said I have an announcement, Coffee with a Cop will be held at the Far Rockaway  
710 restaurant on 8<sup>th</sup> Avenue South on or around the first or second week of June. I just wanted to let the  
711 citizens know that if they want to attend Coffee with a Cop, the coffee will be free.  
712 Some other refreshments might be available, too. Far Rockaway also offers a breakfast menu.

713  
714 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)

715  
716 Ms. Sandra Elliott, 5<sup>th</sup> Avenue North: I'm going to hit on a few subjects. I haven't been here too  
717 much in the last nine months because I've been studying the Bible at my church. But for the last two  
718 meetings that I have seen, I really don't see transparency here. I mean, we had a contract the last  
719 meeting concerning our engineer, and finally by Mr. Stevens, I'm sorry to call his name out, we got a  
720 price. All right, we were tonight talking about Collins Engineering that were going to award. I hope you  
721 knew a price, but I think as a taxpayer we the audience would like to know. You talked about the IT  
722 contract the last time. We don't how much the price was and it's for five years. I think you talk around  
723 the subjects, and I find it very offensive as a town representative and as a retired municipal, county and  
724 state employee. Where I came from we at least give the whole report to the people. You're like leaving  
725 us out of the conversation, but you want us to pay our taxes so that you can do these things. There's  
726 another thing, I realize you're the council, you can do what you want with the tree ordinance, but my  
727 question is as a homeowner are our people and our residents going to make sure that the contractors  
728 coming in to do the trees are licensed in Surfside, that they're bonded and insured, so that we as a  
729 municipality, we do generate income from that, and if we're not gonna have income generated from that  
730 type of contractor, are we going to make all the other contractors have a license in our town to support  
731 us, because you're looking at large sum. I don't think from tree contractors. I don't know what exactly  
732 what the tree contractor's license bring, but I do know license locally brings in \$700,000 and I do know  
733 that permits bringing around \$250,000. I'm not saying that's from trees. I'm just saying that's what it is.

734  
735 Mayor Childs speaking to Ms. Sherry Wardle: Ma'am, would you please have a seat. The last two  
736 meetings I've asked you to stop talking about personnel matters. You continue to do it. I had to have a  
737 police officer stand behind you at the meeting before last, and I'm sorry I will not recognize you tonight.

738

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739 Mr. Ott called *point of order*. I don't think you can stop anybody according to the Bill of Rights.  
740 Mayor Childs said I can stop it. I'm the moderator. Mr. Ott said you can't punish a person forever. Mayor  
741 Childs said I'll [recognize you], but if you mention personnel names, I'm gonna have to have you sit  
742 down. I'm the moderator, Mr. Ott, and I can recognize who I want.  
743

744 That is also interesting because at the last meeting I got up after Ms. Holly Watson who  
745 specifically talked about a personnel issue when she mentioned public works director John Adair in  
746 signing these multimillion dollar contracts and that she felt that that was, that he didn't have the  
747 credentials to do so. I don't know if you were all asleep during that, but not one of you stopped her. Not  
748 one of you said anything, and I get up and I start to speak Councilwoman Samples has to stopped me  
749 maybe three or four times. So you know what, not only is this censorship, but it is discriminatory. (\*\*)  
750 Ms. Herrmann asked the speaker to please identify herself for the record.  
751

752 My name is Sherry Wardle, and I'm on 1st Avenue North: Now you can tell me that I can't speak.  
753 But that's okay, because I will find a forum that will listen to me that censorship is alive and well in  
754 Surfside Beach. Now, which do you prefer? Mayor Childs, ma'am, I just don't want you to use names.  
755 You can continue use names. Ms. Wardle: Why can't I Use names? We all have names. I had to give my  
756 name. I just had to give my name. Mayor Childs: We just want to know who is speaking. Ms. Wardle: I  
757 think everybody has a name. At the last meeting before I was interrupted I was about to discuss the  
758 issue we were made aware of regarding a junior firefighter who performed CPR on a man who later died.  
759 When asked if this was true, that she indeed knew about the incident, and kept it secret from...  
760

