



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION SEPTEMBER 26, 2017 ♦ 6:00 P.M.
REGULAR MEETING SEPTEMBER 26, 2017 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 6:00 p.m.

Mayor Childs called Town Council to order at 6:00 p.m. on Tuesday, September 26, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss Freedom of Information Act §30-4-70(a)(1) to discuss appointments of a person or persons to a committee (See Business Item 7.F.) and §30-4-70(a)(2) receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney client privilege. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Ms. Samples moved to enter executive session at 6:00 p.m. Mr. Ott second. All voted in favor. **MOTION CARRIED.** Mr. Courtney moved to reconvene regular session at 6:07 p.m. Mr. Ott 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 6:07 p.m.

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER. Mayor Childs called the regular meeting to order at 6:30 p.m. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, Samples, and Stevens were in attendance. Councilmember Johnson was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Deputy Director Harrah; 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: The Reverend Jeff Woods, Oasis of Hope Church 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. Executive Session and Regular Meeting September 12, 2017. Mr. Stevens moved to adopt the September 12, 2017 executive session and 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. Holly Watson, Oak Drive North: This is in regard item 6.B.iv and C. I'm in my hands a copy of the August 24, 2012 Town Council adoption of ordinance 12-724 specifically denying the administrator the right to fire or hire any department head without council approval. The town attorney, Mr. Moss, was present and answered this very specific question. I'm also reminding you that the leaked executive session tape shows us that the firing of our planning and building director was planned since April of this year, and as we know, it culminated in the wrongful termination of our director. I'm also giving you a copy South Carolina State Law 17-3030 whereby the statute states that an individual who is a party to a conversation can lawfully record it. Since our employee handbook is specific that an employee's position

54 is definitely not a contract, then this was not a reason for termination either. Our handbook needs to be
55 reviewed to be in compliance with state law. It is illegal according to our own ordinances to interfere with
56 an employee's duties, specifically those charged with law enforcement activities. Tonight I am demanding
57 that you reinstate Ms. Sabrina Morris immediately. Our organizational charts have not been amended to
58 remove our planning, building and zoning department director, and we need a director to ensure our
59 public safety. Ms. Morris saved us hundreds of thousands of dollars. These items have been placed in the
60 record tonight for your personal review and relieve the taxpayers, including me, of any future actions for
61 damages because you allow these wayward actions and we as taxpayers are holding you personally
62 responsible, if you do not remedy the situation.
63

64 Mr. Steve Shore, 1st Avenue North: This is in reference to 8.C. Even the most newly elected
65 councilmembers have been here for 16 months now. I'm seeing a complete lack of respect for staff,
66 residents, and fellow councilmembers. You have an arrogant, smug attitude, of which I'm asking... Mr.
67 Ott: Mr. Mayor *point of order*, he's referring directly to me. Mayor Childs: He hasn't mentioned any
68 names. Mr. Ott: No but, he said C and that has my name on it. I take personal; this is personal. Yes it is,
69 Mr. Mayor. Yes it is. It's personal. I wish you'd sit down. If you're gonna talk about me, or I'll talk about
70 you. Mr. Shore: I didn't mention your name. Mr. Ott: No, you said 8.C. It has my name on it. Everybody
71 in here can read it. Okay? Mr. Shore: Let the Mayor make a ruling. Mayor Childs: (Gavel.) Mr. Ott:
72 There's a point of order. Ms. Samples: Mr. Mayor, I'm sorry... Mayor Childs: Go ahead. Ms. Samples: May
73 I suggest that Mr. Shore, if you'll save your comments till the five minute period after the meeting, or
74 after the business items. Mr. Shore: Okay. Ms. Samples: Would that make it okay for everyone? Mr.
75 Shore: Yes, ma'am. Mayor Childs: He'll be able to speak during the five minutes. Mr. Shore: Thank you.
76

77 Mr. Alan Holston, 9th Avenue South: Mr. Mayor, thank you. Council, thank you. I want to just talk
78 to for a moment about; been living there for 20 years, my family and I. Currently the concrete driveway
79 that was poured there before we moved in there is in terrible condition to the fact that my wife just
80 tripped two weeks ago; hurt her knee pretty badly. Grandchildren have tripped, and I came to get a
81 permit and I have to go through a great deal that I don't understand because of just replacing what's
82 there; not encroaching out, back, just whatever is there, I'm replacing. So I have to, I've been informed
83 to get a [sic] engineering drawing, hundreds of dollars, and a survey, which is over \$500. So maybe
84 we're looking at up to a thousand. So, I'm just wanting to find out; I don't understand that. It's, it's not a
85 new driveway. It's just to place existing one. And honestly, I don't want another family or guests to come
86 and they get injured, so I'm just wanting to find out what if anything can be done to help with that
87 situation. Gonna get it done anyway, but I hate to have to spend that extra money if it's not necessary.
88 Thank you. Ms. Samples: Mr. Mayor, may I also say that Mr. Holston is here, and I'm going to be
89 bringing us up before council tonight, Item 8.B.
90

91 **Horry County Council District 5 Representative Tyler Servant.** Mayor Childs recognized
92 Mr. Servant who presented the town with a check in the amount of \$11,707 from Horry County for the
93 town's recreation fund. Mr. Servant said it was an honor to serve the town and he available to help in any
94 way he can.
95

96 6. COMMUNICATIONS.

97
98 **A. Employee awards. Chris Bolter, 10 year.** Mayor Childs said that Mr. Bolster had ten years
99 in public works. Mr. Adair will deliver his award to him.
100

101 B. Department Reports.

102
103 **i. Events.** Supervisor Ellis presented the written report, a copy of which is attached hereto. Ms.
104 Ellis said that Mr. Hansen has asked to be allowed to continue the Sunday Serenades until the end of
105 October and to hold some holiday shows at no cost to the town. **COUNCIL CONCURRED.** Mr. Courtney
106 said the hula shows and other summer events were terrific for tourism, with an average of about 400 at

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107 each show. He asked if she would be interested into having a steel drum band perform during the
108 summer. Ms. Ellis said yes, and Lakewood Elementary would perform at the tree lighting this year. Mr.
109 Ott asked how the food trucks worked at the Farmer's Market. Ms. Ellis said none were there. Two food
110 trucks will be at the Family Festival; one will be at the senior fair, and two will attend the car show. Mr.
111 Courtney asked if copayments were involved for citizens that came to the health fair. Ms. Ellis said there
112 is a list of prices for the lab work; the charge is your regular copay. Costs are very reasonable. Mr.
113 Courtney hoped that everyone would take advantage of the health fair.

114
115 **ii. Finance.** Director King presented the written report, a copy of which is attached hereto. Mr.
116 Courtney thanked Ms. King for taking time to go over the report with Mr. Ott and himself. Mr. Ott also
117 said thank you. Mr. Stevens asked if money would be reimbursed for part of the \$759,000. Ms. King said
118 yes, CTC (County Transportation Committee) has already reimbursed the town \$440,000. Mr. Stevens
119 said no comments were made about Lanier Parking. Ms. King said parking revenue was down, because
120 there were so many rain days. Lanier brought in \$65,000; parking management fees were \$17,000, and
121 net revenue to the town was \$45,000, from which \$29,000 went to the general fund and \$16,000 to the
122 pier fund. In 2016, funds were \$87,000. Mr. Stevens asked who bonds our town employees. Ms. King
123 said it's through the Municipal Association and is provided through our regular insurance. Mr. Stevens
124 asked Ms. King to get the specific company name.

