



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES  
EXECUTIVE SESSION AUGUST 22, 2017 ♦ 6:00 P.M.  
REGULAR MEETING AUGUST 22, 2017 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

**Executive Session – 6:00 p.m.**

Mayor Childs called Town Council to order at p.m. Tuesday, August 22, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person or persons to a public body. The accommodations tax committee and the stormwater committee both have vacancies due to terms expiring. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, Samples, and Stevens were in attendance. A quorum was present. Mr. Stevens moved to enter executive session at 6:00 p.m. Ms. Samples second. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 6:08 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mayor Childs said for the record that no action was taken during executive session. Any motions and/or directions to the town administrator will be made during the regular meeting that begins at 6:30 p.m. as noted on the agenda under Business Item 7. Mayor Childs declared the session adjourned at 6:09 p.m.

**Town Council Meeting – 6:30 p.m.**

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

**2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation:** Rev. Jeff Wood, Oasis of Hope Church, was unable to attend. Mr. Pellegrino gave the invocation. **B. Pledge of Allegiance:** Mayor Childs led the Pledge.

**3. AGENDA APPROVAL.** Mr. Ott moved to adopt the agenda as presented. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

**4. MINUTES APPROVAL. Regular Meeting August 8, 2017.** Mr. Stevens moved to adopt the August 8, 2017 regular meeting minutes as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED**

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

Ms. Carol Cook, 7<sup>th</sup> Avenue South: I'd like to [talk about] Town Council discussion item 8.B. Customer Walk-in Businesses in residential districts. It's presented by Councilmember Samples. Again, I am imploring you to repeal Section 17-396.4, which allows barber and beauty shops in all residential districts. After enduring the operation of a beauty shop for over a year in my R1 neighborhood, I can attest to the fact that allowing large volume, walk-in businesses in a residential neighborhood essentially reduces the town to two districts: business and commercial. There is no residential area when there is a beauty shop in it. Beauty shops and barbershops have a negative impact on our residents due to the increased traffic, noise, littering, in addition to parking issues and safety concerns. Again, I am imploring you to reach consensus following your discussion to direct a member of council or staff to draft an amendment to the use regulation ordinance to eliminate beauty and barbershops from a residential district. Thank you.

Mr. Bill Kinken, Dogwood Drive North: Good evening, Mayor and Council. Before I start, I want to thank Chief Hoffman and his people for all the patrolling resulting in less speeding, crime, and golf carts after dark. I also want to thank Mr. Adair and his staff for doing such a good job keeping our city clean and tidy. What I wanted to talk about was the tree ordinance. Something has changed since the May 9 first reading. Section 17-222 was approved removing the requirement of homeowners to get a permit to cut or remove a

55 tree, except landmark trees. This motion was carried. This amendment is not in the latest online tree ordinance.  
56 I don't know why. At the August 8<sup>th</sup> meeting, the Mayor Pro Tem was told changes to an ordinance could not be  
57 made in a subcommittee. It had to have a public vote. When and how this amendment was removed from the  
58 first reading and how this was approved, I don't know. My guess; my next question is the second reading legal,  
59 because at some point it was moved and hasn't been removed here in a vote. I urge the council to either  
60 amend the online amendment to allow homeowners the right to remove all but landmark trees as they wish, as  
61 long as a have the total number of trees meeting requirement as presented. Without the amendment, I urge  
62 the council to vote against this ordinance as presented. I hope you will amended or vote it down. Thank you  
63 very much.  
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65 Ms. Betty Lowery, 4<sup>th</sup> Avenue North: I'm speaking in reference to 8.A. Automatic six month review of  
66 the adopted ordinance. First, three things: it's unnecessary, it's confusing and it's inefficient. First of all, it's  
67 unnecessary, and this is not say that all ordinances should not be reviewed. Six months is a waste. If you have;  
68 well, an ordinance is not something you throw out there in case it sinks or floats. If you've done your  
69 homework, if you've done the review, if you've done the public comments, if you checked all the legalities, if  
70 you check to see what other communities are doing, if you've done what you were supposed to do, your  
71 ordinances can be a good thing, and it shouldn't have to be reviewed in six [months.] I heard someone say,  
72 well we're just gonna look at it. Excuse me, who's gonna do the looking? A sunset clause in a lot of  
73 communities isn't six months. It's the end of the year or two years and it's put in there in case situations change  
74 in a community. Over time zoning changes, economy changes, things like that might affect an ordinance. Then  
75 you review it. Dump it, change it, whatever is necessary. But every six months. That's a little much. It's  
76 confusing. One, something that's legal now might not be legal in six months or something that is illegal now  
77 could be permitted in six months. Put a sign up on a building, six-months later you've gotta rip it down. I can't  
78 put an accessory building in my back yard. Six months later I might be able to do that. You just can't keep  
79 turning things over. There's got to be some security as far as an ordinance is concerned. And, it is inefficient.  
80 Who's gonna do the looking every six-months? How many ordinances do you have? You guys gonna do that?  
81 It's already shown that you don't have any proper confidence in planning and zoning. You gonna dump it on  
82 them? I mean, who's gonna be doing that? If you don't have any confidence, any more confidence in an  
83 ordinance that you write than that, don't bring it out for reading. Go back. Work on it. Get input from the  
84 people it is gonna affect. For heaven's sake, don't throw it out thinking, oh well, in six months will look at it  
85 again. When I was teaching, one of the things that we were taught, never handle a piece of paper twice. Do  
86 whatever you're gonna do with it and get rid of it. The same thing should be true of an ordinance. Don't throw  
87 it out there and then have to do it again, and again, and again. I just don't see any point in it.  
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89 Ms. Holly Watson, Oak Drive North. I want to talk about the administrator's report. About a year ago,  
90 you advised her or directed her to look at unencumbering some property that we have called Huckabee park.  
91 You wanted to find out what it would take to unencumber that property as far as recreation goes. Since that  
92 time, our property over on Willow [Drive] has been roped off and no trespassing signs put on it, and we can't  
93 use that. I would like to know from this council when you voted to rope off all of the other property as a land  
94 swap or whatever you're doing with it, because it appears now something has been worked out, because we  
95 can't use our property here in the town limits any longer. We can't even walk on it. So, if a decision has not  
96 been made, why is that? I just would like some transparency. If a, you know, there needs to be an open  
97 ordinance when you all decide what you're going to do with that property, because that's in your ordinances  
98 already that anytime you mess with any land or assets that belong to the town, you must bring it forward in an  
99 ordinance. So, I would like to see more transparency and I would like to use our town property. Thank you.

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101 **6. COMMUNICATIONS.**

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103 **A. Presentations.**

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105 **i. Proclamation #17-116, Constitution Week, September 17-23, 2017, Mayor Childs.** Mayor  
106 Childs presented the proclamation to the Theodosia Burr Chapter of Daughters of the American Revolution.  
107 Chapter Regent Jane Holcombe thanked Mayor Childs and accepted the proclamation on behalf of the Chapter.  
108 A copy of the proclamation is on file.

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**ii. Proclamation #17-117 Children’s Museum of South Carolina, Supervisor Ellis.** Ms. Ellis presented the proclamation to the museum’s education director, Matt Helms, in appreciation of the museum’s “Crafter’s Cove” events held during the summer month. Director Helms introduced Jessica Gregory, museum manager, and Abigail Langer, the museum experience lead. A copy of the proclamation is on file.

**iii. Employee Recognition. Mr. Lon Debruhl, 10 years.** Mayor Childs presented Mr. Debruhl with a certificate recognizing his ten years of service in the public works department, along with an award check and a ten year anniversary pin. Mr. Debruhl received a standing ovation.

**iv. Insider Publication, Business Committee Chairman Sammy Truett, Councilmember Pellegrino.** Mr. Pellegrino, liaison to the business committee, introduced Mr. Truett. Mr. Truett said the business committee is interested promoting the town’s businesses. The committee decided that publishing an *Insider at Surfside Beach* four page section insert in the Market Common’s *Insider at Market Common*, would be a good way to encourage people to shop locally. The paper is issued monthly and the potential reach is about a ten mile radius around Market Common that includes mailing to 21,000 homes and 100 distribution centers (newsstand boxes) that reach another 10,000 readers. Total readers each month is about 77,000. This area is close enough to Market Common that its residents could drive to town to dine and shop instead of going to Myrtle Beach. The business committee will be responsible for all content; no staff time will be involved. Mr. Truett asked council to fund \$4,500, which is about 40-percent less than the regular rate, for a three month trial that would be published in November, December and January. The business committee believes this is a good opportunity to promote not only what Surfside Beach has to offer, but to also support its businesses. Mr. Courtney thanked Mr. Truett for the presentation and asked if the paper would be inserted into the Market Common issue. Mr. Truett said yes. The publisher assured him that the new Surfside Beach section would be in bold print on the front page so it wouldn’t be lost in the paper. Mr. Courtney asked if the town businesses would be involved. Mr. Truett said the goal is for the businesses to purchase advertising in the section. Currently, my advertisement in is the real estate section, but it will be moved to the Surfside Beach section. The 3 month trial period will be a town investment; subsequently, the insert would be paid for by town businesses purchasing advertisements. Mr. Stevens asked how this initial trial would be paid. Mr. Truett said there are hospitality tax funds and there is money set aside for committee expenses. Mr. Stevens asked if accommodation tax funds could be used. Mr. Truett said it does not qualify. Mr. Stevens said it qualifies for hospitality because of the restaurants. Mr. Truett said yes. Ms. Samples asked how soon Mr. Truett needed to hear from council. Mr. Truett said everything had to be submitted by October 15<sup>th</sup>. Ms. Samples asked if this could be added to the next agenda. Ms. Herrmann said that it on this meeting’s agenda as Business Item 7.G.

**B. Department Reports.**

**i. Events.** Supervisor Ellis presented the written report, a copy is attached hereto. Ms. Ellis requested consensus to allow a beer and wine truck at the upcoming Family Festival like the one approved the BBQ Festival this past spring. Mr. Stevens asked if it was the same company. Ms. Ellis said it was. **COUNCIL CONCURRED.** Mr. Ott said the hula show was quite a success. I’ve seen most of them this year. I know we held it six times, and it was self-sufficient. Could we actually have you bring it maybe for three more times next year, and see what council says in the budget? Ms. Ellis said sure. Mr. Stevens complemented Ms. Ellis on the hula show. His friends in Forestbrook came to see the show two or three times because they liked it so well. Ms. Ellis said a lady was on the beach celebrating her 81st birthday during one of the shows. They brought a whole spread with food and a birthday cake. The hula students gave a dance just for her. Mr. O’Dare from the *Myrtle Beach Herald* happened to be at that performance and he put that event in the paper. It was pretty nice. Mr. Courtney said thank you. The hula performers did a great job. I attended most of the shows. The impact on the tourists was fantastic. I imagine we were closer to 400 in attendance. It was a really good turnout, sends a really nice message about the Town of Surfside Beach.