761 Ms. Samples called *point of order*, asked Mayor Childs to please instruct the officer. Mayor Childs  
762 said ma'am. Ms. Wardle: Apparently want to hear what I have to say. Ms. Samples: You're still talking  
763 about a personnel item. Mr. Ott said well, she's making reference to something that was spoken about in  
764 open forum. Ms. Wardle: I'm making reference to an incident that was posted in the newspaper. Mr.  
765 Courtney said I would allow her to speak (\*\*). Ms. Wardle: Am I able to get my time clock started  
766 because I've been interrupted a couple times here. The incident was kept secret from the town and the  
767 administrator did hesitate and eventually answered yes. She stated that she wanted to explain privately  
768 to council her reasons. We still don't have a legitimate reason as to why the town wasn't informed that  
769 town policies were violated in this incident and that the junior firefighter shouldn't have been allowed to  
770 perform the emergency procedure on the patient and wasn't even supposed to be within 25 feet of the  
771 patient on a medical call. According to the article, former mayor Samples knew about it and former fire  
772 chief Anthony Fox was relieved of his position because of it. I'm still rather confused as to why the fire  
773 chief was terminated when the article stated he wasn't even present. Once again more unanswered  
774 questions. I think it was obvious by the way people reacted at the meeting when this article was revealed  
775 that this incident was kept secret for two years. You had to know that we were outraged. Was this is the  
776 first time this happened or was it just the first time that someone died? Just because the junior firefighter  
777 was CPR certified it doesn't mean that she performed it correctly. In the absence of trained medical  
778 professionals, I would want someone to do whatever possible to save the life of my loved ones, but if I  
779 call the professionals you best believe I would expect that they would administer the life-saving  
780 procedures. Now what if your teenage daughter, what if it was your teenage daughter who was put on  
781 the spot in that emergency? Our town had an obligation to protect her. Not to put her at risk, or allow  
782 her to use an individual in a life-and-death situation as a guinea pig. I'm guessing that we should have  
783 had some sort of policies in place regarding the junior firefighter program and I'm asking council now to  
784 investigate the issue and share with us information on what policies were in place, which were violated to  
785 violated them; what were the consequences to the staff involved; what were the consequences to the  
786 town, and what measures are being taken to prevent harm to the citizens of this town and the youth who  
787 participate in this program. The taxpayers in this town pay the salaries of this administration. I believe we  
788 have a right to know what's going on and a right to our opinions. And speaking of opinions, thank you  
789 Councilman Stevens for your article regarding the Aldi grocery store chain. It's too bad that our town is  
790 more concerned with securing five-year contracts for engineering and IT services than it is for economic  
791 development. It seems to me that those services are for the administrator's benefit and not for this town.

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792 Quite frankly, I'm a little confused at what I heard tonight that we don't, or that the administrator did not  
793 issue a contract for the engineering firm or was it the IT firm that council voted on accepting, So I'd be  
794 little perturbed about that. Furthermore, I'm still alarmed by the number of weeks now months that have  
795 passed since the conscientious citizen who came up here brought up the matter of the check 72167 for  
796 \$9,999 to Clemson University Foundation written 12/9/16 [sic]. Perhaps this is why you don't want me to  
797 speak. There's still no proof that it's legitimate. Isn't council the least bit curious why the administrator  
798 wrote a check to a charitable organization, and she wrote it just under the amount needing council  
799 approval? (*Time ended*) Mayor Childs said continue, we owe you a minute. Ms. Wardle: Thank you. Well,  
800 I'd like answers to that question, and I'd like written proof of what we received for it. And lastly, I'd like  
801 to recall Councilman Stevens' concerns regarding the police chief focus group where he asked why no  
802 members of council were asked to serve on the group. Administrator Fellner responded with something  
803 about some sort of ordinance. I've been searching the website, and I haven't found anything or any  
804 ordinance which addresses the focus group for a contracted executive position in this town. Frankly, I  
805 don't see the need for focus group. I don't know how much it's going to cost. Again we're talking  
806 transparency. How much this gonna cost the town? And you know, I don't see the need for it, because in  
807 a council form of government, such as we have here in Surfside, the administrator may make a  
808 recommendation but council has the final say through voting process. So this practically eliminates the  
809 need for a focus group. Well, thank you all for listening, and I hope my concerns are gonna be addressed  
810 at the next meeting.