125
126 **iii. Fire.** Chief Otte presented the written report, a copy of which is attached hereto. Chief Otte
127 said Firehouse Subs participated in the H₂O for Heroes Campaign. They collected 23 cases of water that
128 were donated to the fire department. Firehouse Subs has been a huge supporter of the department for
129 several years. Everyone was invited to the firehouse open house on October 14, from 10:00 a.m. to 2:00
130 p.m. We plan to have a medical helicopter, and DNR (the Department of Natural Resources) is bringing
131 some trailers. I believe that the public works might be involved in this year. Mr. Stevens asked for an
132 explanation for the differences in the auto aid/mutual aid numbers. Chief Otte said the biggest reason
133 they are being tabulated by type now; calls are classified as auto aid and mutual aid based our current
134 agreement with the county, which is in the process of being reviewed. Mr. Courtney said I want to
135 congratulate you for helping out one of our firefighters that got a new wheelchair. Chief Otte said that
136 Mr. Roy Luther received his chair. We had press conference on Saturday. Mr. Luther is very thankful and
137 excited. Words just cannot express how happy he is. The new wheelchair enables him to actually stand
138 up. He's just loving every minute of it. Mr. Courtney asked for an update on the volunteer recruitment.
139 Chief Otte said eight applications came in from which we've recruited six people. Eleven interviews were
140 done on Sunday. We're in the process of going through those now. Out of those interviews, were hoping
141 to get at least six more members. That should give us 12 volunteers that will bring our numbers back to
142 where we need to be. Mr. Courtney asked if background checks were done on the six volunteers. Chief
143 Otte said background checks on five of the six first round volunteers were clear. We are waiting on one
144 more from that group. Releases are being sent to perform background checks on the volunteers
145 interviewed Sunday. Mr. Courtney asked where the volunteers lived. Chief Otte said the majority of them
146 are from within a 5 mile radius. We try to keep him within a radius so that we don't have people
147 responding from too far out. Two volunteers live in town; a couple live just off Glens Bay Road. Mr.
148 Courtney asked what ages were volunteering. Chief Otte said one gentleman interviewed yesterday is 68.
149 He doesn't want to fight fires inside. Mr. Courtney asked if the volunteers were certified. Chief Otte said
150 we have to check their training. We try to get people who have training so we can put them on call right
151 away. Some volunteers need training, which will be done as soon as possible. Mr. Courtney was more
152 interested in the volunteers that would fight interior fires. Chief Otte said a Firefighter 1 can enter. A
153 Firefighter 2 allows them to advance further. We are looking for interior firefighters. We've got support
154 people and exterior people. All six of the first round recruits are all already to go. Mr. Courtney asked
155 how many paid firefighters were on a shift now. Chief Otte said we operate with two on a shift on a 24-
156 hour shift. Three fire marshals work three 8-days a week. Mr. Courtney asked if that included the officer.
157 Chief Otte overnight tours have two firefighters; the officer and the engineer. Volunteers are required to
158 spend so many nights at the fire house during the year, so sometimes they command the station on
159 weekends and evenings. Mr. Courtney asked for a breakdown of this information for the next council

160 meeting; the firefighters that have interior and exterior training, and those that live in town and out of
161 town.
162

163 **iv. Planning, Building & Zoning.** Deputy Director Harrah presented the written report, a copy
164 of which is attached hereto. There were no comments or questions.
165

166 **v. Police.** Chief Hofmann presented the written report, a copy of which is attached hereto. Mr.
167 Stevens referred to the speed study and asked if that was all cars. Chief Hofmann said the unit is a
168 Doppler radar and cannot distinguish between bicycles, golf carts, cars, or trucks. The unit senses
169 anything of measurable mass. Mr. Stevens asked if a speed study could be done for just cars and trucks.
170 Chief Hofmann said he would find out and inform council. Ms. Samples asked if the report statistics 1-5,
171 6-10, are slow moving vehicles. Chief Hofmann said yes. Ms. Samples asked if it could be assumed that
172 those slow moving counts would be a bicycle or golf cart. Chief Hofmann said that was exactly right. Ms.
173 Samples said I was surprised that the 85-percentile was at 36 miles an hour. I thought it would be much
174 higher. Chief Hofmann said the graphs show that some speeds are getting higher as you get close to 40
175 mph, which is too fast especially for 5th Avenue North where there are no sidewalks, but many
176 pedestrians. Ms. Samples asked which direction was tracked. Chief Hofmann said he would check on that.
177 Mr. Ott said another excellent report. Did the burglars have tools to break in or did they break the door
178 or window? Chief Hofmann that investigation is ongoing; but, no tools. Mr. Courtney said the officers
179 have been doing a very good job; we've been seeing them. I pulled over at 14th Avenue South this past
180 weekend to make a phone call. I watched a truck dump its contents into our right-of-way. The police
181 officer saw it and did his job. I'm glad he was there. This is a problem in our town. We are paying for
182 people's debris removal. It cost the town big money when these people come over and dump in the
183 right-of-way. Thank you for that. When the speed surveys are done, why do you use those low numbers?
184 We assume that they are golf carts, because we know that most people will not to be going less than 15
185 mph. Chief Hofmann said I just want to provide you with 100-percent of the raw data that comes back
186 from the from the unit. I think we can exclude that information when we run the report, if you prefer. Mr.
187 Courtney said I believe it's fair to say anything under 15 mph or 20 mph could be omitted, depending on
188 what you believe is reasonable for a golf cart. Chief Hofmann said I think 15 to 20 mph is about what you
189 see on the golf cart. Mr. Courtney said I would like to see that omitted from the study. Chief Hofmann
190 said I will find out if we can eliminate those speeds and use just 20 mph and above. Mr. Courtney said
191 we are averaging around 30 accidents a month. Chief Hofmann said I monitor that, too. This month there
192 were 42; 41 last month, and we were at 40 in August 2016. We will never be able to fully eliminate
193 motor vehicle accidents, but I think we've made a lot of progress. Mr. Courtney asked if speed was a
194 contributing factor. Chief Hofmann said most of these accidents are caused by failure to yield. That is one
195 of the main issues; distracted driving continues to be a problem, texting and driving, and other things
196 that take drivers attention away and causes end accidents. Mr. Courtney asked if any one place in town
197 had the most accidents. Chief Hofmann apologized for not getting that information as requested at the
198 last meeting and said he report at his next meeting. Mr. Ott referred to the study and said that most of
199 the graphs were perfect bell curves as they should be; but, on the 19th between 10:00 and 3:00 there
200 were over 50 cars going over 45 miles mph. In one count there were 54 vehicles going more than 10
201 mph over the speed limit. Chief Hofmann said we will continue to monitor 5th Avenue North and step up
202 enforcement. The citizens' complaints are justified. Mr. Courtney said you just mentioned we lost another
203 officer; can you explain why? Chief Hofmann said yes. Another officer is resigning tomorrow to go to the
204 City of Myrtle Beach. If you're keeping up with current events in Myrtle Beach, you know they're
205 addressing some public safety issues and they are aggressively recruiting certified officers. The officer
206 that's leaving tomorrow hasn't been out of the Academy for a year, so we are seeking reimbursement
207 from Myrtle Beach for the training costs. Under state law we can be reimbursed. Mr. Courtney asked how
208 many officers left this year. Chief Hofmann said including the chief, I believe four or five in the last 12
209 months. The national average is 17-percent for municipal police departments. We are in line with that,
210 but we don't want to lose anybody. Our younger officers are the smartest, most technology driven
211 generation that we've ever seen. They will leave for little more money or take on car or tuition
212 reimbursement for college or go to Myrtle Beach where they will pay medical insurance for life if you stay