**ii. Finance.** Director King presented the written report, a copy is attached hereto. Mr. Stevens asked how much was paid last year in hospitality tax. Ms. King estimated between \$600,000 and \$700,000. Mr. Courtney asked what the pier was valued. Ms. King believed after depreciation it was netted to \$500,000. She

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163 will advise Town Council of the actual amount. Mr. Courtney asked if beautification funds were still in the Lanier  
164 Parking account. Ms. King said she did not recall whether funds were included in this year's budget. She  
165 explained those funds were not just for Lanier's use, but for any of the town's parking area. She would verify  
166 the number and let council know.  
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168 **iii. Fire.** Chief Otte presented the written report, a copy is attached hereto. Chief Otte reminded  
169 everyone that the September 11<sup>th</sup> Remembrance Service would be at 9:00 a.m. at the fire station. Everyone is  
170 invited to attend. Mr. Courtney said thank you very much for the report. How many volunteers have come  
171 forward from the campaign? Chief Otte said we have 14 applications right now. The committee is meeting this  
172 evening. Out of those 14, nine have firefighting experience, and could begin as soon as their physicals are done  
173 and their paperwork is turned in. I think there were some applicants that were going to need training, but we  
174 can get the training free. Some online training will be available, and there are some firefighting classes through  
175 Horry County and Myrtle Beach. Mr. Courtney asked if volunteers go through the same procedure as a career  
176 firefighter as far as background checks and training. Chief Otte said yes, they must do the same process. Mr.  
177 Courtney reiterated his appreciation and said he looked forward to an update at the next meeting.  
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179 **iv. Planning, Building & Zoning.** Administrator Fellner presented the written report, a copy is  
180 attached hereto. Ms. Fellner requested consensus from council to have staff meet with Santee Cooper and all  
181 other utilities within the town to discuss allowing artwork on the utility boxes throughout the town. This type art  
182 is encouraged through CEPTED, which is Crime Prevention through Environmental Design, and has proven to  
183 prevent graffiti in other towns. Ms. Samples said I love the idea of having artwork done. I believe some  
184 planning commission members mentioned this in the past. I think it's a great idea. It would be nice to have our  
185 public restrooms painted, too. I certainly support the effort. Mr. Johnson said from what I recall, this was  
186 suggested to council several years. I don't know why it was dropped. Ms. Fellner thought it was first suggested  
187 during the overlay discussions. Mr. Johnson said I am in full support. Mr. Courtney asked who would regulate  
188 the style of painting on the boxes. Ms. Fellner said this is just at the beginning talking stage. That will have to  
189 be determined. Mr. Courtney said I would like to see the overlay come first. Mr. Ott said he also remembered  
190 discussing this. At that time, they were going to put some kind of decal on the boxes. They weren't going to be  
191 as elaborate as the pictures in the report. Mr. Johnson said obviously the graffiti style painting that is being  
192 done by someone is not authorized. That's what we're trying to prevent. *(Laughter)* Mr. Ott and Mr. Courtney  
193 both said they would like to see more about the painting program. Ms. Fellner explained that should council  
194 decide to move forward, plans and guidelines would be developed to ensure all utility box paintings  
195 complemented the town's overlay ordinance. Mr. Stevens asked how this would be funded. Ms. Fellner said one  
196 suggestion was that art students be asked to paint the boxes. There would be upkeep. Mr. Stevens said it was  
197 important to have a budget developed, and either the beautification committee or the planning and zoning  
198 committee approve the subject matter of the paintings. Ms. Fellner said I would agree, but we're not at that  
199 point, yet. The consensus is just to talk with the utilities to determine whether the plan is feasible. Mr. Ott said I  
200 support looking into this further. It's not on the business section so we are not approving cash. Ms. Fellner said  
201 that is correct. Mayor Childs asked if council wanted to wait. Ms. Samples said I believe Ms. Fellner is asking for  
202 consensus so she may begin the dialog; no specifics will happen; no money will be spent, and no direction will  
203 be given. Mr. Ott agreed. Ms. Samples said Ms. Fellner just wants us to tell her to go ahead and begin the  
204 process. I think that's a good thing. Ms. Fellner asked if council was interested in investigating this. **Council**  
205 **CONCURRED.**  
206

207 **v. Police.** Chief Hofmann presented the written report, a copy is attached hereto. Chief Hofmann  
208 added that the department just received notification from the state that a \$15,000 grant was awarded to  
209 reimbursement the town for body cameras. The funds should be coming very soon. Next year we will apply for  
210 the remainder. We've got about \$38,000 invested in a body camera program. We were very excited to get  
211 about half that amount back from state. In trying to reduce motor vehicle accidents that occur in the town, we  
212 often discuss that stop signs are an issue. I heard that everybody was running the stop signs outside my office  
213 window. I was a little embarrassed. *(Laughter)* We monitored the four-way stop signs at Pine and Poplar Drives  
214 for 48 minutes. During that time 50 cars ran the stop signs. I would ask the community to please be aware that  
215 disregarding stop signs causes a significant amount of property damage from motor vehicle accidents. Nobody  
216 likes to get tickets with four points and a \$232 fine. I just ask the community to please be very careful. Come to

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217 a complete stop at the stop signs. Most of those vehicles that ran the stop signs were eastbound making a right  
218 turn on Poplar from Pine; there wasn't even a good yield. (*Laughter*) So we really want to continue to reduce  
219 motor vehicle accidents in the residential areas. This is an important topic for me, and I'll continue to monitor it,  
220 especially outside my office window. Mr. Johnson asked if the department still has a bicycle patrol. Chief  
221 Hofmann said yes. They were deployed recently during late night hours to patrol along Ocean Boulevard where  
222 there was an increase in theft of Yeti coolers. There are officers in patrol who are certified to operate bicycle  
223 patrol. You will definitely see them at the October Fall Festival, Fourth of July celebrations, and other town  
224 events. Mr. Ott said Chief thank you very much for your report. It is very detailed. I do like the year to year  
225 comparison. I look forward to seeing 2017 and 2018, which will be a little more accurate. I met some visitors  
226 here and they said that your police officers are very friendly. The officers say hi, and waved. We all appreciate  
227 that. I told them, 'but they will ticket you.' (*Laughter*) Ms. Samples said I like that your baseline changed. I  
228 appreciate that. Some interesting points to share with the public, with the crowd here tonight more so than  
229 getting a response from you, and that is you discussed a lot about community policing. Just in support of that  
230 or to that point, I noticed on your report for the month of July that you had 242 premise checks, which is great,  
231 because it gives our residents that sense of safety knowing when they are out of town somebody is checking in  
232 on their property. Also, I wanted to point out that there were 172 golf cart infractions. We always hear that  
233 we're not monitoring the golf cart situation and children are driving the golf carts. You had 172 in the month  
234 July. And lastly I want to point out that there were 138 infractions for tents on the beach. Sorry you had to  
235 spend so much time on that. Mr. Stevens said once again, I want to thank you for the job you're doing. If  
236 anyone questions what you're doing, they need to go by your office and see the presentation you gave to us on  
237 "Crime at our Backdoor." Let them see exactly what Surfside does compared to our neighbors. You're doing a  
238 (\*\*expletive) of a job. Mr. Courtney said thank you very much for your report. I appreciate all the work that you  
239 do. I noticed the accident count was up, but there has been more activity since we're in the season. Have you  
240 checked hotspots to determine where the most accidents occur in town? Chief Hofmann said I don't have any  
241 specific statistical data to report on that, but we are trying to respond to some issues. I know Mr. Johnson  
242 mentioned at the last meeting the intersection of 10<sup>th</sup> Avenue North and Cedar Drive. We stepped up control in  
243 that area, and have officers checking hotspots, particularly the areas that have complaints. The accidents are in  
244 random locations, so it's hard to predict exactly where they're going to happen. I'm trying to encourage a  
245 broader patrol level across the entire town. I think presence is the biggest thing. Keeping patrol cars visible  
246 tends to slow people down. Mr. Courtney said I like using decoy cars. It's been done for decades, and it does  
247 work. Usually people will slow down, or look at their dashboard to check their speed. Chief Hofmann said the  
248 department will try everything possible to prevent accidents.

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250 **vi. Public Works.** Director Adair presented the written report, a copy of which is attached hereto.  
251 Mr. Ott said thank you for your report. The hanging baskets look better than they ever have, in my  
252 opinion. They really look great. Last year I noticed they look dried out by this time. Whoever's fixing these and  
253 checking them; then your roses and all the other gardening items, especially the pier, look fantastic this year.  
254 You need to give that guy a pat on the back, whoever's doing it. I've seen a gentleman over here watering  
255 them. I noticed a couple businesses that have like 16 recycle carts. Is there any way we can give them bigger  
256 carts to keep collection time down? Mr. Adair said we've tried to push 65 and 95 gallons recycle carts on  
257 businesses. Some of them don't want them, because they keep a cart behind the counter or the bar. The small  
258 carts are maneuverable within the establishment. But we try to maximize capacity at every possible moment. So  
259 if anybody wants one, we're happy to deliver it. Mr. Ott said I noticed the increase of yield signs on Ocean  
260 Boulevard and people are stopping for pedestrians. It's a great convenience and respect for our tourist who  
261 come here. We see them carrying umbrellas and all their stuff for the beach as their heading across Ocean  
262 Boulevard and the cars are stopping so they can go across. It's a very nice feature in our town. Thank you for  
263 doing this. Mr. Adair said about 24 signs were placed on Ocean Boulevard. The hanging baskets were bought  
264 from the same firm that planted the baskets last year. This year we used of different mix of plants. Our  
265 maintenance has been very good. Mr. Ott said at 7th Avenue North and Cherry Drive there is a tree that this  
266 planted in the middle of the street. Can you get your guys take a look at that tree? It's a landmark tree and the  
267 island where it sits should look nicer than it does. Mr. Stevens said streets that have been repaved with the  
268 lines painted on them look so much more professional than the previous paving we had in the past. I want to  
269 compliment you, because it looks ten times better than it's ever looked before. Mr. Adair said local roads are not  
270 painted with lines. The reason why those particular roads have those lines is because they are called collector