811  
812 Ms. Holly Roesing, 11<sup>th</sup> Avenue South: Good evening, council. I'll be on the agenda in two weeks  
813 for a Lyme Disease awareness event that we're gonna be doing September 30<sup>th</sup>, so I'll be seeing you for  
814 that with some more information. What I wanted to talk about was the recent spring break. We just had  
815 a lot of our Surfside residents have been complaining about holes being left on the beach, so it's more of  
816 a responsibility to our eco-culture of our sea life, so several of us wanted to know if we could have  
817 education put in place for the upcoming tourist season, possibly in the form of the rentals; the people  
818 who have the rentals, if they leave like a brochure for their rental tourists that come in that maybe they  
819 can put some education in there, and have Surfside sponsor some kind of a campaign that talks about  
820 the holes being left on beach, which is not only for the safety of the residents walking at night and some  
821 of these wholes are rather large. I took some pictures of them and posted them on the Surfside page.  
822 But of course [the holes] trap the sea turtles coming in, and if they get trapped in the holes then they  
823 can't get back out. So if there is a way that the council can propose or do some type of a campaign for  
824 that and then the other option was maybe underneath the lost child signs, which may be the people who  
825 are digging these holes are kids and families, maybe underneath the sign, because they're gonna be  
826 looking for that lost sign, maybe there can be some type of the little sign added about filling in your holes  
827 before you leave at the end of your beach day. And that's just something for protecting our environment.  
828 Thank you.

829  
830 Mr. Tom Dodge, 15<sup>th</sup> Avenue North: Could we the citizens be told if there are any current,  
831 pending, or possible lawsuits against the town. It's been about six months since I asked that question  
832 before, so I'm asking it again, and are the Cahill and Sifonios lawsuits still pending? If not, what was the  
833 outcome? If so, where does it stand? It's called transparency. Will the town receive restitution pertaining  
834 to the town employee who embezzled my money and the money of the people sitting behind me. What is  
835 the status of that case? Can you tell the town anything? It's called transparency, and finally thank you  
836 council for getting rid of DDC.

837  
838 Mr. Ken Podraza, 10<sup>th</sup> Avenue North: I'd like to thank Town Councilmembers tonight for  
839 modifying the tree ordinance. I think it's gonna allow homeowners to better maintain their property and  
840 actually improve the look of the property and the value of the property. Thank you.

841  
842 Ms. Kathy Goddard, 15<sup>th</sup> Avenue South: I haven't been here for a while because my husband  
843 and I were both ill. We're feeling a little better. But in the last two weeks, we've had a problem on our  
844 street. We have a lawn service, Pritchett, Travis Pritchett. A good Christian boy. Mr. Mayor is well



845 acquainted with him, and a few others in town. But he's got a big rig. and he does five of my neighbors',  
846 elderly neighbors, yards. He comes in. He's there 15 minutes and he's gone. Friday before last, I watched  
847 him. I was at the window. He pulled up and there was a patrolman right behind him. He pulled against  
848 the berm, and he wasn't even out of the truck and I saw the officer not get out the car by he said, 'hey  
849 you've gotta move that thing off the road.' Well, with a big rig and a big truck and nowhere in our  
850 neighborhood to move the vehicle, we need to make a little ordinance change on parking on the road for  
851 some of these vehicles, because when there's no place to put the vehicle what is he supposed to do. He  
852 can't fly it. He can't elevate it. He can't move it, and he can't drive it around the block when his workers  
853 are trying to cut five lawns. He can't keep moving it. It's got to be parked to get the equipment on and  
854 off. He doesn't block the road. But I spent the morning with Ms. Fellner yesterday, and I was showing  
855 her some pictures [taken] up the road. Not a word said to them; the whole road was blocked, non-  
856 passable. I haven't seen a policeman on the south end forever. But on my house they're there; targeted.  
857 Purely targeted. Last week again, Bill and I went out. There they are again as soon as the boy pulled up  
858 they were there right behind him again to tell him again, you're gonna get a ticket this time. Now I'm not  
859 going to put up with it. I'm not going to be bullied, and somebody with the spine better come up to what  
860 they're pulling. If you want me, you come for me. I'll gladly meet you, but I am not gonna be bullied by  
861 somebody that still has a hard case of something, because of a political sign or a vote, or whatever. I'm  
862 at the point with an attorney that I will end this. I don't need anybody looking in my background. I don't  
863 need anybody from this town doing anything. If you want to know something you come get me. I'll  
864 gladly lay it out, but somebody's gonna be in big trouble if they keep it up, and that's a promise not a  
865 threat; a pure promise. That's all I have to say, but I think this town better get a little ordinance change  
866 because a man cannot pull up and stay off the road. If he goes off the road, he's going in the ditch with  
867 a big rig. He wasn't blocking traffic. He wasn't doing anything; just trying to make an honest living, he  
868 pays his business license to this town; that does a good living in this town; that tries to do things  
869 legitimately, where my neighbors have fly-by-night's come in here and leave their garbage on the side  
870 the road for the town to pick up. That is illegal. This boy takes every stick away with him. He does it  
871 right, and he's the one somebody's chasing. Wrong; it's just wrong, and I'm not gonna stand for it. So I  
872 would ask you to at least put a little twitch and that little amendment and try to fix it for some of these  
873 people that that have these rigs. Thank you.

