



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION MAY 23, 2017 ♦ 5:30 P.M.
REGULAR MEETING MAY 23, 2017 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 5:30 p.m. Mayor Childs called Town Council to order at 5:30 p.m. Tuesday, May 23, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, Samples, and Stevens were in attendance. A quorum was present. Mr. Johnson moved to enter executive session at 5:30 p.m. Mr. Ott second. All voted in favor. **MOTION CARRIED.** Mr. Stevens moved to reconvene regular session at 6:14 p.m. Mr. Pellegrino 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 8.I. and Mayor Childs declared the session adjourned at 6:14 p.m.

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER. Mayor Childs called the regular meeting to order at 6:30 p.m. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, Samples, and Stevens were in attendance. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Otte; Planning Building & Zoning Director Morris; Interim Police Chief Hofmann; and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Reverend Jeff Wood from Oasis of Hope Church gave the invocation. B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. PUBLIC HEARING on Ordinance #17-0845 to adopt Fiscal Year 2017-2018 Municipal Budget. Mayor Childs opened the public hearing at 6:31 p.m.

Ms. Holly Watson, North Oak Drive: I'd like to urge you to send this back to the drawing board. I was in attendance at the budget meeting. The reason I'm asking for this is because at the budget meeting we had several typos and things that were on the wrong lines, and there things that were missing. There were people that were missing. There was engineering charges that were missing on projects and I would like for all those items to be cleared up so that you could get an actual picture of what you're looking at. I would also ask that all of your capital projects, when you get grant money that your projects meet the amount of your grant money; not exceed it to begin with. Don't plan on spending 500,000 on the 3rd Avenue promenade if you only have grants worth 350 from the get-go. Tell your engineer this is what you have. That's all you have, and match the job to the monies that you have. Don't start off saying well, I'm gonna throw another 150,000 in there just because, well, I think it might take. Stick to your budget. Stick to the money that you have. The same with the Myrtle swash culvert bridge. We have a grant for 500,000, yet in the budget you've budgeted 625,000. As we all know, you approved those 155,000 on the swash and it ended up cost a 170. So, please try to stick to a budget. That's what the word budget means is we have this amount of money to spend and we're trying to get our work done for that amount of money. The other thing is when I asked about the road paving engineering costs, I got well, I think it might have been or I think it was, so can we narrow that down so you know what you spend or what you plan on spending on the road paving projects. The contractor's price was 614 that did not include the engineering cost. So you really don't have a correct number there. I was there at the budget meeting also when you looked at the planning and zoning department. The budget writers left off an entire person, and what's so, then when you have a budget and you left off personnel then that's not really correct. The last item, and I don't want to take all of your time, 'cause I

54 don't wanna go line item by line item, however, I was very disappointed that this for the second year
55 when you met on the budget workshop you did not go line by line. Everybody has to go line by line. If
56 you don't you'll never get anything ironed out. The other thing I'd like to remind you of is we're trying to
57 rebuild our pier. I don't want to see funds taken from our pier fund and put over into beach
58 renourishment. It needs to stay with the pier. It doesn't need to go to beach renourishment. You're also
59 giving grant money away through an a-tax fund that needs to be used for the pier. We don't have
60 money to give away on grants this year. There's \$27,000 in grant money that you awarded to somebody.
61 One of 'em 6,500 that you're giving to a foundation that turns around and gives the money back out. So
62 they've given away \$100,000 in scholarships. They don't need the money. They've got 30,000 in the
63 bank. So cut it off. We've got a pier to rebuild. I agree that some of our personnel are underpaid. Some
64 of our personnel might be overpaid. You agreed to do a 3-percent COLA. Unfortunately, when you
65 considered that you considered it because we had an increase in the employees' either retirement or
66 insurance account. My question to you is since that's a 4.2-percent increase instead of a 3-percent by the
67 time you add in benefits, did you consider that the next time our insurance renews that the employees
68 will again be hit with a raise in their insurance or their retirement? And, instead of it being a taxable
69 COLA, might you consider to pick up that increase in cost in their insurance or their retirement, save a
70 workers comp increase (*time ended*) and your payroll taxes and insurance. Thank you.

71
72 There were no other public comments. Mayor Childs declared the public hearing closed at 6:37
73 p.m.

74
75 **4. AGENDA APPROVAL.** Mr. Stevens moved to adopt the agenda as presented. Mr. Johnson
76 second. All voted in favor. **MOTION CARRIED.**

77
78 **5. MINUTES APPROVAL. A. Budget Workshop April 27, 2017, and B. Executive**
79 **Session and Regular Meeting May 9, 2017.** Mr. Stevens moved to adopt the April 27 budget
80 workshop as presented, and the executive session and regular meeting minutes of May 9th with a
81 correction to delete lines beginning at Line 480 beginning with "amend" through Line 501, and also lines
82 549 beginning with "[the planning," through line 568, and replacing both with the following (Mr. Stevens
83 gave his printed document to the clerk for filing with the May 9th meeting minutes): (*Verbatim*) ADD G: IF
84 IS ASCERTAINED AND DETERMINED BY A PROFESSIONAL SURVEY BY A LICENSE LAND SURVEYER [SIC]
85 LICENCED TO DO BUSINESS IN THE TOWN OF SURFSIDE BEACH OR A [SIC] ENGINEER SO LICENCED;
86 OF A RESIDENTIAL PROPERTY OR COMMERCIAL PROPERTY THAT THE FOLLOWING CONDITIONS ARE
87 PRESENT AND THESE CONDITIONS ARE PRESENTED TO THE DIRECTOR OF THE BUILDING
88 DEPARTMENT AS DOCUMENTED. 1. That a tree, **be it a Protected Tree of Landmark Tree, cannot**
89 **in anyway escape the building footprint of a Residential Building or a Commercial Building**
90 **by Movement of the building in any direction, and that Protected or Landmark Tree, would**
91 **prevent the land from being used either Residentially or Commercially by the owner, builder**
92 **or contractor; then the following will take place. A) The Director of Building and Code**
93 **Enforcement Official Shall Verify the Survey Data by the License Land Surveyor, Engineer or**
94 **Landscape Architect as Factual. B) The Owner, Builder or Contractor Shall Not Be Required to**
95 **appear before the Board of Zoning Appeals** and the Director of the Building Department and Code
96 **Official shall issue a release excusing the Owner, Builder and or Contractor from the BOZA**
97 **Hearing. C) The Owner, Builder or Contractor Shall plant at a minimum 4 trees,** with at least two
98 shall be the same Species as the Landmark Tree that was removed. The Trees that are planted as
99 replacements shall meet the guidelines set forth in SECTION 17-725. Tree replacement For Permitted
100 Tree Removal of Ordinance 17-0389, and shall be planted prior to Final Inspection and Certificate of
101 Occupancy are issued. Mr. Courtney second. Mr. Ott commented that the amendment did not address
102 what would happen if the owner wanted to install a swimming pool. Mr. Stevens said that was correct;
103 he did not intend to address swimming pools in his amendment. Mayor Childs, and Councilmembers
104 Courtney, Johnson, Pellegrino, Samples and Stevens voted in favor. Mayor Pro Tempore Ott voted
105 against. **MOTION CARRIED AS AMENDED.**

107 **6. PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker)
108

109 Ms. Ann Wescott, Cedar Drive North: You all should've gotten a copy of my comments. So
110 basically, I'm just reading this so the people I the audience will know what I'm talking about. I'm
111 speaking about Item F, Resolution 17-181 to authorize the execution of an agreement to participate in
112 Horry County Home Consortium. This agreement is not about helping our current low and moderate
113 income Surfside Beach citizens. A careful reading indicates this is a dangerous subterfuge. Those who
114 leave near a vacant lot should be especially concerned. Will you at least stop to consider what this
115 actually means? We will have no say in our zoning laws. A high-density, low income unit, re: project like
116 those in big cities can be constructed anywhere in town. I worked for many years to have the choice to
117 live in a town like Surfside. Signing this agreement will have consequences the people of Surfside Beach
118 have not been made aware of. Thank you.
119

120 Mr. P. L. Mabry, 15th Avenue North: This agreement you're talking about here is agreeing to allow
121 Section 8 housing zoning ordinances here of which we have no real control over. You need to make a
122 much considered choice before you jump on this boat here, because once you start jumping over
123 deviating from our zoning ordinances, will you be in deep water and you cannot return. What are we
124 gonna gain by this? This is gonna devalue our properties here in town by allowing the Section 8 housing.
125 You may not want to admit to it, but I built hundreds of units and I see 'em be trashed every day.
126 Hundreds of 'em. You can't imagine what it's like to go back after you built, let's say a nice project at the
127 time, and then it'll be tore up and look like you never even built it. It looks like a trash heap there. The
128 toilets will be torn out and be sitting in the front yards. You have no idea what you're fixing to allow here
129 in Surfside. It will not; we will not gain anything by it, except destroy our zoning of which we worked
130 hard to have a good zoning here in this town. I've been here for 50 years, and believe me, we have a
131 wonderful town here and we need to keep that way. Jumping around our planning and zoning, you're
132 gonna devastate our whole town's price values, if you're scared to say it. I guess you could say it that
133 way. But we; what are we gonna gain by this? That's what I haven't heard anyone say. What we would
134 gain? There is no gain by this. Thank you.
135

136 Mr. Laurence McKeen, 6th Avenue South: For those of you who don't know me, I am a scientist,
137 PhD scientist. I worked for DuPont for over 35 years. What I want talk about is a lot of the discussion I've
138 heard about trees and stormwater. There's a lot of misconception. What I thought I do is I'll walk you
139 through a little example of how trees might; how trees claim to affect stormwater. We've heard with the
140 planning and zoning commission, and we heard from other people that a tree will pump 100 gallons of
141 water a day out of the ground, and return it to the atmosphere. That's a large tree. Well, if you consider
142 my lot is a pretty small lot, but typical for Surfside Beach. That hundred gallons is according to the EPA.
143 So my lot is 7,576 square feet. When one inch of rain falls on that lot, you know how much water that is?
144 I'll tell you; it's 4,722.7 gallons of water. If you have a tree that going to take 100 gallons of that 4,000
145 gallons out of what's fallen that's minuscule. I'd need 50 trees on my lot just to cover a one inch rain. So
146 obviously, when you get a rainfall that has caused us flooding like Hurricane Matthew, which I measured
147 eight inches of rain, and the rain event of the year before when I measured 18 inches of rain, there is no
148 way that water is going to be affected by trees. It's not going to be affected at all. It's only affected by
149 what goes in the ground, and that's called percolation, and what runs off, and that's what we see in the
150 flooding. When you get that eight inches of rain, if you think about how many gallons that is, it's 50,000
151 gallons of rain on my property. Twenty houses; that's a million gallons. Where is this water going to go?
152 It's gotta go back to the ocean. We should be doing everything we can to get it to go back to the ocean
153 quickly, because in those flood events that's the thing that's going to save us. We put a lot of trees in
154 that's going to slow the water from moving towards the ocean. We're gonna have flooded land much
155 longer if we have a lot of trees. So, I just don't think using that argument about trees are affecting
156 directly flood (*time ended*) waters should be accepted because it's not true.
157