271 roads, which is a different DOT classification. Collector roads are required to be lined. Local roads just get stop  
272 bars. Ms. Samples asked if the five miles to be paved in the offseason would be done in 2017 or 2018. Mr. Adair  
273 said it really depends; probably closer to the spring than the fall. Ms. Samples asked if he would share your  
274 suggestions with council as to which roads will be on the list to be paved. Mr. Adair said the roads were being  
275 evaluated now. Ms. Samples said we've been corresponding about a potential rodent problem on a few streets.  
276 I understand you're checking into that. Mr. Adair said we received a couple complaints about residential rat  
277 sightings. We're going to check our property and see if there's anything that's going on. The International  
278 Property Maintenance Code dictates what has to happen on private property. So if we see anything that's an  
279 unkempt condition or something we can report to code enforcement, a property maintenance letter may have  
280 to be sent. My concern is that public property is in good shape. Mr. Courtney asked if the road line painting was  
281 done on Ocean Boulevard. Mr. Adair said no, this discussion was about the new paving just recently done on  
282 collector roads. Mr. Courtney said so nothing has been done on Ocean Boulevard and you still need \$17,500 for  
283 that. Mr. Adair said yes, if they are going to be redone.  
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285 **C. Administrator's Report.** Ms. Fellner presented the written report, a copy of which is attached  
286 hereto. Mr. Johnson said I'm a little confused about item 3.A. concerning the lot and the no trespassing signs  
287 and the encumbrance. I don't see where the two are equal. We own the land. We have no trespassing, and I  
288 understand it was an archaeological site, but isn't that completed? Ms. Fellner said the dig is complete; actually  
289 they completed two digs. Mr. Johnson asked why the property could not be opened as a park. Ms. Fellner said  
290 the answer is you could, if that's what council wants to do. But if council wants to continue to use that property  
291 to take the encumbrance off of Huckabee, it must remain as it is. You can't have any plans to make a park and  
292 use it as part of the removal of the encumbrance at Huckabee. Mr. Johnson said Huckabee is out of the  
293 equation. According to my thinking, because my thought was we would create a park/historical site on this  
294 property with historical marker signs about the Ark Plantation. That was my thinking all along when we  
295 purchased property. What does Huckabee have to do with this property? Are we trying to swap the property?  
296 Ms. Fellner said no. The direction was about swapping the encumbrance so that you then encumber that  
297 property and take the encumbrance off of Huckabee. Right now on Huckabee you couldn't put a recreation  
298 center there, for example, if Town Council wanted to do something like that. You pretty much have to have  
299 what is there. The encumbrance very much limits what you can have. You can have football fields or you can  
300 have baseball fields and that kind of stuff. I don't know every one of the allowable uses off the top of my head.  
301 That information can be provided if council wants it. Mr. Johnson said if Huckabee is set aside, can we not make  
302 this a passive park for the town residents? Ms. Fellner said not if you want to place the encumbrance upon it.  
303 Mr. Johnson said if we don't use that encumbrance we can, correct? Ms. Fellner said absolutely. Mr. Ott asked if  
304 there were written restrictions on Huckabee. Ms. Fellner said yes, there are two separate encumbrances: a  
305 PARD (Parks and Recreation Development) and a LWCF (Land Water Conservation Fund). For some reason they  
306 encumbered the whole ten acres for about \$21,000. They should have just encumbered a small portion of that  
307 acreage then there wouldn't be any problem with that. Mr. Ott asked if council could have a copy of that. Ms.  
308 Fellner said yes, absolutely. I will be happy to supply that. Mr. Ott said the way I understand this is that if  
309 we wanted to sell Huckabee, we would have to swap the land that at 3<sup>rd</sup> Avenue and Willow. Ms. Fellner said no;  
310 what we are trying to do is only take the encumbrance off Huckabee and put it on the 3<sup>rd</sup> Avenue property.  
311 Once encumbrance is gone, the town can do a lot of different things that property like a recreation center or a  
312 senior citizens center. There's a lot of different things you could do then that you couldn't do with the  
313 encumbrance on the property. Mr. Ott said thank you very much. Mr. Stevens asked if the Huckabee property  
314 had deed restrictions. Ms. Fellner said yes, that's the encumbrance. Mr. Stevens asked for a copy that the deed.  
315 I don't see any sense in swapping land. We're talking about 10 acres. Ms. Fellner reiterated that this is not a  
316 land swap. This is an encumbrance that will be removed from one piece of property and placed upon another  
317 piece of property. Mr. Courtney said a couple weeks ago I asked you to look into the \$400,000 given by the  
318 Department of Highways and Transportation to the City of Florence for crosswalks, signage and landscaping.  
319 Ms. Fellner said she checked into that, but would need to get back to him because she couldn't find how they  
320 cobbled that money together; she couldn't find a grant. Mr. Courtney said it wasn't a grant. It was money  
321 allocated for them that they requested for these projects. Ms. Fellner said I'd like to see that URL on your  
322 phone. I think I read that, but they were different things in that. I'll check again.  
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325 **7. BUSINESS.**

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327 **A. Second Reading Ordinance #17-0839 to amend Chapter 17, §17-700, et seq. Landscape**  
328 **& Trees, Administrator Fellner.** Ms. Samples moved to approve second reading of Ordinance #17-0839. Mr.  
329 Ott second. Mr. Ott said I would like to remove the recommended inches and diameter and just say 5 trees.  
330 After checking with area nurseries, there is no one in this area that could plant a 12 inch diameter tree. Mr.  
331 Johnson said from what I recall from last subcommittee meeting and the last council meeting, didn't we decide  
332 that this was cumulative, a total of 60 inches. Mr. Ott said it was five trees with a cumulative of 60 inches; size  
333 would be 12 inches for each tree. Mr. Courtney agreed and said I measured my trees in front of my house  
334 today. They've been growing four years, and just barely meet the minimum. We talked about the problem in  
335 the R3 district. Mr. Ott said if a 12 inch tree was required, most everyone would default to a palm tree. He  
336 didn't believe that was what the town wanted. If smaller hardwood trees could be planted that would be good.  
337 Mr. Pellegrino asked Mr. Ott to restate the motion. Mr. Ott said I would like to amend Section 17-723 by  
338 removing the recommended inches and diameter and just state five trees. Ms. Fellner clarified that would  
339 eliminate diameter and circumference in Section 17-723. Mr. Ott said yes. Mr. Pellegrino said then there would  
340 be no diameter restrictions; owners could plant a one inch tree. I agree with reducing the size. Mr. Ott said Mr.  
341 Pellegrino was absolutely right. Mr. Courtney agreed, because the size requirement discouraged people from  
342 planting oak trees. Personally, I can't afford to have a 12 inch oak tree delivered and planted. I don't  
343 necessarily want to use all palm trees. Mr. Stevens clarified that the entire section requiring minimum diameter  
344 was being removed in R1, R2, and R3. Mr. Stevens said most nurseries carry 3 to 4 inch trees. An 8 to 12 inch  
345 tree is priced somewhere around \$10,000 or more to deliver and plant. Ms. Samples asked if council could get a  
346 clarification on the motion. Mr. Ott said I like to make a motion to change the minimum diameter to 3 inches on  
347 a hardwood tree. Ms. Herrmann said Mr. Ott's original motion was to eliminate the minimum circumference and  
348 diameter. Mr. Ott said that was my original motion, yes. Ms. Herrmann asked if he was withdrawing that motion  
349 and offering this motion. Mr. Ott said he wanted to change the diameter now, because Mr. Pellegrino said we  
350 don't anybody planting one inch replacement trees. Ms. Herrmann asked if this was for all districts. Mr. Ott said  
351 residential, because commercial property would have the overlay. Ms. Fellner said yes. Mr. Stevens second. Mr.  
352 Courtney said the subcommittee met on this, correct? Ms. Fellner said on three occasions. Mr. Courtney asked if  
353 the subcommittee's recommendation was to send the ordinance back to the planning and zoning commission.  
354 Mr. Johnson replied yes. Mr. Courtney asked if it was. Mr. Johnson and Ms. Fellner said no. Mr. Courtney said  
355 since the planning commission had not reviewed this, who wrote it. Ms. Fellner said the subcommittee made the  
356 changes. Mr. Courtney reiterated that they recommended that it go back to the planning commission, correct?  
357 Ms. Samples said if you look at what Ms. Fellner provided in this meeting package, August 8, 2017 regular Town  
358 Council meeting after much debate, Town Council approved a motion to bring Ordinance #17-0839 for second  
359 reading at the next meeting. That's this meeting; this is the next meeting. Ms. Fellner said council wanted to go  
360 directly to second reading rather than sending it back to the planning commission and that was the vote. Mr.  
361 Johnson said under the decision paper 5.1., there was a motion to send it back to planning and zoning, but that  
362 motion failed. Mr. Pellegrino said just be clear, Mr. Ott, the amendment is to modify table 17-723.1 for R1, R2,  
363 and R3 to state a 3 inch minimum diameter for the replacement trees. Mr. Ott said that is correct. There was no  
364 other discussion on the amendment. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney,  
365 Pellegrino, Samples and Stevens voted in favor. Councilmember Johnson voted against. **MOTION TO AMEND**  
366 **CARRIED.**

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368 Mr. Johnson said I'd like to make a motion to amend Section 17-725.4 under Replacement Trees, if the  
369 removal does not maintain the required number of trees, common trees may be replaced with another common  
370 tree, "except Palmetto trees shall be allowed replacement trees in R2 and R3 districts." Mr. Ott second. All  
371 voted in favor. **MOTION TO AMEND CARRIED.** Mr. Johnson said I would like to make a motion to amend  
372 Section 17-750, to remove Palmetto trees as a protected or specimen replacement tree. Mr. Ott second. Mr.  
373 Courtney said this would mean they are not replaceable.