213 20 years. I hate to see any of officers go, but we will we will lose officers. Mr. Courtney asked for ideas to
214 retain them; perhaps an increase in pay. Chief Hofmann said I'm never going turned down a pay raise.
215 *(Laughter)* I think it's more comprehensive than that. The Police Retirement System is fair, but retiring
216 police officers have no health benefits. A good chunk of their pensions can be eaten up trying to maintain
217 health benefits. The benefits package is always an area that that you can look in. I would love to have
218 that discussion with council at some time. Mr. Courtney explained the importance of this is because the
219 training and equipment costs for an officer is expensive. We need to work on a retention plan as a
220 council for the next budget. Chief Hofmann said I've been here most of my career, but I understand
221 younger officers who want experience with larger agencies. I will continue to work on retention as much
222 as possible and would love to entertain any discussion we could have that would entice officers to make
223 Surfside their career. Mr. Courtney asked how many officers have take-home cars; could we allow all of
224 our officers to take home cars? Chief Hofmann said it was allowed in the past for officers within a certain
225 proximity. Studies show benefits of having officers take home cars for the community. Many of our
226 officers do not live in town, so there is no benefit to the town. Currently some command staff,
227 investigators, and anyone on call 24/7 have unmarked take-home cars. It would be a great benefit;
228 seven or eight marked police cars at about \$30,000 each would need to be purchased to let everyone
229 have a take-home car. Mr. Courtney said the FBI crime statics reported that our area increased by 33-
230 percent. We are very fortunate to have a police department of our own, so it's very important to this
231 council that we keep our officers here. Chief Hofmann said I would like to discuss this in more detail and
232 review the benefits package, in particular with health insurance to speak with recruits about the future
233 and why it would benefit them to spend their entire career here. Mr. Courtney said I'd like to talk with
234 you this week. Chief Hofmann said absolutely. Mayor Childs said the area I came from had a large police
235 force. They were making three times what our officers make. There was no magic wand to keep them on
236 staff; they also would leave, and they had all the training that deep-pocketed federal government could
237 give them. There was a constant turnover. Chief Hofmann said the average loss over the last ten years
238 has been 3.5 officers a year. You are right; they will go. Mr. Ott said I believe that you can get the
239 consensus of this council for you to start looking into other ideas and actions that you can bring to us in
240 the next budget meeting to see if we can help. Chief Hofmann said I'd love to have that opportunity. Mr.
241 Courtney asked if Chief Hofmann would calculate the actual cost to hire, train, and equip an officer to be
242 ready for duty. I believe it's about a \$100,000 investment. Chief Hofmann said that's possible, but
243 sometimes we reassign equipment. I will get that information for you. Mr. Courtney thanked the officers
244 for doing such a good job. Chief Hofmann said the police department will be hosting National Coffee with
245 a Cop Day, October 4 at Benjamin's Bagels from 7:00 a.m. to 9:00 a.m. Also, Sergeant Gil Williams was
246 promoted to Lieutenant.

247
248 **vi. Public Works.** Director Adair presented the written report, a copy of which is attached
249 hereto. Ms. Samples said thanked Mr. Adair for the report, and congratulations to Mr. Bolster. We
250 appreciate his service. Thank you for your effort in trying to remove the sand from the crossovers and
251 walkways off the beach, especially in handicap areas. Mr. Ott asked if Mr. Adair had a chance to look into
252 the biodegradable doggy bags on the beach. Mr. Adair said I received a few samples, but we haven't
253 made any changes, yet. When I do, it will be reported to council. Mr. Ott said thank you for the work on
254 Cherry Drive, along with the Keep Surfside Beach Beautiful committee, because the town looks great.
255 That's one of our prized trees. Mr. Adair said he would be at Family Festival all day with the stormwater
256 committee passing educational materials. Mr. Courtney said thank you very much your report. You said
257 that you will not be picking up debris unless it's bagged properly? Mr. Adair said as I've been reporting
258 the last few months, effective July 1, 2018 the Solid Waste Authority will not accept yard debris in plastic
259 bags. Mr. Courtney asked how the town could manage debris being placed on the rights-of-way. Mr.
260 Adair said if something is unclaimed, the town would pick it up. However, residents are responsible for
261 following the town ordinances. Illegal dumping is a continuing problem through the state and country.

262
263 **C. Administrator's Report.** Ms. Fellner presented the written report, a copy of which is
264 attached hereto. Mr. Ott said thank you for your report. I attended a conference about the small cells
265 that will bring our next generation of cell phone use. They explained that this is the future and the town

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266 has to be tied to it in some way. How big are those units? Ms. Fellner said the units are extenders, but
267 they are small. When she and Mr. Harrah met with the representatives, she explained that eventually the
268 town would like all of the Ocean Boulevard wiring to be underground, so we wouldn't want extensions on
269 those poles. Mr. Ott asked if the town would earn revenue. Ms. Fellner said she is waiting the model
270 ordinance from the Municipal Association, and will share that information when she receives it. It may be
271 handled like our state franchises are. The small cells will eliminate tall cell towers. Ms. Samples asked
272 what the benefit is for deploying small cells. Ms. Fellner said all kinds of mobile devices through the AT&T
273 platform will have full coverage, whereas now there spots where there is no coverage. I think a lot of
274 people who have certain carriers have a lot of problems. Mr. Stevens asked Ms. Fellner for a copy of the
275 Army Corps update once it was received. Is there any way to get a copy of FEMA (Federal Emergency
276 Management Agency) Section 428 the Public's Alternative Procedure Program? Ms. Fellner said that is a
277 very large document, would a link to the publication be satisfactory. Mr. Stevens said yes. You stated in
278 an email that someone on town council shared a private email message; however, in the September 12
279 regular council meeting, you said that you sent an email on P&Z updates. I believe you wrongly accused
280 council of sharing that message; he continued with a detailed dialogue about how the emails were sent
281 and by whom. Ms. Fellner said, "Councilmember, you are absolutely correct and I remember saying that
282 and I apologize to every councilmember here." Mr. Stevens said we accept your apology. Thank you very
283 much. I don't like to be accused of something I haven't done. Ms. Fellner said I wish you had called me, I
284 would have apologized as soon as you called me. Mr. Stevens said I still believe that \$35,000 was given
285 to me for the deputy administrator's salary, I want to go on the record for that. Mr. Courtney ask when
286 the town will receive payment for the embezzled funds. Ms. Fellner said we should be getting back soon,
287 I can't say when. Council will be informed when the money is received. Mr. Courtney said he was getting
288 a lot of email messages about the park at 3rd Avenue South and Willow Drive. Why isn't that open to the
289 public? The Historical Society said it's ready to go. Ms. Fellner said this has been explained many times, I
290 guess different people attend different council meetings and they don't hear it. The reason is that if
291 council wants to take the encumbrance off Huckabee, not sell it, just transfer the encumbrance to
292 another piece of property, we would have to come up with property equal to the value of the Yellow Book
293 appraisal for Huckabee. Subsequently, that 3rd Avenue property has a pretty high-value at \$330,000 that
294 the town paid and a tax credit of \$60,000, so that's \$390,00 that could be counted towards that
295 appraised value of \$550,000. You wouldn't be able to have any park plans for it, otherwise PARD (South
296 Carolina Parks and Recreation Department) and LWCF, which is the Land Water and Conservation Fund,
297 would not allow you to do the conversion swap, meaning you take the encumbrance off of one property
298 and put it on the other property. Once the swap is done, then you can make your plans for the park at
299 3rd Avenue and Willow. If you make those plans ahead of time, then you cannot ever use it for the
300 encumbrance swap. Mr. Courtney said if we are not holding executive sessions in regard to these issues,
301 when should ask I these questions. I asked you to find out about the monies that the City of Florence
302 received for the crosswalks, landscaping, and signage for walkovers on the roadways from SCDOT. They
303 had received \$400,000. Ms. Fellner said I read the article that you mentioned. I need to speak with the
304 manager in order to know what that story is, and I will have that for you at the next meeting. Mr.
305 Courtney said I am concerned with FEMA, because as you know there's been many catastrophic events.
306 Where do we stand today with the pier funding? Ms. Fellner said like she explained at the last meeting,
307 FEMA is currently operating on INF (Immediate Needs Funding) guidelines. They don't have enough
308 money appropriated from Congress to be able to fund all the emergency needs and all the approved
309 appropriations. FEMA is saying they will honor the eligibility. It's a matter of timing. FEMA has to go back
310 to Congress to appropriate more funds. We still have to go through a construction bidding process. By
311 the time were through with that, hopefully, FEMA will have appropriated more funds from Congress. I
312 spoke with Mr. Omeara from Hagerty Consulting who thinks the timeline will work. Who knows, we could
313 have 5 more hurricanes and it might not catch up for a much longer time. None of us have a crystal ball.
314 Mr. Courtney said I'm just concerned, because we're going on over a year now; how much is the pier
315 going to cost and when will it be finished? Ms. Fellner said I can't give you that information. Dealing with
316 FEMA is very challenging. What I can tell you is the one year anniversary is coming in October. They're
317 either going to have to give us an answer by that anniversary; yes, we agree; we agree with hazard
318 mitigation and here's the amount we agree on; no, we can't agree on this; we can't agree on this