158 Ms. Betty Lowery, 4th Avenue North: I'm not a scientist. You know that I'm on planning and
159 zoning, but I'm not speaking for the committee. I'm speaking for me. That group of people are probably

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160 the most honest, ethical, and conscientious people that I have ever worked with. They don't have a dog
161 in that fight, except the town of Surfside. They don't represent any particular fashion, faction in the town.
162 I have notes here, but I can't talk from notes. I can only tell you what I know. Over the last two weeks
163 for whatever reason, I keep running into people who are talking about trees, and it's not the topic of
164 conversation. As a matter-of-fact, Sunday afternoon I met a lady at a party, a shower. She lives on
165 International Drive. She's been there for about 20 years. She said she had come home from work one
166 afternoon and a section of land had been clear cut there for apartment buildings to go up. In the 20
167 years that she lived there, they never flooded. This year they flooded. When Deerfield was built they
168 complained. They said it was all Surfside's fault they were flooding, because we have all those buildings
169 over there, storefronts. It never occurred to them that they were living in what used to be a swamp,
170 anyhow. It wasn't our water that was flooding them. The trees that used to absorb that water were
171 gone. You go out Glens Bay Road. How many of those forests have been, not forests, but trees, have
172 been taken out because of the roadwork? We saw water and water and water. Where was that water
173 before? Just curious. Trees are not expected to absorb all the water from the storm. We've got a great
174 stormwater system, but it can't handle everything. Something's got to hold the dirt in place. One of the
175 things that I wanted to comment on; there have been a lot of comments made about the tree thing, and
176 I'm probably going over time, so just hit me with a hammer if I get to that point. Something was said
177 about laws not being made for the few. Actually, they are. If that were not the case, then everybody
178 would be murderers. Laws are made to protect us from the actions of a few. That's simply the way it is.
179 *(Time ended.)* Thank you.

180
181 Ms. Carol Holt, Yaupon Drive North: Before I start, I just want to make a comment that, yes,
182 there are laws, but there's a difference between a law about a murderer and a law about cutting a 7.5
183 inch tree limb. The second reading of the landscaping and tree ordinance is on the agenda for tonight
184 and I want to thank Town Council for their detailed review of the proposed ordinance. I sincerely hope
185 that you will approve the second reading with the amendments that were presented and approved during
186 the first reading on May 9th. It should be emphasized that the tree ordinance is not being eliminated. It
187 is only being made less restrictive for town residents. Overall, I believe it's a good compromise. The
188 reduction in the number of permits required by homeowners is a much needed change, as well as the
189 modifications regarding the fines and the penalties. And of course, the Palmetto tree remains a debated
190 item, because we were advised during the last council meeting that the planning commission removed
191 the Palmetto tree from the list of approved replacement trees because it is not a protected tree, and
192 therefore, would be a contradiction to replace a protected tree with an unprotected tree. However, the
193 replacement tree list in the ordinance includes the Weeping Willow, the Yaupon, and three other trees
194 that are not listed on the protected tree list. So, to me this seems to be a contradiction, as well. Also, it
195 has been rumored that the town will lose its CRS rating if the tree ordinance is changed. I state rumored,
196 because that's what it is. A rumor and not true. The community rating system of the National Flood
197 Insurance Program recognizes activities organized under four categories: public information, mapping
198 and regulations, flood damage reduction, and warning and response. Communities are ranked in one of
199 ten classes with Class 1 requiring the most credit points. It is my understanding that Surfside is currently
200 a Class 5, with a requirement between 2,500 and 2,999 points. Please correct me if I'm wrong, but I
201 don't believe the town would lose over 2,500 points because the tree ordinance is changed and made
202 less restrictive for the town residents. In fact, I believe the town could increase its points and rating by
203 concentrating on Section 300, Activities for Public Information and Outreach. Town residents could
204 benefit from additional information regarding the floodplain management activities. Thank you again for
205 listening to the majority of the town residents regarding the tree ordinance. We trust that you will pass
206 the second meeting tonight, and hopefully end this long debated subject. Thank you.

207
208 Ms. Carrie Johnson, Harbor Lights Drive: Just like somebody else said, I think you all may have a
209 copy of this, but I will go over it for the public. I did go through all the changes, or let me say I tried to,
210 but it's quite confusing, some of them. I didn't really understand which was up and which was down
211 when I tried to read what the amendments were. For section 17-722, Ordinance 17-0839, you're
212 suggesting that no permit be required for pruning, or trimming, or removal of a tree with the exception of

213 a landmark tree. I believe there are approximately 36 landmark trees in the town. That's all. The rest are
214 just specimen or protected trees. By not requiring a permit to remove a tree, the person, the
215 homeowner, doesn't know if the person or the company removing the tree has proper insurance. They
216 can provide the certificate of insurance, but being in the insurance business, a lot of those are fraudulent,
217 and the homeowner would have no way of verifying the coverage. So if the homeowner had to obtain a
218 permit, and it can be free; you don't have to charge for it, the town would have all the insurance on file
219 and know if the person or the company doing the job is properly insured. And for anyone to say that the
220 people in town do not want to cut the trees is kind of absurd. If they didn't want the trees, why is
221 everybody pushing so hard to relax the ordinance? Please use some common sense. As far as diseased
222 trees, the current ordinance allows the diseased trees to be cut down, as well as any trees that are too
223 close to the foundation and could possibly damage it. Section 17-725.1 the Palmetto tree should not be
224 added to the replacement trees. Anyone can plant as many Palmetto trees as they like. They can plant
225 their whole yard full, if they want to. There is nothing saying that they can't. But, it is not on the
226 protected specimen list. So I still think is being contradictory. As far as R3 goes, then certainly allow the
227 Palmetto tree to be used to count towards the number of required trees, because of that small amount of
228 space that you do have. They're guidelines already in place for R2 to be able to reduce the number of
229 trees if there's not enough room to allow for the current number required. Section 17-740 we have
230 received the answer from our attorney in regards the misdemeanor, and he noted that State Statute
231 trumps local ordinance. He does not see any reason to change the zoning ordinance to make it
232 inconsistent with the state law. And just so you know, in a lot of states a speeding ticket is a
233 misdemeanor. So I don't think that's gonna cause anyone not to get a job. Section 17-720 the current
234 fines should not be changed. History has shown with the fines being lower there is not a problem for
235 someone to cut a tree and pay the fine. Planning and zoning studied other municipalities before coming
236 up (*time ended*) with our fines, and they are in line with other tree protected towns. Thank you.

237
238 Mr. John Stanford, 13th Avenue North: I have lived here for 31 years, and lived in the same
239 house. I have four trees, if not five, where the roots are actually growing and tearing up my blacktop
240 driveway. I've asked at least three to four times and had people come by to look and have been denied
241 any of those trees to be taken out, but I can't do anything about my driveway unless they are, because if
242 you cut the roots then that's going to have the trees to tilt and come over and hit my house, if we have
243 another hurricane. I just ask that you take that into consideration, okay, of what you're doing to property
244 values when it tears up driveways, and you can't get 'em replaced. Thank you.

245 246 **7. COMMUNICATIONS**

247
248 **A. Meritorious Service Awards: Sgt. Lee Black, Corporal Steve Brode, Officer Andrea**
249 **Warner, and Officer Danielle Ehmer, Interim Chief Hofmann.** Mayor Childs and Chief Hofmann
250 presented each officer with a Certificate of Commendation for the manner in which they dealt with an
251 armed and suicidal man on the beach. Chief Hofmann said our officers placed themselves in harm's way
252 to protect the public, including the man's mother. Far too often these encounters end in injury or even
253 death, but our officers were able to safely disarm the man and send him for medical assistance. Four
254 uniformed officers were on scene in less than three (3) minutes from the time they were dispatched. I
255 believe the ability to quickly bring officers to a situation combined with their expertise, training, and
256 professionalism led to a safe, successful resolution. Their work exemplifies the professionalism of the
257 town's police officers, which is exhibited on a daily basis while providing quick and specialized services to
258 the town. While I'm beyond proud of these officers, I am equally humbled by the compassion and
259 kindness they demonstrated following the event as they dealt with a citizen in a moment of crisis. I
260 believe the words of the citizen, who unfortunately had to watch these events, said it best when she
261 posted her feelings on our Facebook page. I quote, "This was honestly the best and most respectful
262 apprehension of a suspect I've ever seen. It was not by the individual in question attempting to evade
263 you, but when he came after you with a knife that you tased him. Then I watched your officers not only
264 cuff him as fast as possible, but make sure he was sitting upright without his face in the sand. One of
265 your officers even brushed the sand off of him a bit. I cannot help but to applaud you, them, for a job

266 safely and well done." Captain Miller recommended these commendations and I agree that the
267 commendations are well earned. We were able to dispatch officers and within three minutes and 28
268 seconds from the time the call was dispatched over the radio, the event was done. That is because of
269 you four officers standing here in this meeting. (*Standing ovation.*)
270

271 **B. Department Reports.**
272

273 **i. Events.** Supervisor Ellis presented the written report, a copy of which is attached hereto. Mr.
274 Ott said on August 21st there will a total eclipse of the sun that will last approximately three hours. It
275 won't be totally dark all that time, but could we look into events that our neighbors are holding. Perhaps
276 we could have some kind of event, because there will not be another total eclipse of the sun for a couple
277 hundred years. The 24 golf carts already registered is good. We need everybody with a golf cart in that
278 parade. Registrations forms are at the back of the room. Mayor Childs said I spoke with Ms. Fellner a
279 while back about extending the roof on the gazebo at the park for Sunday Serenades. Ms. Fellner said
280 because of the hurricane, the work was delayed a little bit. It will be done after they finish at Huckabee.
281