874  
875 Ms. Carrie Johnson, Harbor Lights Drive: Well, I don't know if anybody else is confused as I am  
876 about this tree ordinance, but I don't know which end is up and what's back and what's front. So, I'll be  
877 interested to find out once I look at all the changes after it's kind of been torn apart. Glad to know we  
878 have an arborist now on council that can tell us what trees need to be planted and where they don't, and  
879 which ones are going to damage foundations, and which ones aren't. It's good to know that. As far as  
880 the Palmetto tree goes, you're talking out of both sides of your mouth, which is not unusual for some on  
881 council, as well. The reason that we took it out was because is not a protected tree. So now you're  
882 replacing a protected tree with an un-protected tree, and so that's contradictory. I'm not sure that a  
883 couple things you did are even legal. They may be, I don't know, but I would question it. By overruling  
884 the state with the misdemeanor, and also giving the planning and zoning department the authority to  
885 grant variances; it may be legal, I'm not sure. But I hope the whole thing doesn't come back to bite you  
886 like to overlay did. We sent the overlay to you. You tore it apart. Relaxed it all. Consequently, the  
887 businesses went elsewhere. They didn't come to Surfside because they liked the strict overlay. So they  
888 went to the county. So now you're sending it back to us [the planning commission] to make it strict  
889 again. So, I hope the same thing doesn't happen with the tree ordinance. Thank you.

890  
891 **10. TOWN COUNCIL COMMENTS.**

892  
893 Mr. Ott said I believe the question was about the structural engineer; you can't start anything  
894 without having a structural engineer on the job. We have no idea yet how much money were going to be  
895 receiving, so we can actually do a pure design. The questions about the focus group, I don't believe the  
896 focus group is needed. I did the state that before. I don't know how we brought in the ex-police chief  
897 who quit and left. Now were going to bring him in here to pick his replacement. I don't agree with that at

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898 all. The people need to have a good police chief brought in here. That is essential, and I believe that the  
899 guy that sitting in there now and is our interim is a pretty good police chief. Lawsuits. I would love to  
900 know, too, what lawsuits are active, what has been brought back, or has never been closed, or whatever.  
901 I'm sure our administrator will give is that information. As for somebody being targeted in our town, I  
902 really hope that hasn't happening at all. I can't see that we are; I would like the change this town to the  
903 'Friendly Family Beach' and just not the 'Family Beach.' The overlay, yes, we did. There's a couple of  
904 people here that weren't on the council, and we agreed with the original overlay, and there needs to be  
905 much more besides it an overlay brought here to bring businesses here and have people that want to  
906 invest money. As for the bloodletting on the tree ordinance, some things had to be done. We'll see it  
907 before the second reading, and we're going to be able to read this now, and see what it looks like when  
908 it's in print. Thank everybody for coming out and we will always allow people to speak at that microphone  
909 as long as on here. Thank you very much.