319 amount, and here's a 90 day extension so we can agree on it. So far they've agreed to negotiate in a
320 collaborative process, which is against FEMA directives. We are moving forward as fast as we can. Ms.
321 Fellner said if the next telephone conversation between FEMA and the SCEMD (South Carolina Emergency
322 Management Division), the town, and Haggerty does not go well that will be the time to ask council to
323 engage our politicians. Mr. Courtney said Mr. Battle has advised that we not have executive sessions
324 anymore. Will he be here for the next council meeting? Ms. Fellner said if four councilmembers instruct
325 her to ask him to attend. Mr. Courtney said if council has to work with no executive sessions and with the
326 attorney present we are never going to be able to get answers. I don't want to ask you all these
327 questions from the dais. Do we have consensus to have an attorney present. Mayor Childs asked why the
328 attorney should attend. Mr. Courtney said to talk about the last executive session about the attorney
329 present for the special meeting. You said at the last meeting, we would have to go back into executive
330 session. Ms. Fellner said for that discussion, yes. Mr. Courtney said we need consensus to have Mr. Battle
331 here. Mr. Ott said you have my vote if we have a legal issue that's who we should have here. Mayor
332 Childs asked if there was consensus. Mr. Stevens did not know why council should not hold executive
333 sessions. Mr. Battle does not run this council. Under state law we can enter executive session whenever it
334 is necessary. Ms. Fellner said if your attorney gives you advice you can choose to take it or not to take it.
335 Mr. Stevens is absolutely correct. Mr. Stevens asked if a value was determined for Huckabee Complex.
336 Ms. Fellner said \$550,000 is the Yellow Book appraised value. Mr. Stevens gave a scenario based on the
337 ten acres being developed into one-eighth acre home lots and said in his opinion that property is worth a
338 couple of million, at the least. Ms. Fellner said we have a Yellow Book appraiser that is used by the LWCF
339 and that value is for a change of encumbrance. Mr. Stevens reiterated that no one had any interest in
340 selling Huckabee. If you want to do something else with it, let Horry County lease it and pay the
341 expenses. Ms. Fellner said the county is more than \$100,000 over its recreation budget for this year.
342 They have no intention of doing that. The county does not even want to assistance with grounds upkeep,
343 which is about \$45,000 a year. Mr. Stevens said that ain't what I heard. Ms. Fellner said well, tell me who
344 you're talking to and I'll be happy to go to them. Mr. Stevens said he left a little earlier. Ms. Fellner said
345 well, I don't believe he's talked to Mr. Gosnell or Chairman Lazarus or anyone at that level, recently. Mr.
346 Stevens said Huckabee is too valuable to get rid of. Ms. Fellner said then four members of council need
347 to concur to say we know longer want to consider taking that encumbrance off, and we want to make the
348 property at 3rd and Willow a park. I can't do it with one, two, or three councilmembers directing me. The
349 majority is four. Mr. Stevens asked if this could be on the next agenda. Ms. Samples asked for
350 clarification about the proposed agenda item. Mr. Stevens said keeping Huckabee. Ms. Samples said we
351 have made no plans or motions to get rid of Huckabee. We've all agreed that we don't want to get rid of
352 Huckabee. (**several speaking at once.) What we voted on and what has been discussed is to have the
353 administrator look at unencumbering Huckabee so it could be used for many other things besides just ball
354 fields. In order to do that she needs to come up with enough property in town that is park-like to swap
355 the encumbrance. Are we reversing that decision to have her look at the options to unencumber
356 Huckabee? If we want her to stop doing that that's fine, because we made it very clear that we had no
357 interest in selling Huckabee. I don't believe that has ever wavered, correct? Mayor Childs said I believe
358 you're correct. Ms. Samples asked what the agenda item would be, since we have all made it very clear
359 we do not want to sell Huckabee. Mayor Childs said I assume they want to discuss it further, so it would
360 be under discussion. Mr. Stevens and Mr. Ott said yes. Mr. Courtney asked when the GSATS meeting was
361 held. Ms. Herrmann said that Mr. Hoeweler from Waccamaw COG schedules those meetings. The notices
362 are sent to Town Council upon receipt. Mr. Courtney said the public has a right to attend those meetings,
363 right? Ms. Fellner said the meetings are open to the public.