282 **ii. Finance.** Director King presented the written report, a copy of which is attached hereto. Ms.
283 King corrected the report date to April 30, 2017. Summer sanitation service billing will start on the next
284 water bill for those with summer rental property. Mr. Ott said at the budget workshop we asked you to
285 reduce expenditures. I looked at your report and it looks like you found some more reductions. Ms. King
286 said \$60,000, which is little bit over 3-percent. Ms. Samples said it appears as if the increase in parking
287 fees for the pier has can offset the lack of fishing. Ms. King said pier revenue was up a lot. The manager
288 from Lanier was very excited. It appears that things will not be as bleak as we thought. Mr. Courtney said
289 thank you to Ms. King for a sitting down with me and Mr. Ott to go over the budget. Thank you for
290 reaching out to try to make more cuts without interrupting our services.
291

292 **iii. Fire.** Chief Otte presented the written report, a copy of which is attached hereto. Chief Otte
293 noted that BI-LO donated 500 bottles of Gatorade to the fire department for use during the summer
294 season. We do appreciate BI-LO's efforts to assist us. Mr. Ott said thank you for your report. Have we
295 progressed on ways we can bring in and add to our volunteers; do you need a banner or something?
296 Chief Otte said we've actually got a banner. We're in the process of updating it. We have had a couple
297 new volunteers that are in training right now. We can always use additional people. Mr. Ott said I know
298 where there is \$60,000, maybe we can get another banner. (*Laughter*) Ms. Samples said that was a great
299 report; thank you. She asked where the two dumpster rubbish fires in April were. Chief Otte was
300 unfamiliar with the incidents and said he would find out. Ms. Samples said I just wanted to make sure
301 that there were not two dumpster fires in one month, as that was concerning to me. Mr. Courtney
302 thanked Chief Otte for the report. I would like for you to meet with the organizational committee in the
303 next two weeks to discuss career versus volunteer firefighters. At that meeting can get cost estimates for
304 a fulltime career force versus a career/volunteer force, including all equipment and training costs.
305 Unfortunately pay for uniforms, pagers, equipment, and training. I'd like to see statistics, if possible.
306 Chief Otte said the town has a unique situation, because the State Fire Marshall's office sends us a 1-
307 percent check every year, from which funds can be used to pay to train volunteers. Training costs range
308 from \$5.00 to \$15.00 per class. The county also offers those classes. When they have openings in the
309 classes, our firefighters can attend. Mr. Courtney said at the last meeting there was a discussion about
310 using the parking lot at the firehouse. In my opinion, that lot is not really fit to be a parking lot for public.
311 The fire department has cars there that are used for training. I think it should be designated just for the
312 fire department's use. I see it as safety hazard and do not see the point of paving it for public parking.
313 Mayor Childs said I disagree with Mr. Courtney on the parking lot. Everybody here in town knows about
314 the shortage of parking. We've got very few places around to park, particularly for the businesses on
315 Surfside Drive. They are screaming for parking. Right now the parking committee already bought forth
316 some suggestions. I think, Chief, if you tried, you could probably find another place for you to do this
317 type training, instead of using up this parking lot. That property is actually two building lots. The plan for
318 a couple years now was to pave the lots, stripe it and use it for parking for our businesses. I think it

319 really be a waste of property to just have a couple cars there that you use for training. I'm sure other
320 places can be found for that purpose. I am one person on council that's dead set against not using that
321 property for a parking lot. It would be a waste of property. Mr. Courtney said I would ask that
322 councilmembers look at the area to just observe what they do during their drills. I don't think there is
323 anywhere else in town where they could do these drills; cutting cars with tools and rotating blades. So I
324 just don't know if that's a solution. Mr. Johnson said from what I recall during our visioning meeting, this
325 discussion came up and Chief Otte said he thought he could find another area where these drills could be
326 done. Therefore, you know, we could use the town's own lot as parking. Am I not correct? Chief Otte
327 said we can certainly look around. The biggest problem will be finding a property in town; it might have
328 to be just outside of town. Mayor Childs said I recall that same conversation, Mr. Johnson. Ms. Samples
329 said I support Mr. Courtney's position. Mr. Courtney said I am just saying that we went to a visioning
330 meeting; we have to look at the situation realistically, that's all.

331
332 **iv. Planning, Building & Zoning.** Director Morris presented the written report, a copy of
333 which is attached hereto. Mr. Stevens said I saw a house just east of Hollywood Drive that looked like the
334 whole wall was falling off. What is the story? Ms. Morris said you are exactly right. That damaged
335 happened during Hurricane Matthew. The building official is working closely with the property owner. The
336 problem is the owner is incapacitated. His son is trying to get legal rights to have it removed. We're
337 waiting on the court system for that authority. Mr. Courtney said thank you for your report. Has the
338 business with the plastic covering and tiebacks been corrected? Ms. Morris said that is still ongoing. The
339 permit was voided, and we notified the property that they have to get a general contractor. Mr. Courtney
340 asked how long they had to comply. Ms. Morris said 30 days, and the clock already started. Mayor Childs
341 agreed that area was a mess.

342
343 **v. Police.** Chief Hofmann presented the written report, a copy of which is attached hereto. Chief
344 Hofmann noted that there was one typo in the report, which stated that there were 319 written warnings
345 issued in lieu of uniform traffic citations. That number was found to be 246 after a recount. The
346 department is prepared and ready for the Memorial Day weekend events. I encourage residents that are
347 in town to call the department, if you have any problems, quality-of-life issues, complaints, or speeding in
348 your neighborhood. I saw some burnout marks on Ocean Boulevard. That type of thing is considered
349 reckless driving. We have zero tolerance for that type of behavior. Expect high visibility. We will be fully
350 staffed; every employee that works for the Police Department will start working this Thursday night and
351 remain on duty through Monday afternoon when things begin to slow down. Mr. Ott said thank you,
352 Chief, for your report. It was very interesting to read. For the second report in a row, our accidents are
353 down considerably. It used to be 60 accidents a month in this little town. It's down into the mid-30s now.
354 Whatever you're doing is working. He said 16th Avenue North is about a one-half mile straightaway with
355 no stops that creates a dragstrip. I see you're looking at that. Do you allow golf carts to be in that study,
356 or if not, you could remove anything between 15 miles an hour and 18 miles an hour so it won't corrupt
357 your data? Chief Hofmann said I can check with Captain Miller. I believe that you can exclude certain low
358 speeds from those studies. The radar will definitely pick them up as they travel up and down the road.
359 Mr. Ott said the breakdown of the incidents in your summary has been changed. Chief Hofmann said
360 since I've taken over as interim chief there are some areas that I have tried to address. For example,
361 with statistics related beach calls and things like that our citizens and councilmembers are curious about.
362 I'm trying to expand those types of things so that we can give you the information you ask for. Mr. Ott
363 said thank you very much for doing that. Mr. Stevens said the department apprehended two individuals
364 from Marion, South Carolina just after they robbed a home here in town at about 6 o'clock in the
365 morning. You caught them within a short period of time. I commend you for your efforts on that and just
366 want to let people know about this, so could you speak on this a little. Chief Hofmann said well, it's not
367 something we ever want to hear. We take it personally in the police department, because we don't
368 appreciate anybody coming into the Town of Surfside Beach and breaking into an occupied residence.
369 Best I can tell, these two individuals maybe stumbled a little too far south, and didn't realize they had
370 wandered into a highly policed area. Unfortunately, the victim awoke to individuals in her home and
371 found a gun pointed at her. They demanded money and other things, and left. But, she had the clear

372 mind to quickly call the police department. Unfortunately for the perpetrators, they were in town at shift
373 change, so we actually had twice as many officers on duty! (*Laughter.*) It didn't work out very well for
374 them. Our officers arrived quickly and because of their good training were able to surround the area.
375 They were able to apprehend them without incident or injury to officers, nor was the resident wasn't
376 injured. We threw the book at them both. Mr. Stevens asked if it was true that both of them said we
377 thought we were in Myrtle Beach. Chief Hofmann said one of them did. He was disappointed, because
378 they didn't realize they made it down into Surfside. (*Laughter.*) That's the reputation that we want to
379 have. Mr. Stevens said secondly, some people got up and spoke about our business Item F, a resolution
380 to participate in the low cost the government housing program. He went on to explain that in his opinion,
381 the town was too small for the program, which was brought forward on two occasions in the past and
382 was defeated both times. He asked Chief Hofmann if he had statistics for that type housing development,
383 as he believes there is a crime element involved. Chief Hofmann had no personal opinion, but respected
384 the citizens' opinion. He would check for crime statistics. Mayor Childs said he called the department
385 about a wallet and credit cards that were found near 14th Avenue and asked if the two individuals
386 apprehended were tied to that. Chief Hofmann said we don't have any confirmation, but the timeframe is
387 appropriate. At the last council meeting, Council expressed a desire to make sure that your beach officers
388 keep track of the big holes being dug. Somebody called me today saying there was a 5 foot deep hole by
389 the pier, which is dangerous. Chief Hofmann agreed, saying he did not understand the fascination with
390 digging holes. He explained that the beach services officers will have shovels on their utility vehicles to
391 help fill them to avoid accidents. Mayor Childs thought council agreed that two feet is deep enough;
392 beyond that creates a hazard. Chief Hofmann said the beach service officers would be informed and
393 asked to educate our visitors. Mr. Courtney said thank you very much for your report. I'm very impressed
394 with the numbers. It will be interesting to see how those numbers change now that we're coming off the
395 shoulder season. The number of accidents is going down. That is fantastic. Accidents affect everybody,
396 and your insurance rates. In the past we averaged 60 accidents a month in our residential areas. That
397 was too many. I want to commend your guys for doing such a good job. Sorry about the bad guys
398 coming in, but that GPS sometimes doesn't work too well. It's just like the tractor-trailer that came back
399 here and took down some lines, but good job overall. The police department has been out there.
400 Everybody has seen them. I'm getting positive feedback from the community. The people in my
401 neighborhood are very satisfied. It is good to see the police cars going by. Mr. Stevens said Chief
402 Hofmann gave crime statistics for area municipalities at the budget meeting. I recommend that citizens
403 who want to see how safe Surfside is from a police standpoint compared to the rest area, contact Chief
404 Hofmann. He will show you that information.