910  
911 Mr. Courtney said I'd like to thank everybody for coming out. As far as the tree ordinance goes,  
912 when I was campaigning everybody that was out there was talking to me about making changes. They  
913 wanted a little bit more freedom with cutting the trees, and letting them prune their trees, and take care  
914 their property. I don't think there's anyone in this town that really want to cut down a tree. As I said  
915 earlier, this the ordinance came to play in regards to the contractors that were doing clearcutting.  
916 Evidently, it didn't work. Why, it came back on the residents. The residents were the ones that were  
917 being fined. I sat on the board of zoning appeals. I saw people getting heavy fines, and they didn't know  
918 what they were doing. Again, it was poor education from our part, so it is the first reading of the  
919 ordinance. It was a big task thrown at everyone on this council. It was not easy. Again, we'll go through  
920 it. We might make some changes on second reading, we're not sure. We'll see. It was a very hard  
921 decision to go through. As far as holes in the beach, yes, I see them out there. I think it's a good  
922 suggestion that we post signs that covering these holes is necessary. There are a lot of them and some  
923 of them are pretty deep. And someone could actually break a leg in them. I actually fell into one a couple  
924 of days ago. I covered it up, so it is something that has to be addressed. As far as the parking vehicles  
925 on some of our roadways, there are ditches where a landscaping truck cannot pull over. Again, this  
926 cannot be a selective enforcement. This has to stop. On Surfside Drive I've seen beer trucks parked 30 to  
927 45 minutes unloading and they take up all the parking spots. They've gotta make the deliveries. We have  
928 people who have licenses to do business in this town. They should be able to do. Again, this goes back to  
929 what I told you earlier, I called a contractor and he asked where I live. When I said Surfside Beach, they  
930 said 'don't want to come there.' That's because we make it hard for these contractors to come out here.  
931 If it's obstructing the roadway where cars can't get around that's a different issue, or if it's blinding the  
932 site, but I do believe that most these the contractors pull over on the right-of-way, and some of these  
933 roads have ditches, which makes it more difficult to park. The overlay, yes, I'm the one who's pushing  
934 Ms. Morris to it. I started this 12 months ago, and I saw Garden City taking off, and I brought it to  
935 council. Council agreed, and everyone on here took part in it. We need to do something with our  
936 overlay, because we're losing businesses. Go down to Garden City; take a ride right now, you'll see the  
937 lights, you see the businesses. They're doing well. You'll see the businesses going up. On the south end  
938 of town you're seeing abandoned buildings, and you see people leaving, and it's not a good sign. We  
939 need businesses to stay strong. We need to look good. We get tourists in here, and we've gotta make it  
940 tourist friendly. But we've also gotta make it safe. That's pretty much all I have to say. Again, I thank you  
941 very much for coming out. Have a good night.

942  
943 Mr. Johnson said as far as the parking on the roads that is not the first complaint that I've heard.  
944 I think all of council received an email [message] this week concerning the temporary parking situation. I  
945 think it was on Ocean Boulevard where one person's to left tires were on the pavement and they ran into  
946 the house, and got a ticket. That's our police department, and I give them all the benefit of the doubt, I  
947 just don't know what the situation is there. I would like to thank the planning and zoning commission for  
948 bringing this ordinance to us. I just hope and pray that it doesn't get blown up like it could be after  
949 tonight. There are a lot of people in town that would like to cut trees that have lived here for many,  
950 many, many, many years. They like to cut trees and they'll burn the trees in their fire pit in the back

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951 yard. It's just a way of life. That's the way it is. So, to say that there aren't people that want trees that's  
952 not actually correct. I could say a lot of other things. We are not a township. We are a town. It's a  
953 southern thing. I'm sorry, but we're a town. Obviously, some people running for reelection already. I just  
954 want to say that I am not running for reelection in the next cycle. God bless you, thank you all for coming  
955 out and see you next time.