364
365 **7. BUSINESS.**

366
367 **A. First Reading Ordinance #17-0852 Budget Amendments FY2016-2017, Director**
368 **King.** Mr. Ott moved to adopt first reading of Ordinance #17-0852 as presented. Ms. Samples second.
369 Ms. King presented the decision paper and ordinance, copies of which are on file. All voted in favor.
370 **MOTION CARRIED.**
371

372 **B. First Reading Ordinance #17-0853 Budget Amendments FY2017-2018, Director**
373 **King.** Mr. Ott moved to adopt first reading of Ordinance #17-0853 as presented. Mr. Stevens second.
374 Ms. King presented the decision paper and ordinance, copies of which are on file. Mr. Courtney and Mr.
375 Ott said thanked Ms. King for taking time to explain these amendments last week. All voted in favor.
376 **MOTION CARRIED.**

377
378 **C. Resolution #17-184 Statewide Mutual Aid Agreement, Chief Otte.** Mr. Ott moved to
379 adopt Resolution #17-184 as presented. Mr. Courtney second. Chief Otte presented the decision paper
380 and resolution, copies of which are on file. Mr. Courtney asked Chief Otte to explain the agreement. Chief
381 Otte said the agreement enables the town to request assistance from the state through the Emergency
382 Management Association in the event of a disaster. The town will be called upon to assist the state when
383 needed, but there is no record of ever giving assistance to the state. All voted in favor. **MOTION**
384 **CARRIED.**

385
386 **D. Resolution #17-185 MOU Horry County Law Enforcement, Chief Hofmann.** Mr.
387 Stevens moved to adopt Resolution #17-185 as presented. Mr. Ott second. Chief Hofmann presented the
388 decision paper, and resolution, copies of which are on file. Mr. Stevens noted that both this resolution
389 and the previous resolution had sufficient insurance coverage to protect the town and its employees. Mr.
390 Ott mentioned that bills must be received within 45 days. Chief Hofmann said the county has only called
391 for assistance once or twice a year. The agreement does not provide assistance for routine calls. All voted
392 in favor. **MOTION CARRIED.**

393
394 **E. Lanier Parking Solutions, Administrator Fellner.** Mr. Ott moved to instruct the town
395 administrator to exercise the two-year extension option with Lanier Parking Solutions. Mr. Stevens
396 second. Ms. Fellner presented the decision paper, a copy of which is on file. Mr. Stevens said Lanier
397 Parking was recommended by the parking committee. Since the town entered a contract with Lanier, this
398 has been a very successful source of revenue, correct? Ms. Fellner said yes. All voted in favor. **MOTION**
399 **CARRIED.**

400
401 **F. Committee Appointments.** Mr. Ott move to defer committee appointments until a full
402 council is present. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

403
404 **8. TOWN COUNCIL DISCUSSION.**

405
406 **A. Chapter 7, Section 7-41 through 7-45, Nuisances, Mayor Pro Tempore Ott.** Mr. Ott
407 said I reviewed this with our deputy administer looking for some type of procedure. There are multiple
408 items in this that really should be moved or changed completely. I don't believe there is that much to go
409 over on this piece of paper, because it doesn't give anybody due process. I've asked Mr. Harrah to give
410 us some type of procedure. I'd like to have council consensus to put it on to the business section for our
411 next meeting. Mr. Stevens asked if the attorney had given us a legal opinion on the landscaping and tree
412 ordinance since it was adopted. Ms. Fellner said she would have to get the last date of the attorney's
413 review, I would not want to give you the wrong date. Mr. Stevens asked if she could get that opinion. Ms.
414 Fellner said yes. Mr. Ott said I reviewed that and it's written in this code that would bring in Section 17,
415 and that's one of the things that I would like to have corrected. Ms. Samples said the deputy
416 administrator will bring recommended changes to this ordinance. Mr. Ott said no, a different process,
417 because the ordinance is incomplete. Ms. Fellner said we are talking specifically about property
418 maintenance. Ms. Samples said there are many inconsistencies and I will email them to Mr. Ott. Mayor
419 Childs said he talked with Mr. Harrah, and this is a very confusing ordinance. Mr. Courtney agreed and
420 said the nuisance ordinance definitely needs review. **Council CONCURRED to bring the nuisance**
421 **ordinances for discussion at the next meeting.**

422
423 **B. Chapter 14, Sections 14-4; 14-12, and 14-19, Councilmember Samples.** Ms. Samples
424 said this item is similar to what we've just discussed. A gentleman spoke tonight who is concerned that

425 his concrete driveway needs to be re-poured. He went to PB&Z; they told him rightfully so that he
426 needed an engineered drawing and a survey in order to re-pour his driveway, which just did not make
427 sense to any of us. He and I both reached out to Mr. Harrah, and we reviewed Chapter 14 ordinances.
428 There are some inconsistencies as it relates to driveways in particular. There are some contradictions in
429 Chapter 14 Article 1, specifically in Article 3. Basically Chapter 14 is for those areas in a flood zone. This
430 gentleman does not live in a flood zone. There is a contradiction. There is a loophole, if you will for this
431 gentleman to be able to re-pour his driveway. We don't like loopholes, so we need to fix it. If I could get
432 consensus from council to have Mr. Harrah to bring back a recommendation to fix the contradictions in
433 Article 1 and Article 3 of Chapter 14. Mr. Stevens said it appears that this whole section applies to flood
434 zones. Because Ms. Samples is involved in a law suit regarding this very situation, in his opinion, she
435 should not bring this up as it could conceivably be a conflict of interest or conflict of ethics, because if
436 this is changed it could result in a financial gain if it affects her case in any way. Ms. Herrmann reminded
437 councilmembers that the Attorney General has ruled that only the member may decide whether not he or
438 she should recuse. Mr. Stevens' comments are taken as his opinion; he has no authority to tell someone
439 else they should recuse. Mr. Ott said even if this section is changed, the code at that time would apply.
440 Ms. Samples said I believe Mr. Stevens said at the last council meeting that that lawsuit had everything to
441 do with real estate, and had nothing to do with planning and zoning. So he has contradicted himself. This
442 has nothing to do with me. This has nothing to do with homes that are in a flood zone. This has to do
443 with the fact that Chapter 14 has an issue; there is a loophole that has to do with re-pouring of
444 driveways. The fact that you want to make it into something that it's not is sad and somewhat pathetic. If
445 you want to be specific about where the issue is, where the loophole is, it's very clear. I said Article 1,
446 says that this chapter applies to everybody, then Article 3, says that it is specific to somebody who's in
447 flood zone. All I want to do is fix it so our residents can have simple fixes to their property without having
448 to get an engineered drawing and survey. It has nothing to do with anything else. Ms. Samples said that
449 Mr. Stevens just said he had not looked at Article 3. If you look at Article 1 and look at Article 3, they
450 have nothing to do with anything you just brought up. Mr. Pellegrino said I support this going forward.
451 We have a resident with a legitimate concern that we can make a positive impact on. Mr. Ott said this is
452 why we put that in our things that we do; look at ordinances that have been in existence for a very long
453 time that do not apply correctly. This is an old ordinance and it needs to be examined. **Council**
454 **CONCURRED to bring this forward at the next meeting for discussion.**

455
456 **C. Attorneys attending Council Meetings, Mayor Pro Tempore Ott.** Mr. Ott said this issue
457 was brought up before, because had an attorney come to a special meeting, and as Ms. Fellner said in
458 her report, we can have an attorney as long as we have four votes. At that time, we didn't have any
459 votes. I wanted to bring this out, and just say we should've and we didn't. Thank you. I'm bringing that
460 out for discussion at this point, if anybody else wants to comment. I asked our Municipal Association
461 about it, and they said that definitely should not have happened. Mr. Stevens said I was with Mr. Ott in
462 the municipal training and that same question was asked. The man with the Municipal Association said, in
463 his opinion, that under no circumstances should we bring an attorney in without full consensus of council.
464 I have to agree with Mr. Ott that if we bring an attorney in, council should make that decision. Mr. Ott
465 believed that had they been given the opportunity, council would have agreed to have the attorney
466 present.