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375 Mr. Johnson said correct. Mr. Ott said the motion would also eliminate Palmetto trees from the  
376 specimen or protected tree classification list. Mayor Childs, Mayor Pro Tempore Ott and Councilmembers  
377 Courtney, Johnson, and Stevens voted in favor. Councilmembers Pellegrino and Samples voted against.  
378 **MOTION TO AMEND CARRIED.**

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Mr. Stevens moved to amend the last paragraph of Section 17-740 to state that all fines collected will be placed a tree mitigation fund. Mr. Ott second for discussion. Mr. Ott said what the benefit was to keep fines paid in a mitigation fund versus the general fund. Ms. King said permit fees and fines collected are part of the building department's revenue that is all deposited into the general fund. Originally the tree mitigation fund ordinance was interpreted to mean those funds had to be in a different bank. There was no benefit to doing so, because every other permit fee and fine are accounted for in the general fund. There will be a separate line showing the amounts collected for trees permits or fines in the building department revenue. Mr. Stevens explained that he made this motion because Congress spent just about all of the social security money after moving it to a general fund. Doing this would open the door for reckless spending. Ms. King explained that all revenue, business license fees, permit fees, fines, etc. goes into the general fund. Mr. Courtney said this was originally set up for fines and going to land fund for land purchases, correct? Ms. Fellner and Ms. King both said no. Ms. Fellner said it was a tree mitigation fund, from which the town would pay for things like treating diseased trees and replanting. Mr. Courtney asked if that money could be used in the general fund for anything else. Ms. Fellner said it's like a placeholder and we hold it aside. Finance has to account for the balance every year. I think it is important for council to understand that all other fines and permit fees received are deposited into the general fund. Mr. Courtney asked how much was deposited in that fund. Ms. Fellner said the mitigation fund started in 2009. I think there is around \$12,000. Mr. Stevens voted in favor. Mayor Childs, Mayor Pro Tempore Ott and Councilmembers Courtney, Johnson, Pellegrino and Samples voted against. **MOTION TO AMEND FAILED.**

Mr. Pellegrino moved to amend Section 17-724.5 where it states 'request for removal of a landmark tree in order to place a pool, accessory structure and any other type of use, or any other type of primary residence shall require approval from the board of zoning appeals;' I would like to state like many other sections that the planning, and zoning department makes the decision and if there's an appeal it would go to the board of zoning appeals. Mr. Ott second. Mr. Pellegrino said I think the planning and zoning department can make this decision, and then if there's any disagreement, an appeal could be made to the zoning board. Mr. Courtney said if this is a landmark tree you have to go to board of zoning appeals. Mr. Pellegrino said that the ordinance states they have to go directly to the board of zoning appeals now. My amendment would give the planning and zoning department authority to make a decision, then, if the owner disagreed, an appeal could be made to the board. Mr. Ott and Ms. Samples agreed with Mr. Pellegrino. All voted in favor. **MOTION TO AMEND CARRIED.**

All voted in favor of Ordinance 17-0839 Landscaping & Trees as amended. **MOTION CARRIED AS AMENDED.**

**B. Second Reading Ordinance #17-0840 to add §17-222, Paragraph 5, Board of Zoning Appeals to Hear and Decide appeals to remove a Landmark Tree, Administrator Fellner.** Ms. Samples moved to adopt second reading of Ordinance #17-0840. Mr. Ott second. Mr. Ott asked if this ordinance added another paragraph so the board would have authority to address landmark trees. Ms. Samples said yes, this is just for landmark trees, and all this ordinance does is to empower the board to make a decision if an appeal is made. All voted in favor. **MOTION CARRIED.**

**C. Second Reading Ordinance #17-0841 to amend Chapter 13 Fees as relates to Ordinance #17-0840, Administrator Fellner.** Mr. Ott moved to approve second reading of Ordinance #17-0841. Ms. Samples second. There was no discussion. **MOTION CARRIED.** The decision paper and ordinance are on file.

**D. Second Reading Ordinance #17-0849 to allow Mobile Food Trucks at Town Events and Town Sponsored Events, Supervisor Ellis.** Ms. Samples moved to approve second reading of Ordinance #17-0849. Mr. Johnson and Mr. Stevens second. Ms. Samples thanked Ms. Ellis for bringing this forward. I am very excited about having food trucks at our events. It just another way we can improve our events. Mr. Courtney asked if the town businesses could have a food truck. Ms. Ellis said as long as they have a food truck and also have a Grade A rating by the Department of Health and Environmental Control. All voted in favor. **MOTON CARRIED.**



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**E. First Reading #17-0850, Chapter 9, Parking, Councilmember Courtney.** Mr. Courtney moved to adopt first reading of Ordinance #17-0850. Mr. Stevens second. Ms. Samples said I support the ordinance. My only question is the addition of Section 9-19, Golf Cart Parking on Floral Drive North that states golf carts shall be allowed to park free of charge in the rights-of-way along Floral Drive North between Surfside Drive and 1st Avenue North. I like the ordinance, but my concern is that the fire department brought before that this type parking would be an impediment; a safety issue. I think that it might be a good opportunity to have the fire chief correct me, if I'm wrong. Chief Otte said yes, that would become an issue for the department to bring apparatus through there, if there's parking there. I realize golf carts are smaller than cars, but it would be an issue with our apparatus. Ms. Samples moved to amend the ordinance to remove Section 9-19 golf cart parking on Floral Drive North. Mayor Childs second. Mr. Ott said the golf carts would not be in the road. Chief Otte said the right-of-way is necessary for the apparatus to come through. Mr. Ott reiterated the carts would not be on the asphalt. If the fire apparatus can pass the existing poles along that right-of-way, then it should be able to pass the golf carts. It would free up a lot of parking on Surfside Drive. Chief Otte said I understand. My only concern is when we bring apparatus through. The Tower is a huge truck that occasionally comes through there. A discussion ensued regarding the ability to maneuver streets with apparatus, after which Mayor Childs asked Chief Otte to get in touch with Mr. Adair to ensure signs are not too close road so there wouldn't be any obstructions. For years the fire department has asked that parking along Floral be restricted. This is not something new. Mr. Stevens said that is a one-way street; the only way you can enter that street is through Surfside Drive. It's very unlikely a firetruck is going to be entering that street. More than likely you would come in from 1st Avenue North or from Poplar. Chief Otte said it depends on which apparatus was used for the call. A discussion ensued regarding apparatus location during a fire along Surfside Drive, after which Mr. Stevens said I have never seen a fire truck on Floral Drive. Mayor Childs said we've never had a fire there. Mr. Johnson asked exactly which street we are talking about. Mayor Childs said Floral Drive North that runs beside the Pickled Cumber from Surfside Drive towards town hall. Mr. Courtney said it was obvious to some councilmembers that looked at the street that golf cart were parking in the spaces on Surfside Drive taking vehicle spots. On Floral Drive North there is a section of right-of-way that would provide ample space for golf car parking. There is a utility box and a pole there now, so the truck would have difficulty passing anyway. There shouldn't be any golf carts parked on the asphalt parking on Surfside Drive. By allowing golf carts to park in the right-of-way, the area would be treated and the carts would not be on the street. This would clear 8 to 10 parking spaces on Surfside Drive, if council wants to move forward. We are trying to make it easier for businesses and for our residents who are parking at the gas station now. Mr. Stevens said the only time golf carts would be there would be during the daytime, because golf carts can't drive around at night. There is plenty of room for golf cart parking there. Mr. Ott asked Ms. Samples if she would defer the amendment until they could meet with Chief Otte and Mr. Adair. Ms. Samples said I'd like to move forward with the amendment. You all can vote no. Mayor Childs and Ms. Samples voted in favor. Mayor Pro Tempore Ott and Councilmembers Courtney, Johnson, Pellegrino, and Stevens voted against. **MOTION TO AMEND FAILED.**

Mayor Childs said the motion is to adopt first reading of Ordinance #17-0850. All voted in favor.  
**MOTION CARRIED.**

**F. MOU 15th Judicial Circuit Law Enforcement Network, Chief Hofmann.** Mr. Stevens moved to adopt the Memorandum of Understanding as presented. Mr. Courtney second. Chief Hofmann presented the decision paper and memorandum of understanding, copies of which are on file. Mr. Ott said the decision paper explains it very well. I think of a few months ago I saw in your report there was a checkpoint in Loris and our canines were active. This explains how that happened. Excellent. Mr. Courtney asked if this was the same agreement that was presented in January. Chief Hofmann said that was a mutual aid agreement with the City of Myrtle Beach. All voted in favor. **MOTION CARRIED.**

**G. Insider Publication (presented in 6.A.iv.), Councilmember Pellegrino.** Mr. Pellegrino moved to approve \$4,500 from hospitality funds for a three month trial publication of the *Surfside Beach Insider* as presented during communications by Mr. Truett. Mr. Ott second. Mr. Pellegrino said we struggle with marketing, and don't do much marketing for local businesses. The Chamber of Commerce is supposed to fill that gap. Hopefully, this will bring new customers for the town businesses for a nominal amount. Mr. Stevens said Ms.

487 King told him the town receives between \$600 and \$700 thousand in the hospitality revenue. After calculating  
488 cost to revenue, the town will spend about 3.3-percent if the publication was done annually. This is an excellent  
489 opportunity. Mr. Johnson asked for confirmation that this is a trial basis. Mr. Pellegrino said that is the point of  
490 the trial; to see if it's beneficial or not. We decided doing this in the off-season, because that is when  
491 businesses need customers. If it's beneficial, I'll be right back up here with Mr. Truett and the business  
492 committee asking for more money. So yes, it is a trial and then we will have to make a decision after the three-  
493 month trial whether we want to continue. Mr. Courtney asked if the business committee would monitor the  
494 campaign. Mr. Pellegrino said yes, the business committee will manage the content, activity, performance and  
495 all aspects the whole way through. All voted in favor. **MOTION CARRIED.**

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497 **H. Committee Appointments: i. Accommodations Tax Committee (1 vacancy), Ms. Caroline**  
498 **Harbin, Ms. Eileen Weiss; ii. Stormwater (2 vacancies) Mr. Al Beck, Ms. Sandra Elliott, Mr. Laurence**  
499 **McKeen.** Mr. Johnson moved to reappoint Ms. Caroline Harbin to the accommodations tax committee. Mr.  
500 Stevens second. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reappoint Ms. Sandra Elliott and  
501 Mr. Allen Beck to the stormwater committee. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

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503 **8. TOWN COUNCIL DISCUSSION.**