405
406 **vi. Public Works.** Ms. Fellner presented the written report, a copy of which is attached hereto.
407 Director Adair was absent. Everyone was reminded that pursuant to the ordinance, yard debris, leaves,
408 lawn clippings, etc. must be bagged, and limbs may be no longer than 4 feet. Ms. Samples said a special
409 thanks from the resident who contacted me about the handicapped ramp at 3rd Avenue North. Also,
410 thank you to you and Mr. Adair for getting this cleared up so quickly. I appreciate it. Mr. Ott said I don't
411 think anybody from public works, works at night, do they? Maybe we can combine with one of the other
412 departments like police and fire to get those pole numbers for the street lights that are out. I will copy
413 the numbers down when I'm walking my dog and call Santee Cooper. Ms. Fellner said many times the
414 sanitation crews come in during the middle of the night. They call many of them in. Mr. Ott said there is
415 no notification to people who walk their dogs on the beach that they must be leashed. I would like to see
416 some kind of sign saying dogs must be leashed. I see the sand that used to be dug out of the swashes
417 and thrown back in the ocean is now being pulled back on the beach. I hope we continue to do that and
418 bring it up on the dunes. Ms. Fellner said that is being done in the low-lying areas. The town got
419 permission to do that from the Army Corp. Mr. Courtney said Ms. Fellner, thank you for filling in for Mr.
420 Adair. I had asked him at the last meeting to together a synopsis of what he is doing; a list of the
421 projects that are coming up. Has he completed that for me? Ms. Fellner said I sent the paving projects to
422 you; let me find about the others. Mr. Courtney said okay. I'd like to see Ocean Boulevard cleaned up a
423 bit. As I said in the past with the striping and new signage. I asked that Mr. Adair meeting with the
424 parking committee and take their recommendations with the replacement signs on the beach area end

425 caps. A lot of the town's signage at the beach entrances is outdated. I think they need to be looked at
426 and the new ordinances need to be put in place. I think the parking committee could point out which
427 signs need to be replaced first. Could you get a cost for the striping? I know it will take time, but if we
428 could start working on it. Ms. Fellner said Mr. Adair actually got pricing. The price was \$5,000 the last
429 time. It's now over \$17,000, and we cut out the middleman. We went right to the people who make the
430 signs. We're going to have to investigate state contracting and let bids for that. Mr. Courtney said so, I
431 guess we will bid it out. It has to be done to create a safe environment for tourists and homeowners who
432 walk over Ocean Boulevard. Ms. Fellner said yes, sir. I went down and actually rode the entire Boulevard.
433 You are correct. Some of the signs are just terrible. Mr. Courtney said I know we have money left in the
434 streetscape in this budget. Ms. Fellner said I will have to find out how much we have. But that certainly is
435 a possibility. Mr. Courtney reiterated that it is an eyesore. We need to start working on it now. It will cost
436 more down the road. Ms. Fellner said right; in some places it's totally scraped off, I agree. You are
437 absolutely correct. Mr. Courtney said thank you so much. Mr. Ott said to reiterate what Mr. Courtney
438 said, if you would, ask Mr. Adair to take a look at what they've done in Myrtle Beach on those crosswalks.
439 It is absolutely marvelous. People were stopping and actually letting the people walk across the street
440 without trying to hit 'em. That's what we need to do here. It's working there and it's well defined. Thank
441 you.

442
443 **C. Administrator's Report.** Ms. Fellner presented the written report, a copy of which is
444 attached hereto. Ms. Fellner asked for consensus of council to let an RFQ (Request for Qualifications) for
445 a bond attorney and an RFQ for a financial advisor, so that should the town need to avail itself of their
446 services relating to the pier reconstruction, which is likely, no time would be lost. **COUNCIL**
447 **CONCURRED.** Mr. Stevens said I have to take issue with your answer regarding Item C, Aldi's Grocery.
448 The fact of the matter is the people you mentioned did not start working for the Myrtle Beach Regional
449 Economic Development until December 2016. Ms. Morris and I invited Mr. Jim Moore, Ms. Sandy Dennis,
450 and Mr. Morgan Dendy did of the Myrtle Beach Regional Economic Development Corporation (MBREDC)
451 to visit the town by email. They came on May 4th and took a complete tour of the town. On August 10th, I
452 got an email from you and it stated that you had a concern about the property behind Denny's that
453 Santee Cooper wanted to put a substation there. You said you didn't want a substation and it's all right
454 here in this email. Ms. Fellner said that's correct. Mr. Stevens said I spoke with Sandy Davis, director of
455 operations for MBREDC. She informed me that three companies looked at properties in the town. One
456 company was Piedmont Companies, Inc. (Piedmont) (www.piedmontcorp.com) based out of Lincolnton,
457 North Carolina. She told me that Piedmont had 22 companies like Aldi, Best Western Hotels, Hobby Town
458 USA, and Walgreens and others, including a global healthcare service. They looked at that area and they
459 were told at that time that it was turned down, because the powers to be did not want it in Surfside,
460 because of the substation. I have the email right here. Ms. Fellner asked if that was after Santee Cooper
461 purchased the property. Mr. Stevens continued saying on September 10, I was told there was a meeting
462 with Santee Cooper on September 15. You told me that you were not aware of a meeting. I sent another
463 message on September 17; on September 25 you said there's a meeting at one o'clock, which I attended
464 along with Mr. Pellegrino, then Mayor Samples, and Santee Cooper representatives. Basically, we were
465 told that a substation was being built there and Piedmont was not going to be able to use that property. I
466 know this happened, and I called Piedmont asked would they go in beside substation. They said no,
467 because of the substation we refuse to go in your town. So what you're doing is, in my opinion, is being a
468 little less than honest with the citizens when you say that Aldi could not have come in here, because the
469 fact of the matter is, Piedmont was going to bring in Aldi and several other businesses in the town. It was
470 turned down at town hall, not by me, by the powers higher than me. I know it happened, and the next
471 thing we have is the substation. When you printed your administrator's report, you basically called me a
472 liar. I'm saying you've been less than honest with the town citizens. Mr. Johnson called *point of order*
473 saying there were many accusations and this meeting is not the appropriate time to air accusations. Ms.
474 Fellner said I would like to correct one thing, if I might, Mr. Johnson. Ms. Fellner said the town does not
475 own that land. The town did not own that land. Mr. Stevens said I understand that. Ms. Fellner said so at
476 the point you're talking about, Santee Cooper had already purchased that land and they were saying we
477 are going to build the substation there. What were we supposed to do in a situation where they had

478 purchased the land already, and we were trying to get the best possible use. You're talking about
479 something that's way after the fact. Mr. Stevens said your email of August 10th said please read the email
480 below and view the conceptual design. This certainly would not be in the best interest of the town, and
481 frankly I am concerned. Ms. Morris and I will be meeting with Santee Cooper date to be determined, but
482 if necessary, I would like council's help in lobbying against this. I thought you should be all aware before
483 the sale goes through. (**) Ms. Morris sent you an email and it said Shelley Griffin with Santee Cooper
484 contacted me in regard to the piece of property and is planning to purchase in the Town of Surfside
485 Beach. They hadn't purchased it yet. There was 14.36 acres on Highway 17. Ms. Fellner said I was very
486 opposed to it until the purchase. Mr. Stevens said I came to the meeting and you and the rest of council
487 that was there approved it with them. It could have gone in Deerfield; in fact, most of the power for that
488 is furnishing Deerfield. Ms. Fellner said and I did want to go into Deerfield. All of my email show that I
489 did not want that substation there. Mr. Stevens said I never heard you say it. Ms. Fellner said well, you
490 just read it in the email. Mr. Ott said I think putting Aldi in all be behind Denny's would be a terrible spot
491 for it. You can't even see it from the highway. Mr. Stevens said it would have been more than just Aldi's.
492 It would have been a big shopping center. Mr. Johnson supported upgrading the beach signs, and asked
493 if the cost would be charged to hospitality, accommodations, or general budget. Ms. Fellner said will have
494 to look at that. Mayor Childs said to follow up on adding something about dogs on leashes, I think we
495 should evaluate the signs, because they are getting so long now nobody will read it all. Maybe the notices
496 can be condensed in some way to state what we want to really get across. Ms. Fellner agreed that the
497 signs are old, and they probably need to be changed. Mr. Johnson said if I may, I just want to say the
498 way this council works we'll have to replace them every year. *(Laughter)* Mayor Childs said point well
499 taken. Mr. Ott said since I am that one councilmember that doesn't remember giving an approval to
500 write that check out, and that was because it was done in executive session where we do no vote, no
501 tally, no approval for anything (**). So at that point, nobody ever gave an approval to write that check.
502 That's where I stand on that. The other question is the silence behind this settlement that was done. Ms.
503 Fellner said an individual simply has to submit a Freedom of Information (FOIA) request. I can't stand in
504 open forum and state the terms. But, whoever would like that information can send a FOIA request.
505 That's why put that in there and read that. I can release that information upon receipt of a FOIA request.
506 Mr. Ott said it was paid with taxpayer's funds, and why wouldn't we be able to do that. The other thing is
507 about the decks on the edges of our lakes. If we could bring that is to our discussion phase at the next
508 meeting to allow our residents to put cantilevered decks at the back of the property. They could just
509 cantilever them so they don't have to put in a post into the water itself. I believe the people that live with
510 these lakes should have the privilege to put a deck on the back of their house, too. Ms. Fellner said Mr.
511 Morris would have to evaluate that and bring it back under discussion. Mr. Ott said thank you very much.
512 Thank you for your report; very in depth. Mr. Courtney asked Ms. Fellner if she followed up with OCRM
513 about the privately owned walkovers that they discussed two weeks ago. Ms. Fellner said she called Chris
514 Stout, but he has yet to return her call. Mr. Courtney said there is a significant difference with the new
515 ones being built. They go practically all way out to the low tide line. Ms. Fellner said those also look
516 strange because of the amount of sand was lost and the way you're pushing up in some areas. We have
517 to talk to Mr. Stout about it. He is our local OCRM representative. Mayor Childs said there is a walkover at
518 the end of his street that was lost during the storm, and they added about 30 foot onto it when it was
519 rebuilt. So I think to follow up Mr. Courtney that some guidelines should be given, because evidently
520 there are no guidelines according to the builders as they are going farther and farther and farther. Ms.
521 Fellner said we can arrange to do that. Mr. Stevens concurred with Mr. Ott on the decking, and I can do
522 that now, because I'm no longer working for Waterbridge Contractors. I terminated that relationship May
523 11. So if I talk about decks or docks or anything I'm not in violation. I would agree there's a lot of
524 people who would like to have some type of decking on the edge of their lake. I would welcome some
525 discussion on that so people can utilize their lakefront property. Mayor Childs said Mr. Stevens submitted
526 a copy of his resignation letter to Waterbridge Contractors to me couple of weeks ago.