467
468 **D. Any matters of concern or information to be discussed.**

469
470 Mr. Courtney said based on the administrator's report about emails in regards to executive
471 sessions and information leaking out, I'd like to ask if we are eliminating executive sessions or will we be
472 holding discussions on the dais? Mayor Childs said I think it was discussed one point, but no final decision
473 was made. Ms. Fellner said I think what Mr. Stevens had talked about before is an important fact. Town
474 Council can decide whether you want to have executive sessions. That's Town Council's decision. The
475 attorney can advise you, but it is your decision. You do not have to agree with the attorney's advice.
476 Mayor Childs said we vote on motions to enter executive session. If councilmembers vote against the
477 motion, we will not go into executive session. To answer your question, executive sessions have not been

478 canceled. When the majority of council decide they do not want to go to executive session on whatever
479 subject might be that will be ruling of council. Mr. Stevens said I agree. We have a finance,
480 infrastructure, and a planning, economic development and marketing subcommittee made up of three
481 councilmembers that meet with the administrator and key staff. These committees make
482 recommendations to council, which many times are rubberstamped. To me that is not very transparent.
483 We should be having these discussions in public, so the public knows exactly what we're doing. Our job is
484 to be transparent. I question whether these the subcommittees are what we really need. I believe they
485 have been abused to an extent. We can do what we need for executive sessions, depending on the vote.
486 Subcommittee are not transparent or advantageous to the citizens. They're wondering what kind of
487 decisions are made behind closed doors. Mayor Childs said the subcommittees were set up because
488 council is stretched thin enough. We don't have time sit around here with these late hour meetings.
489 Subcommittee don't make any decisions; everything is brought back to the full council as a
490 recommendation. Council is not obligated to accept the recommendation. I can assure you that
491 subcommittee meetings are about gathering information. Mr. Ott said Mayor Childs is correct. The
492 subcommittee meetings are discussion. Everyone I've been to the town clerk's been there taking minutes.
493 The only one that I haven't seen any minutes from was the last organizational meeting. But they're all
494 recorded in finance and infrastructure. Ms. Samples said I agree with Councilmembers Stevens; let's just
495 get rid of the subcommittees. It will be a lot less work for staff. Mr. Courtney said the problem is that we
496 discussed personnel matters no minutes were taken, which created an issue. So does council need to
497 stay in session till eleven o'clock to figure out how to restructure the town's organization? Mr. Pellegrino
498 said we disbanded the organization committee several meetings back. We as a council would just handle
499 those discussions in executive session. We could do that for all the committees, if there is a personnel
500 issue, then the entire council is present. Mayor Child said like everything else, if four members on council
501 want to disband the committees, it can be done. Mr. Ott said I believe that the subcommittees were
502 doing their job. They keep all seven of us out of it, and then bring it back in discussion on the dais at our
503 council meetings. That's what the subcommittees are supposed to do. Mr. Courtney said we eliminated
504 the organization subcommittee, so now I would have to call for an executive session for next council
505 meeting, correct? Mayor Childs you may call for executive session, if you want. Like I stated before, if the
506 next meeting comes here and four members of council choose not to go into executive session, then we
507 won't go. You can ask for an executive session right now, if you would like to. Mr. Courtney said I would
508 ask for an executive session for next council meeting. Mr. Stevens said I'm okay with it. Ms. Herrmann
509 asked what the purpose is for the executive session. Mr. Courtney said organization chart. Ms. Herrmann
510 said the organization chart is not protected under FIOA. The discussion has to be about a specific
511 person's hiring, firing, demotion, promotion. Mr. Courtney the other subcommittees will continue to exist,
512 and the organizational committee is disbanded. Mayor Childs said correct. I think that decision was made
513 council about a month ago. Mr. Ott said we also have the privilege to bring it back at any time. Mr.
514 Courtney said the issue is that minutes should have been taken. My opinion is that minutes of the
515 executive sessions should be taken as they are in other municipalities. If they are subject to FOIA, so be
516 it. Mayor Childs asked Mr. Courtney if he could wait until there is a full council to make those requests.
517 Right now we're shy one member. Mr. Courtney said no problem. Mr. Ott said let me add that having six
518 members present a 3:3 vote is a defeat.

519
520 **9. PUBLIC COMMENTS. General Comments.** (5-minutes per speaker)

521
522 Mr. Tom Dodge, 8th Avenue South: I would like to congratulate our fire department for their
523 compassion to one of their own. What a great human story. You could not have seen a happier person
524 than [Mr. Roy Luther] when he got that new wheelchair. Thank you Chief Otte; that was heartwarming.
525 Riding my golf cart on a daily basis, I see tractor-trailers and houses being moved on Ocean Boulevard.
526 Is that safe? Are our swash bridges strong enough to handle that kind of weight? I hope Mr. Adair knows
527 the answer. I would like to also publicly thank 'Hound Dog' Hansen for the Sunday serenades. They're
528 real good for old people. Two weeks ago I received a threatening letter from Surfside Beach Planning,
529 Building and Zoning department regarding reoccurring issues on this block concerning rodent harborage.
530 I'll read you the letter. It sort of upset me. It started out by saying certified letter; not true. Reoccurring

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531 issues on this block. I am writing on behalf of the Town of Surfside Beach Planning, Building and Zoning
532 Department. Your property may violate the 2015 property maintenance code Section 302.5, Rodent
533 Harborage. Structures and exterior property shall be kept free of rodent harborage and infestation.
534 Where rodents are found, they shall be promptly exterminated by approved processes that will not be
535 injurious to human health. WOW! (*Speaker's emphasis.*) After pest elimination, proper precautions shall
536 be taken to eliminate rodent harborage and prevent re-infestation. The town has received numerous
537 complaints. This letter folks is addressed to ME. (*Speaker's emphasis.*) The town has received numerous
538 complaints pertaining to rodents and how to eliminate the problem. The town is working diligently on
539 public access areas and other locations within the scope of our jurisdiction to handle this issue. I decided
540 to make everyone aware; not true. A select few people got this letter, not everyone. Of the issues in a
541 blanket letter, please review your property for overgrown ivy, weed or grass. Get rid of piles of birdseed
542 and store it in a better container. Double check your trash storage container. Remove large stacks of cut
543 lumber; anything that can create a home for these rodents. Little things everyone can do to eliminate
544 these pest from our town and help to keep the area up. If this attempt to everyone involved in cleanup
545 and awareness does not yield enough results, I will go to a more individual letter with the possible court
546 fines of up to \$1,085 a day for noncompliance. THIS WAS SENT TO ME. (*Speaker's emphasis.*) If you
547 should have any questions, contact me. Yeah, yeah I'm hot. Mr. Courtney: Excuse me, Mr. Dodge, who
548 signed that letter? Mayor Childs: Mr. Courtney, this is for... Mr. Dodge: This letter was signed by Steve
549 Heleine. Sent to ME. (*Speaker's emphasis.*) I'm not happy. This employee knows the address of the
550 noncompliant individuals. Right here they are folks, (*time ended*) written by the Surfside Beach Planning
551 and Zoning Department. I can tell you who the individuals are. Why send ME (*speaker's emphasis*) this
552 letter? This has me hot, folks. He sends this letter to me and my other neighbors. Threatening letter. Go
553 to the violator, don't come to me. Anyone can see there is no overgrown ivy, weed or grass on my
554 property. No cut lumber or birdseed on my property. I scrubbed my trash containers at least once a
555 month. We do not live in an HOA. This letter is disgraceful. This kind of letter is one of the reasons so
556 many town citizens are fed up with town hall. Ms. Fellner knew this awful letter was sent out. She needs
557 to be removed from office. I demand an apology. Don't ever send me another threatening letter. Sell the
558 pier. Nobody up here or over here knows how to run a restaurant, run a pier, run a bakeshop, run
559 anything... Ms. Herrmann: Mr. Tom, Mr. Dodge, I'm sorry your time has been up for about three
560 minutes. Mr. Dodge: This pier will break our back financially.