504  
505 **A. Automatic 6 Month Review of Adopted Ordinances, Mayor Pro Tempore Ott.** Mr. Ott said  
506 when he brought this forth it was one year so that we could see how any ordinances that we adopt affect the  
507 people and the businesses in this town. The time can be adjusted as council see fit. The tree ordinance is an  
508 example of an ordinance that was reviewed, and it caused a lot of inconvenience for our residents for many  
509 years. If it had been reviewed after the first year, perhaps some of the problems could have been resolved. I  
510 would just like to be able to take a quick look at every ordinance that we adopt, and also start to look at some  
511 of the older ones that we have to see if they still apply to this town, its residents, and businesses. Ms. Samples  
512 asked Mr. Ott if he was suggesting once an ordinance is adopted that there is an automatic date of one year  
513 when the ordinance would be reviewed. Mr. Ott said that's correct. Ms. Samples continued saying this would  
514 apply to any ordinances adopted after the review process is approved. Mr. Ott said yes. Ms. Samples said and  
515 you're also suggesting that we need a plan to review all of the old ordinances. There's so many old ordinances  
516 we would have to stagger the review; have a plan in place to review those so we would not inundate our  
517 planning commission, Town Council or staff. Mr. Ott said we can pick one meeting and go over them. He asked  
518 the town clerk approximately how many ordinances we have on our books. Ms. Herrmann said the last  
519 ordinance adopted tonight was number 850. That does not include all the ordinances adopted by the council  
520 when they set the town code, because they used state law to formulate our code. There are two volumes of the  
521 code books. I guess there are over a thousand pages total. Mr. Ott said we won't be looking at a lot of them.  
522 But there are some that affect our citizens and businesses that we can review. We can just look at them and  
523 determine whether they still apply. Mr. Pellegrino agreed with a year review over six months. I think the  
524 workload is pretty high with all those ordinances as Ms. Lowery mentioned efficiency, and I agree with that.  
525 When this does come to first reading, we need to have a structure on the review. I would recommend after  
526 year emailing it to councilmembers and letting us review the ordinance individually. If someone has an issue  
527 with it, then they would bring it up in discussion. If you have a meeting for every single time, it will be a  
528 nightmare. So I would recommend something simple like that, but that needs to be stated in the motion. Mr.  
529 Johnson asked how the ordinances to be reviewed would be chosen. Mr. Ott said we would be looking at the  
530 ones that we adopt, as we have the tent ordinance coming back for review in October. When an ordinance is  
531 adopted, council can ask that that time for a review date. Mr. Johnson asked if we were going to revert back 5,  
532 6, or 7 years past to choose those ordinances to review. Mr. Ott said it would be difficult to look at those, but  
533 there are some ordinances that should come back to council for review; we can put them in discussion and then  
534 bring them under business if necessary. Ms. Herrmann explained that any ordinance older than six months has  
535 already been codified, meaning that it's already in our code book. So you wouldn't want to pull the individual  
536 ordinances. You need to go to the code book. May I suggest that a copy of the code book index be sent to the  
537 councilmembers, then you could decide at the next meeting how to proceed. The ones of most importance  
538 could be reviewed first. Mr. Ott said I agree with that. Mayor Childs asked if Mr. Ott would like to defer  
539 temporarily. Mr. Ott said yes. Ms. Herrmann asked if this should be an ordinance or a policy. Mr. Ott said it was

540 a matter of policy. Mr. Ott said he would meet with the clerk to draft a proposed policy. **Council**  
541 **CONCURRED.**

542  
543 **B. Customer Walk-in Businesses in Residential Districts, Councilmember Samples.** Ms.

544 Samples said I put this on discussion, and it certainly follows the discussion that we just had about ordinances.  
545 Mr. Stevens brought this up about six weeks ago, as he reminded us at the last meeting. I know that Mr.  
546 Pellegrino sent some email messages about it. We have an ordinance on the book it says that if you are in a  
547 residential district you can have a home business. The ordinances have been on the books for a long time.  
548 Years ago, it clearly wasn't an issue in town. But things have changed, and this is representative of what Mr.  
549 Ott's talking about, and that is trying to update our ordinances. We have had some complaints recently about a  
550 home business, a beauty salon to be specific, that was having a lot of customers come in. They were parking in  
551 the right-of-way, creating a traffic issue, and they were creating a safety issue. It certainly was annoying to the  
552 surrounding neighbors. I appreciated that. As Ms. Cook said during public comments, 'you wouldn't want that  
553 next to you.' She's right, I wouldn't. So we need to review this particular ordinance. A beauty salon or  
554 barbershop has a lot of walk in customers, a lot of traffic unlike an accountant, attorney, or real estate agent  
555 who don't really have customers coming to their homes even though they have in home businesses. I would like  
556 for council to send this ordinance to the planning commission for review as it relates to traffic and customers to  
557 see if they can make recommendation to council so the ordinance could be corrected, improved or refined so  
558 that we don't have the problem in the future with home business. Mr. Stevens said I have no problem with that.  
559 Mr. Ott agreed and said I agree with Ms. Samples. This is the way we should approach the planning and zoning  
560 with direction. Mr. Johnson agreed. Mr. Courtney said several years ago a thrift store was being operated out of  
561 a storage unit. It took about six months to deal with it. It was a nuisance in the neighborhood because it  
562 opened every weekend and they hung clothes on the trees. This really needs to be addressed. Mayor Childs  
563 said we have a consensus. **COUNCIL CONCURRED.**

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565 **C. Organizational Subcommittee Report, Councilmember Courtney.** Mr. Courtney said I'd like

566 to refer to the administrator's report, item B, and say I disagree. I was the councilmember that wanted it to go  
567 back to council. Speaking to my councilmembers who sit on that subcommittee committee, I didn't remember  
568 what was said. I want to make a suggestion from now on minutes be taken in the subcommittees meetings, so  
569 it's clear what's said. I didn't like that the town's organization chart was being changed without Town Council's  
570 approval. I also asked that the other problems I have be brought to council in an executive session at the next  
571 meeting. Ms. Samples said to understand this, the subcommittee meetings is made up of councilmembers. Mr.  
572 Courtney is asking is that minutes be taken for the meetings so you can recollect or recall what happened in the  
573 meeting. Mr. Courtney said, yes, so we can refer to them. Ms. Samples said I don't think that's a bad idea, quite  
574 frankly, because I think we all forget things that are said and done. I think that it may help some  
575 councilmembers to remember some things. I like it. Mr. Stevens agreed with Mr. Courtney. It's better to have  
576 accurate records of what is said in any subcommittee meeting. We are members of the council; we do represent  
577 the people, and they should be able to know what we do in a subcommittee. I'm totally up 100-percent for this.  
578 Mr. Ott said I've been in the financial subcommittee and there is recording secretary in there each time we met,  
579 and in the infrastructure subcommittee there is recording secretary. I have no idea why there was no one in  
580 the organizational subcommittee. Mr. Johnson said every subcommittee meeting that I've been in with regards  
581 to the tree ordinance has been recorded. I don't see what the issue is. I assumed that someone was always  
582 recording the dialogue. Mr. Pellegrino said I also serve on the organization committee with Mr. Courtney. It's a  
583 little different, because we talk about staffing; positions; pay, and many different personnel matters that aren't  
584 supposed to be public. I've no problem taking minutes, but we need to, obviously, curtail what talked about as  
585 far as the pay and things like that to executive session. I've no problem with taking minutes for subcommittee  
586 meetings, but obviously, we can talk about private issues or personnel issues. Mayor Childs said I guess the  
587 issue is that too many personnel issues would be brought up in the organizational subcommittee meetings. He  
588 asked Mr. Courtney how he would handle that. Mr. Courtney said we wouldn't have to use names, we could use  
589 positions. We would not have to use dollar figures, if anything had to be FOIA'd, it would be sensitivity what  
590 was FOIA'd. Mr. Ott said I know that if the minutes were FOIA'd, and somebody wanted to know the  
591 information that information would be blacked out. Mr. Pellegrino said we talked in last meeting about changing  
592 the organizational chart like Mr. Courtney said. Obviously if you change the chart, you have a position, and  
593 people know who's in that position. We either need to talk generally in that meeting and then talk about these

594 issues in executive session, or not take minutes. Every time an organization subcommittee is held we discuss  
595 personnel issues. Ms. Samples said I agree with Mr. Pellegrino's comments about protecting employees, but I  
596 also understand Mr. Courtney's comments, because councilmembers do forget a lot of things. You don't  
597 remember certain meetings, and certain information. So maybe we could look at to an independent individual to  
598 come and take minutes. Someone that is not on staff, just as an option. Mayor Childs said I think you are in the  
599 same position, the minutes would still detail personnel matters. Mayor Childs asked Ms. Fellner for comment.  
600 Ms. Fellner said I think I'll leave this one to council. Mr. Ott said I do know under the Freedom of Information  
601 Act you do pay for the compiling of the information, the printing of the information, and the removal of certain  
602 information. That's what you see stuff coming from the government it has all big black marks all over it. Mr.  
603 Stevens summed up the conversation in one-word: transparency. We want transparency; citizens want  
604 transparency. I don't have any problem with having minutes recorded of any meeting that the council does.  
605 These are not executive sessions. These are meetings. Why we would not want transparency; I think that's the  
606 best thing we can do for the people. Mayor Childs suggested that we have recordings, but if there is a part of  
607 that meeting that dealt with personnel then that could automatically become part of an executive session where  
608 the minutes would not be taken. In other words it would be an open meeting until something came up had to  
609 do with personnel that we know legally you can't discuss, then that part of the meeting would become like our  
610 executive sessions are now. Ms. Fellner said I hear what you're saying. We do have limitations to our recording  
611 software where we cannot redact anything from a recording. It is special software designed so that we can't  
612 delete anything out of it. Mayor Childs said the recorder could be turned off. Ms. Fellner said you don't know  
613 when something is going to come up. Ms. Fellner said her suggestion would be if you want to do this, just make  
614 the minutes for those particular meetings to be typed, so there's time to redact confidential information so there  
615 is no recording and there is no anticipation from the public that there would be one. Of course, the  
616 subcommittee members would be free to come in to listen to the recording with the clerk, if they didn't think  
617 the minutes were correct. Mr. Pellegrino said as far as the other councilmembers who are not on the committee  
618 that already have complaints because the some of the information is not shared quickly enough, so I say just to  
619 disband the organization committee, and we just address all the all the personnel issues in executive session.  
620 And, hopefully, no one would record that. Mayor Childs and Ms. Samples said that was a great solution. Ms.  
621 Samples said to Mr. Stevens' point, when we go to executive session about personnel items it's to protect the  
622 person; to protect the personnel. It's not transparency. We can say what we want to stay out here, but it's to  
623 protect the personnel being discussed. That's the whole purpose of going into executive session. It has nothing  
624 to do with council, it has to do with the individual. Mayor Childs called for a consensus to eliminate the  
625 organizational subcommittee. **Council CONCURRED.**

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627 Mr. Courtney asked again that council hold an executive session at the next meeting to discuss the  
628 organizational chart. There are questions to be asked and answered. Mr. Ott agreed with Mr. Courtney; this is  
629 transparency. We can bring it back for discussion without anybody's name. Mr. Pellegrino said he was fine with  
630 bringing it back for executive session. The clerk was asked to notify the council when the Chamber of  
631 Commerce would present, and then schedule the executive session accordingly.