527
528 **8. BUSINESS**
529

530 **A. Second Reading Ordinance #17-0839 to amend Chapter 17, §17-700, et seq.**
531 **Landscape & Trees, Director Morris.** Mr. Ott moved to defer second reading of Ordinance #17-0839
532 and send it back to the planning commission to review the amendments adopted May 9th, and to further
533 simplify the ordinance, and further that second reading would be held the next regular meeting of council
534 after the planning commission makes it recommendations. Mr. Johnson second. Mr. Ott said we need to
535 push this as fast as we can. The people have spoken about what they actually like. Ms. Samples said I'm
536 not sure why we are delaying second reading. The last two years the planning commission volunteers
537 had multiple workshops, meetings and discussions about the tree ordinance. This does not include their
538 many hours of preparation done at home and preparing for these workshops and many, many public
539 meetings. The planning commission has done their job. They did a great job, and as I stated before, it's
540 up to us now to do our job. I see it as a dereliction of duty for us not to take this on. We've had plenty of
541 time to prepare. The ordinance is still complex and overregulated. I thought the object of council was to
542 fix it; to improve upon it, and we committed to the citizens that we were going to do so. I'm not sure
543 why in the world we would send it back to the planning commission when they've already done it. As a
544 matter of fact, commission members stood before us publicly and said we've done what we can do, and
545 we've sent it forward to you. Now it's time for us to do our job. Why in the world are we going to delay
546 this again? If you don't like it, vote it down. If you don't like an amendment, make a motion to change
547 the amendment. Let's do the work; let's do our job and let's give the constituency what they want. Mr.
548 Stevens said I kind of agree with Ms. Samples, but I would prefer sending the ordinance to a council sub-
549 committee with Ms. Morris being one of the members. I think that would work a lot better than sending it
550 back to the planning commission. It's in our court. I don't see any sense sending it back to planning
551 commission. Mr. Stevens moved to amend the motion to put the ordinance to a committee of council. Mr.
552 Johnson called *point of order* saying that a motion was on the floor and an amendment could not be
553 offered. Mr. Stevens withdrew his amendment. Mr. Ott proceeded to explain the errors in the ordinance
554 that included such things as no restrictions on who would be allowed to cut an 85 foot tree. There has to
555 be some restrictions on contractors who remove large trees. Licenses and bonds should be required. If
556 you want to you could ask to put in a swimming pool; remove the landmark tree, but never install the
557 pool. There are a lot of things that are bungled. We took a whole ordinance that was enacted over a
558 decade and we just stripped it without any thought. Mr. Stevens said once again I would agree
559 somewhat with Mr. Ott that it needs to be looked at, but I don't think we need to send it back to the
560 planning commission. It seems to me they spent enough time on this. It's in our court now. But the thing
561 is we have our director building zoning and we have capable people on the council. It's time for us to
562 take responsibility for what we do. I agree that I don't want somebody some Johnny-come-lately come
563 who doesn't have a license cutting down trees everywhere. I agree with that a hundred percent, but at
564 the same time I don't agree with you about the swimming pool. I don't remember that discussion. I don't
565 think I will give up a landmark tree for a swimming pool. Mr. Ott said whether you remember or not, it's
566 a fact that it can be done the way the amendment was made to that ordinance. Mr. Stevens believed that
567 council should work on it. Mr. Johnson said at the last meeting it was just a [mess]. We had motions,
568 motions, and motions. And motions. This decision paper is all yellow, red and blue. I consider myself a
569 semi-intelligent person, but I can't make heads or tails of it. At the very least, I want it cleaned up, and a
570 clear definition of what we're voting on in second reading. I think we need to send it back planning and
571 zoning to look at these changes that have been made, and give us recommendations. Ms. Samples said
572 folks, this is why we don't get anything done. It was quite clear to me. I think it's quite simple when you
573 look at what the motions were and who approved the motions. It was kind of obvious what we were
574 trying to do. Again, if you don't like what's being done, make a motion to change it. If you don't like the
575 motion, don't vote to support it. How much longer, how much more time do we as a council need to do
576 our job? We've gone over, and over it. If you don't understand it, if you can't comprehend it, I don't
577 know how to help you. But I do think that if you are going to delay, I would certainly have the
578 expectation that we would do our job; review the ordinance; know what's in it; know what you support,
579 and what you don't support. That's all I ask. At least read it. Mr. Ott said we've read it and that's what
580 the problem is. The simple fact that anybody can cut any tree without any experience is a problem.
581 Maybe you didn't foresee that, but it's coming. Ms. Samples said this ordinance doesn't have anything to
582 do with getting a business license. Everybody has to have a business license. Mr. Ott said I'm talking

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583 about a qualified tree cutter. The way you put that ordinance out there anybody can cut their trees, and
584 that'll happen. The individual will have no bond, no insurance, and that's what you brought to the people.
585 You've got to think about it before you put that in there. There was no thought. Ms. Samples said well, I
586 disagree with that. I put hours of thought into it and that is not what the ordinance says. The ordinance
587 does not say anybody can come in without a business license to do any work in town. This has to do with
588 an existing resident being able to go out and trim and prune their trees. And yes, if there's a tree that is
589 causing a problem, they can go take that tree down. That has nothing to do with whether you're calling
590 in a qualified licensed person. Of course you have to do that, and they have to do have a business license
591 in town to do the work. Mr. Ott said maybe you should've said that, Ms. Samples, but it's not in the
592 ordinance. What I'm saying this will not stop the trees from being cut by them, but you have to have a
593 little restriction. You can't just let everybody trying to cut an 85 foot tree and then say, oh, it didn't fall
594 the way I thought it would. You need to have a professional do some of these things. This is over and
595 above the residents' ability. You kindly left out that section in your list. You said the resident can remove
596 any tree they want. And that's okay, we're gonna remove any tree we want, but in certain incidences you
597 need to protect your neighbors. Mr. Stevens said I will agree that both sides make good points. One of
598 our citizens who is an insurance agent spoke earlier about the possibility of hiring a contractor who
599 forges his insurance certificate. Believe me, that's happened before. My friend ended up paying \$40,000
600 because of forged insurance documents. Mr. Ott definitely makes good points here. I don't know if
601 planning and zoning wants this ordinance again. But I know Ms. Morris can definitely direct us and tell us
602 where we need to go with this and tell us what we need to solve in it. She's been doing this a long time
603 and is well-qualified. I'm not crazy about sending it back to the planning commission. When is council
604 ever going to take responsibility and do what's right for the town. We've got to do whatever is right. Mr.
605 Courtney said I agree with the both parties. The objective here was try to make the tree ordinance
606 simplified for the residents to use. But what I see here is a problem with the liability of someone cutting
607 down a 90 foot pine and it landing on someone else's house. I've seen some good guys lay down those
608 pine trees, and then run into trouble with them falling on a house. I spoke with Ms. Morris about the
609 misdemeanor charge, which I think is harsh. I had asked Ms. Fellner and Ms. Morris to contact Mr. Battle.
610 Ms. Fellner said his response was sent to all of council. Mr. Courtney said the answer was that we could
611 not change the misdemeanor. Ms. Fellner said that's correct. Mr. Battle's suggestion was to follow the
612 state code that trumps local code. Mr. Courtney asked where we stand with fines the way this tree
613 ordinance is written. I don't want to sign ordinance and this ordinance to come back 10 years from now
614 and have councilmembers saying that was the worst thing we ever did. I want to make sure it is done
615 right. If there are councilmembers that are not sure of this, I have no problem sending it back, but I
616 rather send it back to a committee of council. Some planning commission members said they will not go
617 back on their directions that they moved forward on in this tree ordinance. If the ordinance has to go
618 back to a committee, it should go back to a council committee, and it has to be back the next meeting for
619 a final reading. Mayor Childs asked Mr. Stevens if he wanted a joint commission of the planning
620 commission and councilmembers. Mr. Stevens said no, just a council subcommittee. I would welcome
621 planning and zoning members come to the meeting and speak. Ms. Morris will advise us. I knew the
622 amendments I made, but did not understand the amendments made by anyone else. I would like to see
623 them in writing. In my opinion, the ordinance needs to clearly state that anyone cutting trees has to be
624 licensed, bonded, has workers compensation and is insured to protect the citizens. Mr. Ott said the
625 reason I said send it back to planning and zoning is because that is our process and our ordinance in this
626 town. That's where it's supposed to go, but if you just want to wing it, I'm okay with that, too. I'd rather
627 do it right here, but what we did at the last meeting was an abortion to that [ordinance], because as you
628 just stated, you have no idea what you okayed. Mr. Pellegrino said I was absent from last meeting,
629 unfortunately. But, I did read the minutes and I did go thoroughly through the ordinance. The updated
630 ordinance that had a lot of stuff crossed out, a lot of stuff changed. I was able to navigate, and now I do
631 have a few questions. I did talk to staff about a few questions. I'm pretty confident that I understand
632 what's in it. I'll just ask for a vote now. Mayor Childs, and Mayor Pro Tempore Ott, and Councilmember
633 Johnson voted in favor. Councilmembers Courtney, Pellegrino, Samples and Stevens voted against.
634 **MOTION TO DEFER TO PLANNING COMMISSION FAILED.**
635

636 Ms. Samples moved to adopt second reading of Ordinance #17-0839 as presented. Mr. Pellegrino
637 second. Mr. Pellegrino moved to amend Section 17-724 to remove "prior to removal the landmark tree
638 and application request must be presented to the board of zoning appeals" and state "prior to removal of
639 landmark tree, the director of planning and zoning will review the case and decide whether or not it can
640 be removed." Ms. Samples second. Mr. Pellegrino said the reason for the amendment is that we have
641 people who work in our organization who are paid to make decisions and I'm fine with waiting period
642 when they break the rules and it's a penalty, but not fine for three or four week waiting period for us to
643 make a decision. I think it's ridiculous. We have capable people who can take the same criteria that the
644 board of zoning appeals use and make an educated decision. Mr. Stevens said I already made an
645 amendment on that. Mr. Pellegrino said yes, but it was still in the ordinance, which is why I made the
646 motion to amend. Mr. Ott said reiterated his comments that the ordinance does not have any penalties,
647 because there are no permits. A permit is permission. You don't need permission, there's no law (**). Mr.
648 Pellegrino restated his motion to amend that applies to landmark trees for which a permit is required
649 saying the amendment is to allow the planning and zoning director to review the case to decide whether
650 or not it can be removed. Mr. Ott restated that there is nothing in the code to prevent someone from
651 getting permission to cut a landmark tree to put in a swimming pool, and then never building the pool.
652 Mr. Pellegrino said regardless of that situation, the planning director is qualified to make the decision. Mr.
653 Courtney said this absolutely ridiculous and is why it needs to go back to committee. It is not registering.
654 Mr. Ott has a point that he is trying to get across. Again, you don't change ordinances, you amend them.
655 You take away, you add or you take away. You don't change ordinances. This is why we're here today in
656 the mess that were in with this. This should have gone back. We have a lot of people up here that are
657 not happy right now. Councilmembers Pellegrino and Samples voted in favor. Mayor Childs, Mayor Pro
658 Tempore Ott, and Councilmembers Courtney, Johnson, and Stevens voted against. **MOTION TO**
659 **AMEND FAILED.**