561
562 Mr. Steven Shore, 1st Avenue North: My apologies to council and residents. I'll be brief. At this
563 time, I do not wish to continue with my comments so as to not to take up council's and residents' time.
564 Although, I will pursue it in a different manner, and as for talk about me, you know, people already have.
565 So, it's no big deal. But, talk doesn't hurt anybody.

566
567 Ms. Sherry Wardle, 1st Avenue North: I want to focus on the issue of two checks written last
568 December to Clemson. Let's examine the facts. Ms. Fellner told us that the check for \$9,999 was for a
569 landscape design plan from the Alignment Studio at Clemson. The town's register for check number
570 72167 in the amount of \$9,999 written on 12/9/16 reads that it was payable to Clemson University
571 Foundation. I can't recall the administrator ever addressing the previous checked on the same register
572 also dated 12/9/16, number 72166, in the amount of \$75 payable to Clemson University. Fact, that's over
573 \$10,000 to Clemson in one day. And let's not forget another important fact, she told us that the reason
574 she didn't answer Council approval for the expenditure was because she negotiated the original contract
575 down from \$15,000 to \$9,999 and since this was within her scope of authority, she felt no need to
576 request approval from council. Also, when asked to see the contract, the administrator said there wasn't
577 one; only a string of emails. So let's see the emails that prove the original contract which really isn't
578 contract was for \$15,000 and let's see how she negotiated it down. I think everyone in attendance on
579 June 26th was shocked that we can spend a dollar short of \$10,000 on the Clemson students'
580 presentation. I mentioned at the last meeting that I contacted Peter Barry from the Clemson Foundation
581 in July. He first told me that the \$9,999 check was a donation earmarked for the Community Landscape
582 Design Center. I asked if we got the anything in return like sort of perks or something for such a large
583 donation and he said no. He also mentioned a former town employee who was instrumental in

584 orchestrating the donation. Then I asked if he could confirm our conversation in writing. I never got a
585 response, and tried calling several more times before I finally got through. Mr. Barry told me that he
586 didn't respond because I supposedly told him that I was the town employee, and he later found out that
587 I wasn't. I responded by saying that never once did I misrepresent myself as an employee. I clearly
588 noted in my email that I was a taxpayer, and I carbon copied that email to Mr. Tom O'Dare who's sitting
589 here today. So, I do have proof of my emails and as a taxpayer I am entitled to know how my tax dollars
590 are being spent and I'm guaranteed this right by the United States government through the Freedom of
591 Information Act. Mr. Barry went on to tell me that I should contact the town for this information, which I
592 have repeatedly. I've been asking since March for contract, an invoice, anything to back the
593 administrator's story. That's all she had to do; was that so hard? Perhaps it is when you don't have any
594 proof that this is a legitimate expense and not a donation of public funds to a private charity where the
595 town as a whole received nothing in return. Or maybe it was for football tickets, who knows? Nobody
596 seems to know, not even Kelly Moore from Clemson who told me that a record of the Town of Surfside
597 Beach existed, but there was no activity listed. It seems to me that it was a race to wipe clean, don't
598 even know. Interestingly enough, the last time I spoke with Mr. Barry he changed his story. He told me
599 that it wasn't a donation after all, it was a payment. Of course he told me this after he told me he
600 couldn't talk to me because I wasn't an employee of the town. Seems he wanted me to know that. I
601 asked him what sort of payment for student services is the Clemson Foundation able to contract out
602 student services and do they issue W-2s or 1099s to the students that perform these services. If so,
603 there should be a record with the IRS. He said that people give them checks for payments all the time
604 like T-shirts. So did we buy T-shirts or football tickets? He said no. Facts, we gave two checks for over
605 \$10,000 to Clemson in December 2016 and coincidentally, the big championship game against the
606 Alabama Crimson Tide was January 9, 2017 exactly one month later. Anyway, now Clemson refuses to
607 give me information on this expenditure. So I'm urging every taxpayer in the town to call Peter Barry
608 from Clemson demanding answers. His number is 864-656-1289. You can find on the website and I'm
609 asking everyone to please urge council to request a forensic audit by an independent firm, preferably
610 from out-of-state. I think that it's important and it probably should've been done at the time that it was
611 discovered that former employee (*time ended*) Tammy Gardner embezzled funds from us. That should've
612 been done back then. Now maybe we'll get some truth as Mr. Pellegrino has mentioned to us many times
613 before. It is extremely important.

614 615 **10. TOWN COUNCIL COMMENTS.**

616
617 Mr. Ott: Somebody's breeding rats in town? Well, that's illegal. We have, we actually have an
618 ordinance that says you can't breed rats, and for somebody to get a letter stating that that's ridiculous
619 and it's a terrible thing to happen in our town. Maybe we need to get the Pied Piper to get rid of these
620 rats. We talk about this Clemson; it won't go away. It's not going to go away because somehow we spent
621 \$10,000 there, and we got absolutely nothing, because you ain't gonna tell me that that display I seen in
622 here was what we paid for, and you're not going to tell me ever that we paid for landscaping on Ocean
623 Boulevard, because everybody can go on this town website and it's the Town of Surfside Beach.org look
624 under Keep Surfside Beautiful and then under that look at Ocean Boulevard. They did it years ago and
625 didn't cost us a penny. Somehow, some way we did something wrong here, and it's more than an
626 apology, because there has that money belongs to the taxpayers of this town. I want this to go away. I
627 want to get to the bottom of it and know why this was not; we didn't pay for anything. We didn't pay for
628 anything going on Ocean Boulevard, because it already existed on the town website for years. It's been
629 there, and it was done for free by a volunteer group, and it's really done very nicely, too. Thank you for
630 coming out. Thank you for your comments, and I'm sorry you got a letter that that that was terrible, and
631 if I could apologize to you for what the town did, I will, and I'm sorry that happened. Have a great night.
632 Thank you.

633
634 Mr. Courtney: I'd like to thank everybody for coming out. I'd like to thank staff for all their hard
635 work. I do really do appreciate it. I'm very disturbed about this letter. It has nothing to do with any
636 individual. I did see a copy this letter online. It was a letter of enforcement, and that's why asked who

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637 signed that letter. They should've never been sent out. There is a rat problem all over in this town. We
638 have 'em in Ocean Pines One, Ocean Pines Two. We have them down by Ocean Boulevard on the south
639 end of town. This is not something new. We've had this problem. We've been discussing it for a year
640 now. We were gonna take action on it. I'm very disturbed about that. No one should get a letter like that.
641 Again, it was a certified letter. It was very obvious. I had to read the letter until I got to the bottom. I still
642 didn't understand who sent it. It was a letter of enforcement, if any one of the individuals would get that
643 they had no background in government or had any knowledge, they would've been threatened by that
644 letter. If you were to see that letter, it clearly stated you were in violation, and that should never been
645 sent. I asked that the deputy administrator come back and please answer that at the next council
646 meeting. No one should be targeted. It shouldn't say certified; I was just very disturbed about it. I think
647 there are a lot of things that have got to be addressed. I think that we need to clean up this mess. So I
648 think a few things will be added to the agenda for next meeting. I want to thank you all for coming out.
649 God bless you. Have a good week.