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633 **D. Proposed Ordinance Regarding Illicit Businesses, Chief Hofmann.** Chief Hofmann presented  
634 the discussion paper, a copy of which is on file. He said some discussions were held with town attorney about  
635 the way to proceed with this in the best interest of the town and taxpayers. In the summary, the town attorney  
636 would recommend that we not produce an ordinance to regulate it at this time, but instead continue to pursue  
637 the problem using the current existing state law and the nuisance abatement power that we have through the  
638 Solicitor's office. I'll be happy to answer questions as long as we don't go into too much detail. I want to assure  
639 council that I'm very committed to continuing to address this problem. I've been checking these businesses  
640 randomly throughout the day and evening. At last check, all three businesses were closed. So maybe we are  
641 making progress. Letters were sent to the owners of the building located on Surfside Drive. You may have  
642 noticed last week that the business on Highway 17 North reopened for a few days. I promptly paid them a visit,  
643 and noticed that they had LLR (South Carolina Department of Labor, Licensing and Regulation) licenses on the  
644 wall. However, the licenses did not have photographs attached, which are required to be valid according to LLR.  
645 We made proper reports to LLR and will continue to address every single violation until they see this is just not  
646 a good place for them to have their businesses. Mr. Ott asked if we have any other method of watching how  
647 they advertise. Chief Hofmann said the advertisements that were in your council packets were the starting point

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648 for how we came to start investigating this. The problem is the ads are published on Internet on so many  
649 different forms and fashions and different websites. The good news is that the current reviews about the  
650 businesses in Surfside Beach is to stay out. The police are busting these places. That's good for us. That word is  
651 getting out there. I am on board with whatever council decides. Mr. Courtney asked Chief Hofmann if he  
652 thought this was the solution. Chief Hofmann said yes, I do. I think that if we continue to pursue this through  
653 the prostitution law and if these businesses do not close, I feel like we have sufficient evidence to ask the  
654 solicitor to pursue the nuisance abatement law on this, which would in essence create an injunction that would  
655 close the business for year. From the police department's point of view this is the way to handle this. If Town  
656 Council decides to pursue control through planning and zoning, the police department would have no control to  
657 enforce those codes, but could continue enforcing criminal violations. Mr. Courtney said I am blown away by the  
658 advertisements. Chief Hofmann said those ads do not even scratch the surface. Mr. Ott said I have trust in what  
659 you are doing and I'm sure you'll handle this correctly. Ms. Samples said it's very concise and very aggressive. I  
660 like it. Thank you for putting the time and effort in this. Mr. Pellegrino said I agree with Chief Hofmann 100-  
661 percent. I think it make sense as far as keeping those businesses out. Mr. Stevens thanked Chief Hofmann for  
662 the information. I believe the information is available on line, if the citizens want to look at it. Mr. Stevens said  
663 part of this needs to be managed through the business license department, where they need to take extra steps  
664 to make sure that every person who applies for any such type of masseuse license or massage bodywork  
665 license has a state license with a valid picture on it. It seems to me that is where we were dropping the ball, it  
666 is not your department. The business license department needs to step up their efforts. These ads are terrible.  
667 We don't need this in our town. This council needs to direct the administrator to have more rigorous license  
668 inspections for these type businesses. Mr. Johnson said thank you Chief. This is exactly what we asked for.  
669 Thank you for supplying it. Mr. Courtney asked if the business license department checked businesses on a  
670 regular basis for a current license, and do they go in with the fire marshal and the police as other municipalities  
671 do. Ms. Fellner said they do not go in with the fire marshal and police. I think there is a discrepancy here about  
672 business license and the LLR license. Director King was asked to explain how business licensing is done.

673  
674 Ms. King said I think there is some confusion on the role of business licensing in the town. Business  
675 license is an excise tax levied on the privilege of doing business within the town limits measured by the gross  
676 income. Business license is authorized by the SC Code Section 5-7-30. All municipalities follow the same rules  
677 for issuing licenses. The only variable is the rate charged by each municipality. Every business operating in the  
678 town is required to have a town business license. The initial step for a new business license at a store front is to  
679 have a code clearance form completed. This requires the owner to have all town departments, police, fire, and  
680 zoning approve the location and condition of the place of business. If the business is a "trade" business, the  
681 owner is required to produce a valid SC Department of Labor, Licensing and Regulation (LLR) board license.  
682 This would be for contractors, nail technicians, beauticians, massage body work technicians, and many more  
683 occupations. This is referred to as the LLR License. The business license department checks that the person's ID  
684 (driver's license) to ensure it agrees to the name on the LLR license. If all the paperwork agrees and the code  
685 clearance is complete, a business license is issued, and the business owner or representative is told the license  
686 is required to be hung in the location. The LLR license is a requirement of LLR and not under the town  
687 jurisdiction. Only LLR can take action on an operator without a valid LLR license. LLR requests a notification in  
688 writing asking for a business review upon which they investigate. If the business has independent contractors  
689 working in the business each of them is required to have a town business license. They must show the LLR  
690 license before a town business license is issued. This is a self-regulating provision since all the operators will  
691 want the others to have licenses. In some cases the business owner hires the workers as W-2 employees, in  
692 which case they are not required to get a business license. They would be subject to an LLR review by the LLR  
693 inspector. LLR would require them to get an LLR license. The town business license department cannot lock the  
694 doors of a business. We can issue a revocation letter requiring them to cease business and to come before  
695 council should they want to appeal the decision made by the business license department. If the business is  
696 found to be guilty of criminal activity, the business license department will issue a revocation letter to cancel the  
697 business license. A business cannot operate without a license and a municipal ordinance summons would be  
698 issued. It is not legally permissible to close a business' doors simply by revoking the business license. The  
699 business owner that has no license, regardless of the reason, is subject to prosecution as a separate offense for  
700 each day of operation. A different legal route, such as the public nuisance abatement laws, must be used to  
701 prohibit continued operation. In the case of the three businesses being discussed, Juns said its employees

702 receive a W-2, so they do not need a town business license, but do need an LLR license. Issuing the business  
703 license was the town's only responsibility. The Palm and Sunrise owner said he was the sole operator of that  
704 location. He showed his LLR license, we issued the business license, and it was done.  
705

706 Mr. Courtney asked if the business department sent letters to the state. Ms. King said no letters were  
707 sent that she knew of. Anybody can contact LLR with a complaint. I don't know that we received any  
708 complaints. I think the police department did, but I don't know. Chief Hofmann said when we found a violation  
709 that was LLR related that we are unable to act on, we made our complaint directly to LLR. LLR has been to  
710 Surfside to meet with us. They've been doing spot checks on the businesses and we expect them back soon.  
711 Mr. Ott said he was told that businesses with half-wall rooms are usually legal. If the walls are completely  
712 closed, there are other thing happening. Could we add a requirement in the ordinance that rooms have to have  
713 half walls in the massage areas? Chief Hofmann said that would have to be done by zoning. Mayor Childs asked  
714 if there was consensus to allow the Chief to continue using the state law and nuisance abatement process. Ms.  
715 Samples said the business license department and the police department have done a fine job. Mr. Courtney  
716 said thank you for a good job. **Council CONCURRED.**  
717

718 **E. Any matters of concern or information to be discussed by Town Council.** Mr. Courtney said  
719 in regards to the parking recommendation, I ask that Mr. Adair be present so we can walk along Surfside Drive  
720 to talk about replacing the signs, so they don't get core drilled into the concrete. Mr. Adair said he would.  
721

722 **9. PUBLIC COMMENTS. General Comments.** (5-minutes per speaker)  
723

724 Ms. Patricia Magliette, Harbor Lights Drive: Real short. Real sweet. You know that piece of land over  
725 there that we bought that has those beautiful Live Oaks there, and you're killing us in this meeting quibbling  
726 about inches and how many trees make up how many inches. I just want to remind you real quick that this is  
727 God's earth and every single tree comes, comes out of the little seed or a little acorn, and before it's a great big  
728 tree that you love, it is a little one inch tree after it pops out of an acorn or a seed. But for some reason us  
729 humans want to over regulate and tell you it's gotta be so much this or that before we can plant something that  
730 God originally invented and he's seen all the big oak trees got born out of little seeds or one inch stems.  
731 Therefore, I think we're just taking ourselves too seriously here. Let God do what God does right and let's just  
732 chill out a little. Thank you.  
733

734 Ms. Sandra Elliott, 5<sup>th</sup> Avenue North: Mayor, and Council, and citizens, I just wanted to make an  
735 announcement. I am handing in my written resignation from the planning commission effective immediately. To  
736 stay or not has been wrestling in my mind for the last six to 12 months. Council has lost faith in the planning  
737 commission, and I too have less faith in you. And many times, many hours have consumed the planning  
738 commission in the last five years that I have served in my tenure, and there'll be many more on horizon. The  
739 comprehensive plan, which is Surfside Beach's vision, is on the calendar for updating. Countless hours will be  
740 devoted to it. The overlay district is another plan. No thank you, council. I am done with the commission. My  
741 integrity and time are more valuable to me than participating in a dysfunctional council. Thank you.  
742

743 Ms. Elizabeth Bradley, Juniper Drive: Thank you for your time. I appreciate it. I promise, I'll make it  
744 worth your few minutes that I'm gonna take up. I know your time is a precious commodity, and I don't want to  
745 waste yours or ours. Earlier last month I invited you to a viewing of the movie called The Plastic Ocean that we  
746 sponsored at Surfside library. I'm sorry that no one was able to attend, but I understand your time is important.  
747 However, even if you did attend there were no seats left. In fact, there were so many people there that many  
748 people stood or sat on the floor during the viewing of the movie. It was wonderful to see so many concerned  
749 citizens. The movie was long. The move had many sad images of the ocean and fish and seabirds filled with bits  
750 of plastic. But as sad and overwhelming as the movie was the people didn't, the people didn't leave and they  
751 stayed and when it was over, we looked around and thought to each other, what now? What can we do? We're  
752 only a small community. But, that's not the case. We're not really a small community or one small source of  
753 change. I have been told that beautiful Surfside Beach was in of the first places to stop people from smoking on  
754 the beach. We can lead that way again. We can be the people that lead. We can be the place that leads people  
755 in the Grand Strand as an example. I was so encouraged to hear at our last meeting that our recycling material

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756 outweighed our trash. The town people here obviously care a lot about keeping our beautiful beach clean. I'm a  
757 teacher and one of my favorite class trips is to the recycling center in Horry County. We've learned an awful lot,  
758 and my parents and children that go along with me always come back learning so much and inspired to make a  
759 change. I hope to inspire others to make a change as well. I've given you all a piece of paper about a new  
760 movie coming out called Bag It. But one of the things that I've learned from the people that I've been lucky to  
761 meet and be associated with is that one plastic bag can last for an awfully long time. I've seen them in the  
762 recycling center dangling in the trees. I tell my students and my coworkers that we don't need to reinvent the  
763 wheel. In fact, we don't even have to go very far. Isle of Psalm and Folly Beach have already stepped up and  
764 stopped the use of one time plastic bags. We can follow their lead. Early it was said that the last thing; that lost  
765 rights can no longer be regained. That was an important sentence and I thought it was so important that I  
766 wrote in down on here, because as we start to destroy our beaches, fill our oceans, fill our fish, fill our seagulls,  
767 fill our pelicans, or dolphins or whales with these plastic that can't be removed, we can't regain that beautiful  
768 thing that came here for, and we should cherish. Thank you for your time. If you have any questions, you can  
769 refer to the papers that I gave to you or you can feel free to contact me or anybody from the Chirping Birds.  
770 We meet at the Surfside Beach library every other Thursday. Thank you. *(Applause)*