660
661 Mr. Stevens moved to amend the motion to send the ordinance to a three member council
662 subcommittee, upon which Ms. Fellner and Ms. Morris shall serve; and deferring second reading until the
663 committee can make its recommendation. Mr. Courtney second. After discussion regarding parliamentary
664 process, Mr. Courtney said it's obvious that we need to sit down to talk about this. Mayor Childs, Mayor
665 Pro Tempore Ott and Councilmembers Courtney, Johnson, and Stevens voted in favor. Councilmembers
666 Pellegrino and Samples voted against. **MOTION TO DEFER TO A COUNCIL SUBCOMMITTEE**
667 **CARRIED.** Mayor Childs appointed Mr. Stevens, Mr. Johnson, and Mr. Ott to serve on the subcommittee
668 to review this ordinance.
669

670 **B. Second Reading Ordinance #17-0840 to add §17-222, Paragraph 5, Board of**
671 **Zoning Appeals to Hear and Decide appeals to remove a Landmark Tree, Director Morris.** The
672 decision paper and ordinance are on file. Ms. Samples moved to defer second reading until such time as
673 Ordinance #17-0839 was presented. Mr. Johnson second. All voted in favor. **MOTION CARRIED.**
674

675 **C. Second Reading Ordinance #17-0841 to amend Chapter 13 Fees as relates to**
676 **Ordinance #17-0839, Director Morris.** The decision paper and ordinance are on file. Ms. Samples
677 moved to defer second reading of Ordinance #17-0841 until such time as Ordinance #17-0839 was
678 presented. All voted in favor. **MOTION CARRIED.**
679

680 **D. First Reading Ordinance #17-0844 to amend §12-187 Funds Established and**
681 **Purposes, Director King.** Mr. Johnson moved to adopt first reading of Ordinance #17-0844 as
682 presented. Ms. Samples second. Ms. King presented the decision paper and ordinance, copies of which
683 are on file. Mr. Stevens asked if the town got discount rates for the attorney representing indigents. A lot
684 of times a public defender isn't paid as much as a regular private attorney. Ms. King said there has not
685 been any indigent defenses as of yet. We have the money set aside, if it does occur. Mr. Stevens asked
686 if the attorney would be put to bid or how it would be handled. Ms. King was unsure how it would work.
687 We could put it out to bid, but we have to have the money set aside instead of asking Town Council for a
688 budget amendment. This is a state mandate required for municipal courts. The fund balance cannot be

689 used without Town Council's approval. Mr. Pellegrino said thank you, Mrs. King, for getting us all straight
690 on the future for beach renourishment. When I came on three years ago we had almost nothing in the
691 beach renourishment fund, and it's been a struggle. Having money automatically coming from different
692 sources will certainly ensure that we'll have enough 10 years from now. Mayor Childs said I agree with
693 Mr. Pellegrino, Ms. King. Mr. Ott said I agree with Mr. Pellegrino. Very good job on that. All voted in
694 favor. **MOTION CARRIED.**
695

696 **E. First Reading Ordinance #17-0845 to adopt FY2017-2018 Municipal Budget,**
697 **Director King.** Mr. Ott moved to adopt first reading of Ordinance #17-0845 to adopt Fiscal Year 2017-
698 2018 Municipal Budget. Ms. Samples second. Ms. King presented the decision paper and ordinance,
699 copies of which are on file. Mr. Johnson reiterated the fact that there was a decrease in expenditures
700 from the last budget workshop. Thank you all for doing that. Mr. Pellegrino said I'll just make a comment
701 that the budget is obviously tough. We have beach renourishment, which is a huge, huge expenditure
702 this year that we had to compensate for. But, in this budget we cut out many large capital expenses. It
703 includes a headcount reduction in the fact that we do have current openings that we're not filling right
704 now, and at the budget meeting we challenged departments to cut 5-percent. We didn't get that 5-
705 percent, but each department gave it a look and we cut 3-percent. So, that's a certainly a step in the
706 right direction. As far as our key indicators, the emergency fund is still \$400,000; were paying for beach
707 renourishment; we need to focus on in the future to start building that balance more; unassigned funds
708 were about one half million, which is three months. We need to move more towards four months of
709 monthly operating expenses, and Ms. King just explained a good plan for beach renourishment. The big
710 question now is the pier. That is what we have to focus on now. Overall there is certainly room for
711 improvement, but then we did hit some key improvement areas in this budget. Mr. Courtney said I'd like
712 thank Ms. King again. We went through the budget since we had the workshop, and I think Mr. Pellegrino
713 said it all. We asked each department to make cuts and they really went back and they did some. I was
714 actually surprised at the numbers that you were able to will pull off. I do thank you. Mr. Ott and I sat
715 down with Ms. King to discuss many components of the budget without making cuts to any services.
716 Again, it is the first reading of the budget, we're gonna let it go through at this time. But I do feel
717 confident that our staff did a good job. Thank you. Mayor Childs said I would like to also thank you, Ms.
718 King, for the additional cuts. You've done a good job. We can't ask any more of you. Mayor Childs, Mayor
719 Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, and Samples voted in favor. Mr.
720 Stevens voted against. **MOTION CARRIED.** Mr. Stevens said I have a right to state the reasons for my
721 no vote. I think there's a lot of frivolous spending in this budget and I would like to see it gone over
722 better. A citizen said we need to go through the budget closely, and keep a better watch on the
723 taxpayers' money. Mr. Ott said I thank you for your opinion, but I wish you would've shared it with the
724 rest of council about the frivolous spending at the budget workshop, at which you, Mr. Stevens, only
725 spent an hour and half.
726

727 **F. Resolution #17-181 to authorize an Agreement to participate in the Waccamaw**
728 **Home Investment Partnership Consortium. Director Morris.** Mayor Childs called for a motion. No
729 motion was offered. Resolution #17-181 **FAILED; no motion offered.**
730

731 **G. Award Informal Bid: 3rd Avenue South Bulkhead Repair, Director Adair.** Ms. Samples
732 moved to award the bid to Tim's Construction at a price of \$31,400. Mr. Johnson second. Mr. Fellner
733 presented the decision paper and bid documents, copies of which are on file. Mr. Stevens moved to
734 amend the motion to state that the contract price shall not exceed the amount of \$31,400, and that no
735 amendments to the bid shall be accepted. Mr. Ott second. Mr. Stevens explained that in the past Tim's
736 Construction has brought change orders that increased the cost of other projects. Mayor Childs said this
737 came in with an engineered report. I'm sure the engineers reviewed the project thoroughly. I see no
738 reason for any change orders. Mr. Stevens said Tim's has not submitted an engineer's report. He only
739 submitted some drawings. That price is based on if he gets the bid, then he will get the engineer. Ms.
740 Fellner said Mr. Stevens is correct. Mr. Pellegrino said I agree with Mr. Stevens, but we need to make
741 sure we don't change the scope through the project either, which would change the game. Ms. Samples

742 said to Mr. Pellegrino's point, time is of the essence. This whole group of people are coming into tourist
743 season. Ms. Fellner said that is correct. These are rental properties. Ms. Samples said we need to
744 expedite the project. Mr. Courtney asked if this was the bid that was to be approved last Monday at a
745 special meeting. Ms. Fellner said yes, but the information was not available until the end of the week, but
746 at that point it made more sense to just bring it to this regular meeting. Mr. Courtney asked if any
747 engineering work had been bond. Ms. Fellner said they have not done engineering; they will do that
748 afterward that after the bid award, however, the engineering is included in their price. Mr. Courtney
749 asked if we know who the engineer is. Ms. Fellner said she did not. Mr. Courtney said I agree that we
750 cannot any oversights. All voted in favor. **MOTION TO AMEND CARRIED.** All voted in favor of the
751 primary motion as amended. **MOTION CARRIED AS AMENDED.**
752

753 **H. Lyme Disease Awareness Race, Ms. Holly Roesing, Councilmember Samples.** Ms.
754 Roesing gave a presentation to Town Council asking that they approve the first annual Lyme Disease
755 Awareness 10K, 5K Run, sponsored by the South Carolina Chapter of the National Capital Lyme Disease
756 Association. Copies of the presentation are on file. September 30th is the target date for the race based
757 on other events in the area. Mr. Ott was concerned with cost to the town. Ms. Roesing said there would
758 be no cost to the town. Ms. Samples apologized to Ms. Roesing for having to wait so long. I support your
759 race. I know how difficult it is to organize. I want to make sure that your insurance is in place and that
760 any cost to our police department and public works staff is paid. I would appreciate you having a
761 conversation with Ms. Ellis about getting the vendors out as soon as possible to avoid any burden for the
762 area businesses. Mr. Stevens asked how much liability insurance she carried, and what it covered. Ms.
763 Roesing said a race was just held in Washington, DC that included 2,000 runners. She would verify the
764 amount, because the coverage is based on the number of participants. Insurance covers slips, trips, toe
765 stubs, fainting, etc. It's a full blanket coverage for a marathon event. Mr. Stevens asked Ms. Roesing to
766 bring a copy of a previous policy to Ms. Fellner so she can ensure there is no liability for the town. Ms.
767 Roesing said the insurance would be available as soon as the event is approved and the process started.
768 She will provide a copy of the policy for the recent run to document coverages. Mr. Courtney said thank
769 you for bringing the event to the town, and asked her to meet with Ms. Fellner. Ms. Samples moved to
770 allow the Lyme Disease Race on September 30, 2017, and that Ms. Roesing will meet with Ms. Ellis and
771 Ms. Fellner to work out the particulars. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**
772

773 **I. Motions and/or directions to Town Administrator from Executive session.** There
774 were no motions and/or directions to the administrator.
775