650
651 Mr. Pellegrino: Thank you for coming tonight. I just want to address a few things. One comment
652 was made about the Clemson check. I'll just clear up one thing. The administrator did tell council before
653 the check went out. She did explain it was \$9,999 check. It was supposed to be for a comprehensive plan
654 for landscape improvement on Ocean Boulevard. We did not get what we paid for, obviously. We didn't
655 get what we paid for and we're still working on that. But anyways, that just some facts on that. As far as
656 the rats, we did have a rat problem last year. We changed the trash pickup so we didn't have the
657 overflowing bins, and I thought that helped, but I don't know if we have a problem or not. I am
658 concerned about letter; the way it was stated. This is the first I heard about that letter. I will follow-up
659 and gets some more facts on that. That was not; it didn't seem like a positive thing. But I still need more
660 facts on that. You know, a lot is going on. We've got our pier, we just lost half our sand from beach
661 renourishment. We've got issues with the communication, but it's still a great town to live in. We've got a
662 lot of positives. I drove, just driving today, I saw one of Mr. Adair's public works gentlemen talking to a
663 resident. It looked like a very nice conversation. I see police officers all the time interacting with the
664 community. We have some great employees here and we have great services here. So sometimes we
665 focus on stuff that we need to improve and I agree we need to improve on stuff. But, we do a lot of
666 things really well here. So we need also to remember that. Other than that, unfortunately I'm going to
667 miss the next meeting, so I will see you guys in four weeks. Have a great night.

668
669 Ms. Samples: You know as Mr. Ott and Mr. Pellegrino have brought up on numerous occasions,
670 our ordinances are in definite need of review, and it is going to be a monumental task. So as we start to
671 look at them or as something happens to an individual or resident has a concern about something in an
672 ordinance and they bring it to our attention, then it gives us an opportunity to review that ordinance and
673 what we're finding, and what all of us are finding are the contradictions within the ordinance itself. The
674 inconsistencies and we're going to fix them; try to improve upon them, which is what I was trying to do
675 tonight. It is unfortunate that Councilmember Stevens felt the need to politicize my responsibility and
676 action to support a resident in town. So I am sorry that you had to witness that, but it is what it is. Mr.
677 Mayor, I have the floor, please. Mayor Childs: Please. Ms. Samples: Thank you. So I'm sorry that that
678 happened. But what I'm trying to do and what I'm attempting to do is to fix the inaccuracies and the
679 inconsistencies and with this council's help, I will be able to do that. Thank you all very much for coming
680 tonight. I hope you have a good evening and safe night.

681
682 Mr. Stevens: Do you know the rats' names? (*Laughter.*) I suggest, I can suggest one thing that
683 stopped all rats around my home; adopt a cat. They do the job. I got two of 'em. I don't have any rats or
684 even, even squirrels are in danger at my house, and birds. Unfortunately, cats are hunters. Yeah, I
685 brought up the lawsuit. If I think a person is violating the law and maybe getting something out of it, I'm
686 gonna bring it up. I know they certainly tried to bring it up about me, and they failed. You know that?
687 They failed. Now, let's go back to the \$1,085 a day. I've been to [Mr.] Dodge's house. There ain't no rats
688 there. There's rats all over the place in this town. There's some on 4th Avenue, 3rd Avenue; there's other
689 places. One of the other people that got a letter, I know the man well. He goes to the Surfside Methodist

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690 Church. Very nice elderly gentleman. He has a beautiful house and he got a letter and I can recall one
691 time when I got a letter because I didn't have a \$20 tarp over my boat, and I had my tomato cages, and
692 my irrigation pipes in my fishing boat. So they tried to fine me \$1,097 a day, or whatever it was. Totally
693 ridiculous. Thanks to [Chief Otte] over there. He worked with me and we corrected the problem. The
694 \$9,999, I never saw such a joke when these people came in here. What was this? It looked their Master's
695 thesis, and we got nothing for it. That's taxpayers' money, \$9,999, over \$10,000 was spent and we still
696 don't have anything for it, and believe me if I spent that kind of money, wasted, I'd get, I'd get shot my
697 house. And if there's emails and there is no contract, why don't you publish the emails? That should be
698 the answer to it. That seems like a reasonable request. Let us know what went on. Perhaps somebody
699 will want to do a Freedom of Information on the emails. We've talked about a lot of things here. We're
700 trying to do the best we can in this town, and we're trying to do what's right. Sometimes we got people
701 who don't want to be transparent. The whole council was accused of letting, letting out information, until
702 I straightened it out. It was right on the minutes. It was talked about and WBTW told me, well, I got it
703 off of your minutes. But, they accused councilmembers that we did something wrong. I don't like that.
704 Anyway, we are stewards of your money and we need to take care of your money. We need to be wise
705 with it. That's the simple thing we have to do, and we have to use common sense. We have to use
706 common sense on our ordinance, and I applaud Mr. Ott for bringing back the ordinances and looking at
707 the ones that don't make any common sense. Nobody should have to be in this town and be fined \$1,097
708 a day or \$1,085 a day for not doing something; not even doing anything wrong. Anybody has a question
709 about [Mr.] Dodge's house, go to it. I guarantee you ain't gonna see no rats there. We need to re-visit
710 all of our ordinances and make sure they're correct. As Thomas Jefferson said the best governed is the
711 least governed. We've got too many rules and regulations, and ordinances in this town that stifle
712 development. They stifle economic development. They stifle homebuilders, and we have to do something
713 that is smarter so this town can grow. Think about this when you go home. Name a major corporation or
714 major business that has come into Surfside the last 30 years, 40 years. You can't name one. There's
715 nobody wants to come here. Till we relax our laws and make it better for the businesses and work with
716 them, we're not gonna get that. I appreciate everybody coming out, because you're doing, by the way
717 the beautification committee and the people who get on the Boulevard, they do a better job than
718 Clemson can ever think doing. I don't know why we worry about Clemson University when we got people
719 right here in town that will put their heart and soul into it every day of the week to make sure the town
720 looks good. That's the kind of people you depend on. That's the kind of people I want in this town.
721 People that care about the town. They care about our government. They care that we don't waste our
722 money. Thank y'all for coming out. Have a great week and may God bless you all.

723
724 Mayor Childs: I want to thank everybody for coming.

725
726 **11. ADJOURNMENT.** Mr. Ott moved to adjourn the meeting at 9:15 p.m. Mr. Courtney
727 second. All voted in favor. **MOTION CARRIED.**

728
729 Prepared and submitted by:

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733 _____
734 Debra E. Herrmann, CMC, Town Clerk

735 Approved: October 10, 2017

736
737 Signatures on page 15.
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Signature Page

Surfside Beach Town Council

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Robert F. Childs, III, Mayor

Ron Ott, Mayor Pro Tempore

Timothy T. Courtney, Town Council

Mark L. Johnson, Town Council

David L. Pellegrino, Town Council

Julie M. Samples, Town Council

Randle M. Stevens, Town Council

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