771  
772 Ms. Betty Lowery, 4<sup>th</sup> Avenue North: Without knowing it, Ms. Herrmann has my letter of resignation  
773 from the planning and zoning commission. I was appointed March 22, 2011. I was reappointed in 2015. My  
774 term actually would've ended 2019. At this point, I feel like I'm wasting my time. When I listened to the  
775 discussion of tree ordinance, now I am so mad, and I don't get mad. I didn't know whether to laugh, scream or  
776 cry. I don't know if you guys even read what we gave you. When I brought up the Palmetto tree that night, I  
777 was thoroughly chastised because it was the state tree. How dare I suggest that it not be used as a  
778 replacement tree? Oh, my goodness. For that, for the tree ordinance to be used as an excuse to review; the  
779 tree ordinance was under review before I came on to planning and zoning in the 2011. It has been under  
780 constant review since then. We gave you a good, workable ordinance, and you shredded it. You didn't tweak it.  
781 You shredded it. I'm 73 years old. When I spend my time on something, I would like to think that I have  
782 improved somebody's life at some point. I feel like I have wasted this entire time, and I love this town. I've  
783 been here since 1968. I raised my children in this town. And, I'm gonna go out of my house on that corner at  
784 4<sup>th</sup> and Cedar on a stretcher. I love Surfside. We are blessed even to have Surfside. But I am so fed up with  
785 this. There's just, there's just no point in this. I'm done. I am thoroughly done. The whole purpose of a planning  
786 and zoning commission by the state was to separate politics from the creation of ordinances. So that was one  
787 point. The other was so we could do your legwork. You managed to eliminate both of those things with your  
788 subcommittee. Well, hallelujah, and I hope you enjoyed it. I am done. I am done. Integrity, common sense,  
789 and Elvis and I have a lot in common. We're both building out of the building.

790  
791 Mr. Harry Kohlmann, South Ocean Boulevard: Wow. Guess we don't have a couple of people that are  
792 happy here. You, we elected you all to represent us. We didn't elect you because you're experts in tree  
793 ordinances or parking regulations, or anything else that's done in this chamber. We elected you to represent us.  
794 You appointed people to be on committees to give you suggestions. I'm the chairman of the parking committee.  
795 I worked very hard to try to change the things in this town, and I fought with a lot of you over these things.  
796 Eventually, you did what the parking committee told you to do. We've made a lot of money. We help traffic  
797 congestion. We made this town a better place, and like these two ladies right here. They made this town a  
798 better place. I think you got your heads a little bit too big here. I really do. I don't know what expertise you  
799 guys got other than you got a good talking game. That's the truth. We gave, the parking committee gave you a  
800 number, over 12 suggestions, recommendations in March, before the season to get it done, and then you  
801 picked and choose our recommendations to bring up. You didn't bring up all of our recommendations. You  
802 picked and chose what you want to look. At least put your name on record what you didn't like and what you  
803 did like. So tomorrow I will have my resignation to Ms. Herrmann. I know some of you are gonna be very happy  
804 about it. But that doesn't mean I'm not coming back here anymore. I'll be back. I'm gonna spend my time even  
805 closer looking at what you people are doing. This is a very, very; it's a disgrace what you're doing here. This is  
806 the most dysfunctional council I've seen since I been here for 10 years. We thought it was a circus years ago.  
807 You guys, you make it pale in comparison. Thank you.

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810 Ms. Holly Watson, Oak Drive North: I've been in this town over 30 years, and I love my town, and that's  
811 why I'm willing to tell you about some things that we're doing that are either illegal, not right, not morally  
812 sound, or just don't sit well. They're not kosher. One of these is not advertising for the positions that we have  
813 available in town. From what I can understand, we never even advertised for our assistant administrator's  
814 position. That position was supposed to come on board in January. According to the meetings that I attended  
815 and from what I can understand, we've already hired somebody. You know, there are qualified; how do you  
816 know you got the best qualified person, if you don't even put an advertisement out that we are looking for  
817 somebody? We deserve better than this. Not to mention an EEOC violation or whatever, not allowing everybody  
818 to apply for one of the highest positions that we have in town. The second thing is this organizational  
819 subcommittee; what exactly is that because for you to change our organizational chart an ordinances required  
820 to abolish or alter any municipal department or office. That is your Surfside Beach ordinance. So, I don't get it,  
821 you know, I've been talking to you for the past year. Since August of last year, about how the procurement  
822 violations, all of the purchasing violations, things that are being left off the jobs, well they don't follow up to see  
823 where our credit and our monies are; all these things happen, and we corrected some of those. We're putting  
824 things out for bid; everything's, you know, coming together. I can't keep up with it all. Now we're not  
825 advertising for the highest positions that we have in town now. What, are we hand picking everybody and  
826 throwing out the ones we don't like? Come on. This is a township made up of registered voters, and you work  
827 for the people. You, you cannot give your powers away to an administration. I'm sorry, it doesn't work and you  
828 can be held liable for that under state law. You cannot give your powers away to somebody else. We elected  
829 you. We did not elect an administrator. We did not elect any director; we elected you. You are responsible.  
830 Somebody in this room needs to figure out how to manage a town, because we don't have it now. Thank you.  
831

832 Mr. Boyd Sadler, 8<sup>th</sup> Avenue South: Mayor, Council, Citizens, I was debating whether to come up here  
833 tonight again, because I think it's like almost beating a dead horse. It's like beating a dead horse. We had the  
834 38 horses on our farm, before we left Virginia. Pretty rough trying to make that one that's dead get up and do  
835 something for us. You guys are dysfunctional, but I think you, a lot of you have, several of you, I don't know  
836 about a lot, have good intentions, but you bring something, and you put a wall to block the path of everybody  
837 else, and it's ego trips. A lot of you have ego trips. I speak, well, I speak with a couple of you once in a while;  
838 some more than others. Nobody ever approaches me. It's me approaching them, and that's sad, because you're  
839 not asking the citizens what we want. You know, what we need, and today you just had three really great  
840 people get off the committees, because you are dysfunctional. You need to get together before you come in  
841 front of the citizens, and get some kind of a plan going. I sure hope that my team, the Redskins, is doing a  
842 better job than you guys are. I'd like to see at least one or two wins this year. You guys are batting a thousand  
843 in the wrong direction. [It's] a good time to bring this up, you guys really ought to think about considering term  
844 limits, because some of them sitting too long and doing nothing. We also have really never heard any more on  
845 the lawsuits against the town or against the people in the town. I think something should be brought about that  
846 at least be brought up to date. I mean, we would like to make sure we don't get blindsided about everything.  
847 I'll leave it at that. Thank you for hearing me.  
848

849 Ms. Kathy Goddard, 15<sup>th</sup> Avenue South: I would just like to sort of reminisce a little bit about years  
850 when Bill and I first moved to Surfside Beach. It was before a lot of you were, had moved here. It was right at  
851 [Hurricane] Hugo time, and we've sat through many Town Councils here. Many mayors, many town councils  
852 and we've seen many come and go. We've seen many Town Councilmen sit up there like you, like we did  
853 tonight that some of you weren't prepared for this meeting tonight. You had to have one person sort of  
854 takeover up there and sort of lead you to where things were going tonight. You clearly weren't prepared for this  
855 meeting, and a lot of us are getting very tired of you not being prepared. We voted you on Town Council to  
856 come here to be prepared to lead us. You're not doing your job. You either come prepared or get off Town  
857 Council. Another thing as back in those days, there is a beautiful piece of property here in town, and a friend of  
858 a friend in this town decided he wanted that property. Well, it got let go really, really cheap, because it was  
859 swampland and it was wetland. You couldn't do anything that property. So that town, the people set here, and  
860 they were told it was wetland. It was no good. Well, that wetland is now the waterpark in this town. Amazing.  
861 Amazing how the people lost great money over the waterpark. Now we have a park for the children. Lots of  
862 acreage out there. And now, you say, a friend of a friend that has a builder that wants to put maybe Section 8  
863 building out there. They can make great money with that property; comes along and has his eye on that.



864 Ooooo, I want that. I can make great money again at the expense of our children and people of this town  
865 again. I hope to God we don't repeat history, and we let, don't let the connections in this town or some of you  
866 up there let that property go to somebody that has greedy paws again, because they're connected to a  
867 connection in Horry County. I just hope that we straighten up this town, and quit the good buddy system, and  
868 get to work on Surfside Beach, and really care about our town and our people looking out for our children and  
869 our rights and get out of the gutter. Thank you.

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**10. TOWN COUNCIL COMMENTS.**

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Mr. Stevens: I want to thank everybody for coming out here. I listened to everybody speaking and I think we've got a lot of people out there that care about this town. Council has to use common sense when they make decisions. We don't need to be doing anything for any special favors for anybody. We need to be aboveboard and honest and transparent. I sit here and I hear about Huckabee. Why do we have Huckabee? Why was it named Huckabee? It was named after former mayor. It has deed restrictions on it. I heard about government housing. I don't want government housing in Surfside, and I don't want to take our land that your taxes paid for and give it away. We are supposed to represent the people. How good a job were doing, I don't know. You're the judge of that. When the next election comes around you'll tell us who you want on council and who you don't want on council. That's the way it works. We have a good police department. There's no doubt about that. If you ever want to see how good, just go and talk to [Chief] Hoffman. Let him show you our statistics; us compared to everywhere else. You'll see that your money is being spent well with our police department. We have a good fire department. The fire department does their job. They go out and if you have a fire they take care of you. But you're paying for that. Just like me. I'm a taxpayer, you're a taxpayer. You're paying for every service that we get. Some of things that we talked about; I think somebody talked about a deputy administrator. When I saw the information on the deputy administrator, I saw no name, no address, no nothing. It was like if somebody was hiring a carpenter. He said he can hammer nails. He can saw boards. That's about it. I still to this day have never met the guy. All I know is a name now. I finally got it. We voted for that; well, I didn't. I voted against it, for a deputy administrator. I don't even know who; I still don't know who he is. I've heard a little bit about him. That's all I've heard. I don't think that's transparent. Why wasn't, as one lady said, why wasn't that guy, put resumes sent out and people talked to. Why didn't we do that? You tell me. I'm only one vote. I can do one vote and that's it. What the other council people want to do that's totally up to them. It seems like we're spending money like it's going out of style. I hate that. I think we've wasted a lot of money, a lot of your taxpayer's money and I'll stand here and sit here till 2020. If you want to, if y'all want to vote me back in, that's fine. But if you don't want me, that's fine, too. That your prerogative. You have that prerogative with every person sitting on this council. All seven of us. I'm sure there's some people don't care nothing about me. That's fine. One thing I did like that we did is we celebrated the Constitution. Believe me, I believe in the Constitution 100-percent. We're here to serve the people, and if the people don't like the Constitution, you're in the wrong country. If you don't like our Bill of Rights, you're in the wrong country. If you hate the Constitution, you're in the wrong country, because this is America. It's the land of the free and home of the brave. I stand right there shout it; some of these folks out there laughing, yeah, they probably don't like the Constitution. So be it. If you're that type of person, go ahead, be that person. Thank y'all, the people that care about this town and coming out, the people that really, generally, truly care about this town, thank you for coming out. Have a nice night and have a good week.