776 **9. TOWN COUNCIL DISCUSSION**

777

778 **A. Section 2-133 Duties of Town Administrator, Councilmember Stevens.** Mr. Stevens
779 said I think it's imperative that the we go back and look at the duties of the administrator to make sure
780 they're clearly defined, because eventually will have a new administrator. I have the duties in the current
781 law, and I have the old laws, as well. I would like to them to be amended and do in further research on
782 what the duties. I think it's important that the administrator knows that she works at the pleasure of
783 council and that she has certain duties to keep us fully informed so we can do our fiduciary duty for the
784 citizens. Therefore, I would like to bring this back to council and look at the duties of past and present
785 [administrators] and make some additions and changes. Mayor Childs asked if anyone else would like to
786 speak on the subject. No comments were offered.
787

788 **B. Proposed Ordinance to allow Temporary Contractor Parking, Administrator Fellner.**
789 Ms. Fellner presented the discussion paper, a copy of which is on file. A resident brought this issue to our
790 attention at the last council meeting. It was brought under discussion, because councilmembers haven't
791 seen it before. The goal is to allow delivery trucks and contractors performing short-term jobs to legally
792 park upon the town's roadways when there is insufficient parking at the property location in the right-of-
793 way. The failure to adopt the ordinance will result in continued issuance of parking tickets as delivery
794 services and contractors performing short-term work. The recommendation is to direct staff to bring the

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795 ordinance forward for consideration as discussed with any changes recommended by Town Council.
796 When I reviewed the ordinance, I realized that number four should also include "Flashers must be
797 operating while standing." Ms. Fellner asked Town Council for direction. Mr. Pellegrino was confused;
798 are the mailman and FedEx guys getting tickets mixed? Ms. Fellner said no, but there was a very
799 legitimate concern, especially in a number of places on the north side and the south side of town. There
800 is not enough right-of-way for parking in many places and there is sufficient room for an emergency
801 vehicle to pass by, if there is a piece of equipment or a vehicle wheels on the road. So, officers were
802 saying get your wheels off the road, or move your vehicle, or we're going to ticket you. We drove around
803 town and realized that this is a problem. Mr. Pellegrino asked what type of companies were involved. Ms.
804 Fellner said mainly lawn services. Mr. Pellegrino said they are parked on the road. I agree with that. Mr.
805 Courtney said this is a problem I see all over. Unfortunately, there are some that get tickets and some
806 that do not. On the Surfside Drive, we have clear roads, where [vendors] deliver sodas and beverages.
807 They pull over and take up the whole road. People that live around it have to go around it. I believe the
808 park on Poplar by Sundown, correct? Ms. Fellner said I've seen them there. Mr. Courtney said you've
809 seen them on other spots, as well. It is an issue. You have to let guys make deliveries or you're not going
810 to have food or beverage. We have to have services come in and deliver, even lawn care. I see all around
811 my home. Some get ticketed; others don't. I'm not saying it is selective enforcement. It's either someone
812 calling it in a complaint, or someone doesn't want to drive around the truck. My feeling is if you can get
813 around the vehicle safely, it's not a problem. But, we don't want people speeding around it. You gotta
814 slow down. When you see a vehicle parked, they are doing work. They are there 15 minutes cutting the
815 lawn or making a delivery. Slow down; go around them. I've seen them put out cones. Many vendors are
816 hesitant to use their hazard lights, because it kills the batteries. So I just think it is definitely a concern to
817 council, and something that has to be done. I think there should be grace period of how long you can be
818 double parked out there, as long as you can allow emergency vehicles to get around you and other
819 vehicles. Mr. Pellegrino said obviously, we live in a tourist town. We have a rental district. We have pool
820 companies and landscaping companies that are servicing these homes. There's absolutely no place to
821 park, especially if there are cars in the driveway. They have to park on the road. I just don't understand
822 why we need an ordinance for this. We're actually ticketing vendors when they're working in the rental
823 property yard. Ms. Fellner said yes. Mr. Pellegrino said that is ridiculous. I don't think we need an
824 ordinance. We need common sense. That's mind-boggling. Where are they supposed to park in rental
825 areas? Ms. Fellner said there is an ordinance now that states they can't do that. They have to have all the
826 wheels on the grass in the right-of-way. Mr. Pellegrino said that is for people parking, but that includes
827 these vendors, too? Ms. Fellner said yes. Mr. Pellegrino said interesting. Ms. Fellner said we just want to
828 make it legal for the vendors. This is a very easy, painless way to do that. Then they can't be ticketed.
829 Mr. Pellegrino asked if this is a modification to the existing ordinance. Ms. Fellner said yes. Mayor Childs
830 said most of the streets do not have a lot of vacant lots like we did 15 or 20 years ago. The vendors can't
831 really pull off to the side road, because there is no place to pull. I think it would really be good to clarify
832 the ordinance, and maybe when the police are riding around they can make sure that the vendors stay
833 over as far as they can. People know that the roads are narrow, so this is something simple, like Mr.
834 Pellegrino said, just use common sense. I think it certainly is worthwhile to clarify this. Mr. Courtney said
835 an issue that came up that I know of is that the police are summoned by someone on the block, and that
836 puts them in a bad position. This is why the ordinance needs to be amended. When they get a phone call
837 that vehicle a truck is obstructing the road, the only option is to use discretion because the ordinance
838 states they must write a ticket to someone who is obstructing the roadway. That's where the problem is.
839 I think there should be a grace period, and the ordinance needs to be amended so it won't happen again.
840 It's very simple, we've got commercial trucks in the commercial district delivering beverages. They take
841 up Surfside Drive, nobody gives them a problem. But in the residential area, they have a problem. Ms.
842 Samples said I don't have a problem with the ordinance, but I do have a question about 9-19, number
843 five, temporary standing shall be limited to the time necessary to safely make the delivery and shall not
844 exceed more than 'blank' hours per day or 'blank' consecutive days. Ms. Fellner, you're not going to ask
845 this council to fill that, are you? Ms. Fellner said no, I'm not. Ms. Samples said thank you. Mayor Childs
846 said point well taken. Ms. Samples said it would take us forever to do that. *(Laughter.)* Mr. Stevens said
847 like Mr. Pellegrino said, we've gotta use common sense. This is real simple. We've got a lot of people in

848 town that can't mow their own yards. So they hire somebody. The worse thing in the world is to have the
849 guy come, but he can't pull in the yard, so he parks on the side. He does whatever he needs do. There's
850 no sense in having this enforced, because these people are providing a service to our citizens. We need
851 to make sure that the people that are working are not being ticketed and fined every time they turn
852 around. It just makes a bad impression on Surfside Beach. We need to be more business friendly and let
853 them do the job. As long as they're not blocking two lanes of traffic, they're fine. Council **CONCURRED**
854 **to bring an ordinance for consideration.**
855

856 **C. Any matters of concern or information to be discussed by Town Council.** Mayor
857 Childs said I have one more item, Ms. Fellner. We do have one individual in town that has turned a yard
858 sale into a flea market. Ms. Fellner said yes sir, and that is in the planning commission for discussion and
859 recommendations to Town Council. Mayor Childs said I heard complaints again this week. Ms. Morris
860 said this is on the next planning commission agenda for public hearing and then it will be presented to
861 council the meeting after that.
862

863 **10. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)
864

865 Mr. P. L. Mabry, 15th Avenue North: I'll try it again. You spoke about the fact of the sending the
866 ordinance back to the planning and zoning. That's exactly what you're supposed to do. You're not
867 supposed to make changes. You can make small minute changes, but you cannot make changes to the
868 planning and zoning's right here at this council right here. If you have major changes, it needs to go back
869 to planning and zoning. Now if I'm mistaken about that, I'll apologize. But I think if you ask Ms. Morris, I
870 think you'll find out that I am correct. So you're very fortunate to have a planning and zoning commission
871 here. The people that work here, they do an excellent job in trying keep your investment rising instead of
872 going down. It is very important that you work with them, but you need to know more about planning
873 and zoning to be a councilman. That a way you would not, let's say, take a great deal of time up
874 discussing things or talking about your life ambitions, or with your goals, or whatever you've experienced
875 in your life. You're at a council meeting. Now, the trucks or trailers that are parked the streets I do think
876 you need to make a requirement that they have a flashing light. A brilliant flashing light. One that's easily
877 seen. They have those where the sell the power poles. Where they deliver them they'll put 'em on the
878 back of the trailers there. They're very bright to let people know that you have a stopped vehicle or
879 trailer in the road. I don't think it's a big, well, I say a big expense. But it is a required one. You cannot
880 just stop and park in the middle of the street, and think that's a safe thing to do. Oh, it's only gonna be
881 for a little while, well, that doesn't always work out; the best intentions for everyone else. I think if you
882 check with P and Z, you'll find that they have the, when they write you an ordinance, you can make the
883 small changes, but major changes is not, you can't do that. Am I correct about that Ms. Fellner? Ms.
884 Fellner (**). Mr. Mabry: Do what now? Ms. Fellner: (**) Mr. Mabry: (**) for a long time. Thank you very
885 much. I appreciate your hard work that you put in. I've done that for many years. So keep it, keep the
886 good work up.
887

888 Ms. Holly Watson, Oak Drive North: I am very confused and I just would like some answers and
889 perhaps the administrator can give me the answers next council meeting. When we apply for grant, we
890 get; we got 500,000 for the bridge on Ocean Boulevard as a grant. I would like to know why our
891 expenses do not meet our grant. In other words, why are we budgeting 625,000 for a project that we've
892 only got a grant for 500,000? The same way with the 3rd Avenue promenade. Why do we have a budget
893 of 500,000? That's 175,000 over the grant money that we've gotten. If it only cost us 415,000 to do two
894 blocks of Surfside Drive with all that crazy curbing; all that kind of stuff going on there, can't we just do
895 one block for the 350 that we have? Why do we anticipate and budget 500,000 when we've only got
896 350,000 worth of grant money? We're already over budget on both of those capital projects, if you look
897 at the grant money that we have. So it seems to me like we're always spending more than what we
898 have, and then we're constantly looking at a way to change it. The other question I have is somewhere I
899 read on the publication for this meeting that we had save \$60,000. We're so excited we saved \$60,000 in
900 cuts. But at the budget meeting we left off a person in planning and zoning. We left off our engineering

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901 costs for our streets and roads. We think or thought it was maybe eight or \$10,000 and we also had a
902 strange accounting thing that I still don't understand; you approved a motion to expense \$34,000 for
903 hydrants in this budget year that we're in right now. Next year you're gonna spend 68,000 or double
904 that, which you're gonna transfer this 34,000 that was written off this year over in the income for next
905 year. So your \$60,000 basically evaporated. The 34,000 for a hydrant expense; the person that you're
906 missing in planning and zoning, and your engineering costs for your streets and roads. So what I asked
907 you earlier was why do we have a quarter of a \$1 million or better over budgeted in excess of our grant
908 money for our capital improvements. Our 3rd Avenue South promenade, and the bridge on Ocean
909 Boulevard. Just questions I would like to know. I hate numbers. I hate budgets, but as I said in my
910 Facebook post, if I only have enough money for a Honda, I can't go shopping for Rolls-Royce. And what
911 you guys did tonight was you gave away our pier fund money a couple of years from now. You're going
912 to transfer \$50,000 of our pier fund money that we need to pay back our pier loan and you're putting it
913 into beach renourishment. Makes no sense to me. Can somebody please explain? Thank you.