956  
957 Ms. Samples said Ms. Wardle, I really appreciate when you come to town council and I do like  
958 when you get up and speak. I want to encourage you to do that. This is a business meeting, however,  
959 and the last few times, this is to the mayor's point, you did want to discuss personnel matters and we  
960 just can't allow that to happen for a lot of reasons, whether it be they're in the courts or we're trying to  
961 protect the privacy of people involved. So I do want you to speak, but when it comes to personnel  
962 matters, you can criticize us all you want, I'm ready. We can handle it. But those people are not here to  
963 speak for themselves or protect themselves, and that's our job to do that. So I will shout loud when  
964 people are talking about personnel matters. Ms. [Morris], business license are still required if you're  
965 gonna come in and cut a tree. You still required to get a business license, so any changes we made in the  
966 tree ordinance are not going to have an impact on whether somebody needs a business license to come  
967 into town to do business. The tree ordinance, to Mr. Courtney's point, yes, when we were out we did  
968 hear a lot of complaints about the fact that the tree ordinance was overregulated, and certainly too  
969 complicated, and we felt that we could simplify it. Back in September, we talked about it at a council  
970 meeting about the fact that we needed to simplify the tree ordinance, and that not that there were  
971 people who didn't want to cut trees down, because we know people want to cut trees down, but the  
972 majority of the homeowners don't want to lose their trees. They just want to maintain their property, and  
973 improve upon its value. And so we asked planning and zoning to take a look at it. They did. They made a  
974 great impact on it. They worked hard. They did their job. So did staff. We are appreciative of all that  
975 effort and what you gave us I thought was a good document. It just wasn't simplified enough. I felt, and  
976 I know others felt that it was still just too regulated. So we forged ahead and took what the planning  
977 commission gave us, and then it was our job to make the changes that we felt would improve upon it.  
978 You may not agree. I want existing residents, and that's what my motion said, existing residents. I want  
979 you to be able to go out and trim and prune as you see fit. If there is a tree that is bothering you for  
980 whatever reason it's bothering you, and you want to bear the expense of removing it, I want you to be  
981 able to remove it without somebody telling you can or cannot. Then I don't want it to be dictated to you  
982 how you have to replace it. So I think we have made great effort tonight. I'm very pleased with the  
983 support of council in doing with the constituency wants. I can assure you I do not have a tree I want to  
984 trim, or a tree I want to remove. This isn't about what I want. It was about what the constituency wants;  
985 what the citizens have asked us to do. I think we've made steps forward in doing that. I appreciate the  
986 hard work of council in reviewing this most complicated ordinance. Thank you very much. It's our job to  
987 do it, and I think we are doing so. Thank you all for coming out. Hope you have a lovely evening.

988  
989 Mr. Stevens said thank everybody for coming out tonight. What it gets down to basically is using  
990 common sense. You make your decisions using plain old common sense. It was evident that Mr. Courtney  
991 showed that the palm trees were a valid thing to have. I think Ms. Samples made the motion for the palm  
992 trees. I'm not sure which one you did, but it was a good thing. Penalizing people as a misdemeanor. Can  
993 you imagine a preacher getting a misdemeanor, and having to go to another town and being told oh,  
994 you've got a misdemeanor, you can't preach here. We've tried to solve that. Some of the things we did  
995 tonight made common sense. If the tree is in your footprint, and you can't get it out, why should you  
996 waste your time? Ms. Wardle, I believe in freedom of speech. I believe that is the most important right  
997 that you have in the world. It's one of the Constitutional Amendments. So I support you. By the way, you  
998 can talk about me all you want to. I don't have any problem. Mr. Dodge said lawsuits against the town, I  
999 think we need to find out who is suing us, and how many lawsuits are out there. I really don't know what  
1000 is happened with the Sifonios and Cahills and all that that. I don't recall, but I would like to know an  
1001 update. Also the lady who embezzled, there's still a lot of things I think SLED (South Carolina Law  
1002 Enforcement Division) is still working on it. I'd still like to know what the final [outcome.] Thank you for, I  
1003 think one of the fellows said good work on the trees. Ms. Goddard, I agree with you a hundred percent. A