Mr. Pellegrino: Thank you for coming out tonight. First off I'd like to thank Ms. Elliott, Mr. Kohlmann, and Ms. Lowery for your service to the town. I know it was a lot of hard work and I know we didn't agree with everything; all the recommendations. But I do appreciate your hard work. As far as the Section 8 housing. I don't know why that comes up all the time, but we just voted four meetings ago on Section 8 housing, and not one person supported it. So I don't think any of us support Section 8 housing. I don't know where this information comes from. But anyways, Mr. Kohlmann brought up a good point. I and everyone up here work for the people. I understand. I don't always agree with you guys. A lot of people talk to me about a lot of different things and have different opinions about a lot of different things. I try to decipher all the information and make the best decision for the town. I know some of you guys don't agree with that. As Mr. Stevens said, it's everyone's right to vote. Vote for the person who you think is gonna do the best for where you think the town is going to go. There's really nothing more to say on that. The Section 8 housing and a lot of this

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918 misinformation really concerns me, because all over social media and different things there is all kinds of  
919 accusations. I just don't even know where it's coming from or who's making it up, but it causes more grief  
920 around. I have talked about options for selling Huckabee or what the options are certainly, but never have  
921 mentioned Section 8 housing. I have no connections with anyone in the county. I don't even talk to anyone in  
922 county politics. Anyways, I just don't appreciate the accusations when there's no facts whatsoever. But other  
923 than that it's another good day in Surfside Beach. Thanks for coming.  
924

925 Mr. Johnson: I want to reflect and agree with a lot of Mr. Pellegrino's comments, specifically about  
926 Huckabee. In my mind we're beating a dead horse, which so many people in Surfside Beach do. I don't know  
927 what their agenda is. I appreciate you guys coming out. Thank you. God bless you all, you know, and I thank  
928 you for your support, and I thank you for your comments, and even if you don't support me, I appreciate you.  
929 Thank you.  
930

931 Mr. Ott: Thank you for your comments. Good or not, they're your thoughts. That's what we wanted to  
932 hear. I did want to see that movie but I had to go to the Municipal Association training. Wish you'd play it  
933 again. (*Ms. Bradley from the audience – It's on Netflix.*) Okay, good. Alright. The public works director was  
934 requested to investigate the use of these bags I've seen on the Surfsidians [Facebook page] too. They can be  
935 eaten by sea creatures. I don't know how, but they can. It was on the Surfsidians and I asked him to  
936 investigate that. I don't know how that turned out, but I hope it turned out for the better, because we could  
937 replace these doggie bags we put down there, because I see them blowing around the beach. It would be a  
938 good thing to start with that. One of the things that we hear, and of course, when I sat out there with you, I  
939 didn't hear the other people, and that means all the other people out there and there is a whole lot of people  
940 that really didn't like that tree ordinance. I heard from hundreds of people they don't want to be told what they  
941 can do with their own property. I know that the planning and zoning commissioners sit there. They want to  
942 control, and so there's a fight actually between what some residents want and some other ones didn't, and  
943 that's actually why we went and looked at that to give people more leeway to stop fining them, to stop  
944 making them pay for permits, and things like, and let them cut bigger branches. It's their house; their tree. I  
945 want to open up to it and the tree ordinance was very restricted. Some of these other ordinances are still very  
946 restricted. To my knowledge, I don't believe that the council people sitting on that subcommittee had changed  
947 the organizational charts, but there's something going on there that we need watch. We can't allow that to  
948 happen in our town, because this is our town. Section 8 housing, I just seen it the other day. It's actually being  
949 built. There's some being built at the end of [Highways] 544 and 707, just north of 544. Thank God it's not  
950 being built here. Some people just want to put that here and it doesn't belong here. Not that were any better  
951 than anybody else. It's just this community, it's too small for that. For Huckabee, maybe we could put it on a  
952 referendum in the next election and everything about that. Let the people say no, you can never sell, and then  
953 it can never be changed, and that would be it. There has to be a way. I don't know anybody that wants to,  
954 really wants to sell that. It's the only thing that we have for our kids. Maybe it costs us a couple of bucks, but I  
955 believe that enough residents really want to keep it. Thank you very much for coming out and you can come  
956 and call us names. It's okay. We're trying the best we can. We're not super people. We're just like you; we used  
957 to sit out there. Thank you again.  
958

959 Mr. Courtney: I'd like to thank you for all coming out. It's not easy being up here. You can sit there  
960 and smile, laugh, joke. Come on up. It's not easy, it's a lot of work. It's a seven day job. I didn't come up here  
961 for power or authority. I came up to do the right thing for residents and my children, my wife. This is where I  
962 live with my family. I take it very seriously. I did take the parking recommendations. I did move 'em, and I did  
963 get 'em passed. Yeah, there are walls up here. There is poor communication up here. It's not easy. Okay. I put  
964 a lot of work into this; 12 hour days. The phone starts at 8 o'clock in the morning doesn't end till 9 o'clock.  
965 Again, there were a lot of recommendations that were made that I knew that would never get by. Alright, but I  
966 pushed the ones I thought that this council would agree with. I do the best I can. I give you 110-percent. I'm  
967 really sorry about the tree ordinance. There's a lot of people that feel, as Mr. Ott said, they wanted more  
968 freedom with that property to choose to take down. Nobody wants to take down a beautiful tree, but they want  
969 to choose, and have that right to say why do I need to go through this whole big process of getting arborist or  
970 getting an engineer to come look at a cracked sidewalk, and one of those people, because I had to go through  
971 it. I had nothing but trees all around me on Block 25. Trees cracking up my sidewalk. You could never find the

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972 owners of the properties. They couldn't care less. Limbs dropping. I fought with the town for years fighting the  
973 town to take down trees. I couldn't touch 'em. The builder came and cleared them all out for me. Now, I got a  
974 tree ordinance where I get a plant a certain amount trees. I got two kids; one's about to go into college. You  
975 think I can afford a \$1,400 tree, let alone a \$300 palm tree. So that's what it is. I hate to be the bearer of bad  
976 news, but that's what it's about. Again, I do appreciate comments, negative or positive. I will continue to fight  
977 for the residents and my children and my wife. That's the only reason I'm up here. Thank you for coming out.  
978 God bless you. Have a good night. I'd like to thank all of you for being here.  
979 Thank you.

980  
981 Ms. Samples: First, I'd like to thank staff. Sorry we're keeping you here till 10 o'clock at night. You all  
982 work a long, hard day and it is appreciated. Thank you. I know the public likes seeing you here, so thank you  
983 for your time and attention. Ms. Elliott, Ms. Lowery, and Mr. Kohlmann, you all have given the town a lot of time  
984 and attention, and if you feel disrespected, then I apologize for that because you are not disrespected. Your  
985 input is important, and hopefully we can get some great town residents to step up and take on those  
986 responsibilities. So thank you for that. Huckabee. Huckabee is all about social media trolls making up stories.  
987 We had a meeting in September when we talked about Huckabee. Most of us up here said we're not going to  
988 sell Huckabee. We don't want to sell Huckabee. It is a town asset. We do not want to get rid of Huckabee. So,  
989 don't believe everything you see, or hear, or read, because it's just not accurate. Regarding the tree ordinance,  
990 the tree ordinance has been a very complicated document. When we had this discussion back, I believe in  
991 October of last year, we wanted to simplify the tree ordinance and not overregulate. Try to make it easier. The  
992 planning commission took a crack at it. They did their job. Then it came to us. It's our responsibility to provide  
993 our input, and we have. It's not the way I wanted it to be. I wanted it to be a lot less regulated than it currently  
994 is, but the current ordinance is very restrictive, and so by pushing this forward tonight and approving second  
995 reading, we have improved upon the tree ordinance. That I'm confident of. Again, it's not what I wanted, but  
996 we have improved upon it. That's all I have, thank you.

997  
998 Mayor Childs: I have something to read pertaining to our last Saturday session. Unfortunately, a  
999 councilmember or members shared information privileged under law. Executive session is protected under the  
1000 law, and as such there are certain ordinances associated with this privilege. Surfside Beach Town Code states in  
1001 Section 2-52 Executive Sessions, It shall be unlawful for a member of council or person in attendance to  
1002 disclose to another person or make public the substance of a matter discussed in executive session. This means  
1003 that posting of an audio recording of Saturday's executive session on two Facebook sites was criminal in nature.  
1004 The person or persons sharing the information, posting the information, or links hosting the site or sites  
1005 connecting or enabling the link, or any other way, serving to make the information public shall also be found to  
1006 be in violation Surfside Beach Town Code. Subsequently, this matter has been turned over to law enforcement.

1007  
1008 **11. ADJOURNMENT.** Ms. Samples moved to adjourn the meeting at 9:58 p.m. Mr. Johnson  
1009 second. All voted in favor. **MOTION CARRIED.**

1010  
1011  
1012  
1013 Prepared and submitted by:

1014  
1015  
1016  
1017 \_\_\_\_\_  
1018 Debra E. Herrmann, CMC, Town Clerk

1019 Approved: September 12, 2017

1020  
1021 **SURFSIDE BEACH TOWN COUNCIL**

1022 VOTE: Yes No

1023

1024  
1025 \_\_\_\_\_  
Robert F. Childs, III, Mayor

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- 1026
- 1027
- 1028 \_\_\_\_\_  
Ron Ott, Mayor Pro Tempore
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- 1030
- 1031 \_\_\_\_\_  
Timothy T. Courtney, Town Council
- 1032
- 1033
- 1034 \_\_\_\_\_  
Mark L. Johnson, Town Council
- 1035
- 1036
- 1037 \_\_\_\_\_  
David L. Pellegrino, Town Council
- 1038
- 1039
- 1040 \_\_\_\_\_  
Julie M. Samples, Town Council
- 1041
- 1042
- 1043 \_\_\_\_\_  
Randle M. Stevens, Town Council
- 1044

1045 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded, and not  
1046 intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free  
1047 copy of the audio will be given to you provided you bring a new, unopened flash drive. In accordance with  
1048 FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local media and interested  
1049 parties via the town's email subscription list. The agenda was posted on the entry door at Town Council  
1050 Chambers. Meeting notice was also posted on the town website at [www.Surfside Beach.org](http://www.SurfsideBeach.org) and the marquee.

Approved