914
915 Ms. Sherry Wardle, 1st Avenue North: For those who attended the last meeting, you will recall
916 when I stood to give my comments, the Mayor told me he wouldn't allow me to speak. Once it was
917 determined that I have a Constitutional right to speak, as soon as I mentioned the administrator's name,
918 the councilwoman call the point of order stating that I was discussing a personal [sic] matter. She even
919 went as far as to direct the officer present to prepare to escort me out. Well, I'm here again. I was
920 married nearly 30 years when my husband put his hands around my throat in an attempt to silence me or
921 kill me, or maybe both. Some people don't like hearing the truth that he threatened me with a weapon
922 and I was forced to take actions to protect myself, because I believe that no one deserves to feel
923 threatened or intimidated in their own home. Well, this is my home now, and I will not be threatened or
924 intimidated. You will not violate my Constitutional Rights to speak freely at the podium. Nor will you
925 interrupt me when I mention personnel names. Now, I'm going to comment first on check number
926 72167 for \$9,999 to Clemson University Foundation written 12/9/16. Same explanation, no proof.
927 Perhaps the administrator's confused about which \$9,999 check I'm referring to. The register entry on
928 12/9/16 says it was written to Clemson University Foundation, not the Alignments for which she said. I
929 requested a certified design plan, an invoice, a contract, and anything to show that this check was
930 legitimate. And perhaps maybe a front and back copy of the check should help to clarify. Now, y'all know
931 what's coming. The latest article the *Myrtle Beach Herald* that exposes the incompetency of this
932 administration seems that the town has been run background checks for new valid reasons. These aren't
933 the criminal background checks through the National Criminal Intelligence Center or NCIC. They're even
934 more comprehensive. Another major difference is that there's no timestamp, no employee ID, and no
935 need to substantiate a need for the report with the FBI. But it is recorded with TransUnion. The Police
936 Department are able to pull criminal background checks from NCIC for pre-employment and criminal
937 investigations, to aid in finding persons reported missing, because it gives information on known
938 associates and relatives, and in exigent circumstances relating to criminal activity, or life or death
939 situations where they may be insufficient time to secure a warrant. Remember there always needs to be
940 probable cause. None of these reasons apply to Florida resident (***) Melendez. She never authorized
941 anything. The only tie she has to this area is a brother who owns a property here. So why was such an
942 invasive report pulled on Ms. Melendez? Who authorized it? And what about the 50 or so TransUnion
943 reports pulled this past December and January? Was my report pulled? (***) I believe I have a right to
944 know. Council needs to make certain that this administration notifies every individual who was subjected
945 to this invasion of privacy at the hands of the paid personnel here. We should know who pulled it and
946 when. Additionally, I'm asking that we be apprised of the expenses incurred and paid to TransUnion from
947 its inception to current date. I have a hard time stomaching the thought of our tax dollars being used by
948 this administration to spy on us. And another concern; where are these reports now? How many people
949 have seen them? Police personnel are responsible for destroying these background checks once the
950 related investigation is complete. There should be policies in place regarding dissemination and
951 destruction of these reports. Police personnel are never supposed to share this information with
952 unauthorized individuals or agencies. I thought the issue with the Surfside Beach resident who died and
953 the junior firefighter who administrated CPR to him that the town kept secret for two years was about the

954 most deceitful, immoral, and unethical thing I ever heard. But the town really crossed the line when it
955 opened us up to another potential lawsuit for civil rights violations and invasion of privacy. Council,
956 please do the job you were elected to do and clean house. If you do nothing now, *(time ended)* you don't
957 deserve to sit in those seats.
958

959 Ms. Holly Roesing, 11th Avenue South: We talked about the holes, and I know now that they're
960 doing patrols, but I still think that we could launch a campaign from Surfside that asks the people who
961 put out there little newsletters at their rental properties about why we want them to fill the holes and
962 maybe if they're; I'm not saying everybody is gonna read 'em, and I'm not saying every renter is gonna
963 put in their newsletter, but it could cut down on some of the holes you have to start filling in for that
964 reason of one it's a safety issue, which we know, and number two, if it traps a sea turtle, it will die
965 overnight, because they won't see that hole. So that's is my suggestion again to have some kind of a
966 campaign where you are asking the renters to put it in their newsletter, because they're already putting a
967 whole bunch of other things about the rules of Surfside, the garbage days, what to do with the sheets at
968 the end, and how about just a little note at the bottom about why we want you to put your dirt back or
969 sand in back your holes.
970

971 Ms. Carol Holt, Yaupon Drive North: I am disappointed that we couldn't settle the tree ordinance
972 tonight, but so be it. But I do want to try to understand one thing. There was nothing in the proposed
973 tree ordinance from the planning commission regarding licensed tree removal companies. So is my
974 understanding now that Council wants to add this amendment to the recommendation from the planning
975 commission. I'm not sure, but that is my question. As far as the permits required in Section 17-723 is
976 titled 'zoning permit required' and in Section 17-724 it's also titled 'zoning permits required' so it appears
977 to me that permits are still required by Surfside, and that the penalties and fines still apply in certain
978 cases. I do understand why you may want to send this to a committee, because not all of the
979 amendments that were proposed at the May 9th meeting were reflected in the document you had tonight,
980 and one was Mr. Stevens'. I don't know that he noticed it, but he had made special presentation about
981 replacing the tree with twice the number and you had made an amendment about reducing that. That
982 wasn't reflected in the proposal tonight. So I can understand this is still a very complicated; it's very
983 important that all the amendments are reflected correctly in what you see and what you read, as well as
984 for the residents. Thank you very much.
985

986 11. TOWN COUNCIL COMMENTS

987
988 Mr. Ott: Thank you for coming out. Thank you for spending your whole evening here. Mrs.
989 Watson, I'll gladly sit down and answer your questions for you. I'm not an accountant, I'm not as good as
990 Ms. King, but I can answer all those questions. You might get \$500,000, but the engineer says it's a little
991 bit more, and that's why you don't get just what the grant gives, because the grant is open for X amount
992 of dollars. You may have to do a little bit more to make it right. They're not going to get exactly that
993 money, and you did have nine questions at the budget workshop and everyone was answered to you,
994 and your answer, yes they were, 'cause the minutes are there, and you said, 'oh, okay' to every answer,
995 and I appreciate that. But, we're looking at this budget, believe me. There is no money being thrown
996 [away] around here. You may think there is, but there's not. You say you hate budgets, you hate money,
997 or you hate numbers, well, I have to look at 'em now, and they're not, there is no distortion here that I
998 can find, and I looked at it and studied it. Believe me, so have you. You have found nothing, so far so
999 good, but the fire hydrants, guess what? You [remember] what you picture in your mind is a fire hydrant,
1000 and I'm not a fireman, but I've been out there and I looked, and now they've changed. They look like a
1001 little L-shaped thing. They changed them on us while we weren't looking, and that's why we're going to
1002 do some this year, and some next year, because we don't have enough money this year, because there is
1003 a broken pier, and we have to do beach renourishment. They've changed the fire hydrants. Is that
1004 correct, Chief? Chief Otte indicated yes. Mr. Ott continued saying guess what, we've gotta change 'em, so
1005 we can do some this year, more next year when we will have more money. Basically, that's the answer
1006 for you, and thank you for your questions. But, call me, I'll gladly sit down and we can go over them.

Town Council Regular Meeting
May 23, 2017

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Mr. Courtney: I'd like to thank you for coming out. I thought we could make this tree ordinance easy, but that wasn't the case. So here we go again. I'll see you in two weeks. I have no other comments. I'm tired. Thank you.

Mr. Johnson: I only have three quick comments other than thank you for coming out. I hope to see you next time. As far as the yard sales go, these people are getting very, very creative. Now, they're not putting the items in their yard. They're putting them on trailers and they'll drive them from house to house. I saw that the other day, and I was like, unreal. But that is not surprising in Surfside Beach. People will, it's not in just indigenous for Surfside Beach, people will try to do everything they can to get around the rules. As far as the pier fund funding beach renourishment that will not start until after the pier has repaid its debt to the town. Ms. Fellner, if you would, get with all councilmembers this week to schedule a time to meet on the tree ordinance, please. Thank you. Thanks for coming out.

Mr. Pellegrino: I just have one comment. Ms. Watson, you did mention grants. I don't know if this pertains to the grant on the bridge, but many of the government grants, the federal grants, you have to spend 25-percent to get the rest of the grant. So, you know, to get \$400,000 may have to spend \$100,000, and that's how a good majority of them are structured. Obviously, Mr. Adair and Ms. Fellner can explain exactly how the one for the bridge works. But I know we've had many grants where we had to put up 25-percent to get the rest of the money. So that may be the reason why were over on a lot of them. Other than that, thank you very much for coming. Thank you very much for your comments, and have a great night.

Ms. Samples: I really respect and appreciate all of you who have sat here this evening to this late hour. It shows that you care about the business in the Town of Surfside Beach. Have a good night. You all enjoy your evening.

Mr. Stevens: Thank you for coming out. It's 9:51, so I'm not going to talk a lot. Just to say thank you for being here. And let's go home.

Mayor Childs said thank everybody for coming tonight.

12. ADJOURNMENT. Mr. Courtney moved to adjourn the meeting at 9:52 p.m. Mr. Johnson second. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

Approved: June 13, 2017

Debra E. Herrmann, CMC, Town Clerk

Robert F. Childs, III, Mayor

Ron Ott, Mayor Pro Tempore

Timothy T. Courtney, Town Council

Mark L. Johnson, Town Council

David L. Pellegrino, Town Council

Julie M. Samples, Town Council

Randle M. Stevens, Town Council

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