1004 man's trying to make a living. As long as he's parking in the flow of traffic, he should be able to stop at  
1005 your house and get his work done. If he's blocking both lane of traffic, I've got a problem. But if it's only  
1006 blocking one lane of traffic, and he's halfway on the right away and halfway up, he should be able to do  
1007 his job; get the job, and not worry about it. It's just plain simple common sense. Why send somebody  
1008 out to fine the guy? These are things that we have to do as council. We have to make decisions and as  
1009 long as we use common sense, we won't have any problem. I thank you all for coming out. I thank Ms.  
1010 Morris for her hard work on the tree ordinance. I look forward to your overlay that you're going to bring  
1011 to us. I know that Mr. Courtney's been talking my ears off about the overlay, and we need to possibly  
1012 look to see how we can bring businesses into town. I'd like to see some business coming down and like I  
1013 said before, name a business, a major corporation, that's come in this town in the last 40 years. We need  
1014 the revenue, because I don't want to raise your taxes, and I'll vote against it. We need good solid  
1015 leadership bringing in new businesses in this town. Y'all have a good week, and I hope you enjoy the  
1016 sunshine. It been nice and have a good evening.  
1017

1018 Mayor Childs said Ms. Goddard, I do agree with you on the trucks, but I don't think you meant  
1019 anybody up here or in town hall. It sounds like to me, maybe a disgruntled neighbor is the one calling the  
1020 police. I don't think anybody in town; I've never heard anything like that. Sometimes we get neighbors  
1021 that get irritated over little things, I've got a sneaking suspicion that's probably behind it. I don't know.  
1022 (\*\*Ms. Goddard responded from the audience.) Mayor Childs said well, I know that trucks park all over.  
1023 Even on Ocean Boulevard when I walk trucks are parking blocking the sidewalks, so I understand your  
1024 problem. Holes of the beach, I would hope that if a hole goes over 4 feet deep, Ms. Fellner would have  
1025 the beach patrol tell them they'll have to fill it. I've read in the paper where people actually had gotten in  
1026 the hole and sand caved in on them. I have seen some holes out there that had to be five or six feet. The  
1027 bigger the kids, the bigger the hole. But all the same, kids get in them and they don't realize that sand  
1028 collapses. It's heavy and smothers them. I would like you to ask chief to reminder beach patrol to not  
1029 allow holes over two fees, which what I think council said. Mr. Johnson agreed saying two feet was deep.  
1030 Mayor Childs said we know children are going to dig a hole, and that's perfectly good. But I think some of  
1031 the bigger kids try to see how deep they can dig a hole, and it's very dangerous. I think the beach patrol  
1032 reminding them [would be good] as they are up and down the beach all day. Mr. Dodge, the lawsuits, I  
1033 think Ms. Fellner was taking notes, and she'll probably report back on those lawsuits at the next meeting.  
1034 Thank everybody for coming out.  
1035

1036 **11. ADJOURNMENT.**

1037  
1038 Mr. Johnson moved to adjourn the meeting at 8:50 p.m. Mr. Courtney second. All voted  
1039 in favor. **MOTION CARRIED.**  
1040

1041 Prepared and submitted by,

1042 \_\_\_\_\_  
1043  
1044 Debra E. Herrmann, CMC, Town Clerk

1045 Approved: May 23, 2017

1046 \_\_\_\_\_  
1047  
1048 Robert F. Childs, III, Mayor

1049 \_\_\_\_\_  
1050  
1051 Ron Ott, Mayor Pro Tempore

1051 \_\_\_\_\_  
1052  
1053 Timothy T. Courtney, Town Council

1054 \_\_\_\_\_  
1055  
1056 Mark L. Johnson, Town Council

1054 \_\_\_\_\_  
1055  
1056 David L. Pellegrino, Town Council

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1057 Julie M. Samples, Town Council

Randle M. Stevens, Town Council

1058

1059 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,  
1060 and not intended to be a complete transcript. Appointments to hear recordings may be made with the  
1061 town clerk; a free copy of the audio will be given to you provided you bring a new, unopened flash drive.

1062 In accordance with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local  
1063 media and interested parties via the town's email subscription list. The agenda was posted on the entry  
1064 door at Town Council Chambers. Meeting notice was also posted on the town website at

1065 [www.surfsidebeach.org](http://www.surfsidebeach.org) and the marquee.

Approved