



SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING
Civic Center, 115 US Highway 17 North, Surfside Beach, SC 29575
www.surfsidebeach.org - ☎ (843) 913-6111 📠 (843) 238-5432

TOWN COUNCIL MEETING MINUTES
TUESDAY, MARCH 9, 2021, • 6:30 pm.

1. **CALL TO ORDER** Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, Councilmembers Dietrich Drake, Holder, Keating, Pellegrino, and Mayor Pro Tempore Scoles were in attendance. Others present Town Administrator Shanahan, Town Attorney Crosby, and Town Clerk Sheri Medina.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A. Invocation: Jeff Wood of Oasis of Hope Church gave the invocation.
 - B. Pledge of Allegiance: Mayor Hellyer led in the Pledge of Allegiance.
3. **PUBLIC HEARING** – None
4. **MOTIONS RELATING TO AGENDA** - None
5. **MINUTES APPROVAL** Councilmember Scoles made a motion to accept the meeting minutes for February 23, 2021, Councilmember Keating seconded. Councilmembers Scoles, Keating, Holder, Dietrich, Drake, Pellegrino, and Mayor Hellyer voted in favor. **Motion Carried.**
6. **PUBLIC COMMENTS – Agenda Items Only** - None
7. **COMMUNICATIONS**
 - A. **Horry - Georgetown Technical College Presentation** President Fore spoke about programs offered at Horry – Georgetown Technical College. President Fore stated this facility has the lowest tuition in the State of South Carolina. The college offers many grants to people who would not otherwise be able to attend. Also, a few new buildings are being added to the campus to allow for more programs. President Fore also shared information on the College's middle school and pre-college prep programs.
 - B. **Discussion - Chapter 5** Councilmember Keating stated two things I fell should be updated in this Chapter. With the town's size being less than 4000 voters we're lucky to see a thousand people come out in an election. I think it's a waste of taxpayer money to select the runoff form election when the State allows local elections with the popular vote. In 2019 election, Horry County charged the Town a little over \$4800 for the base and runoff election. Therefore, I recommend that we change to conducting 1 election in each cycle with selecting the popular vote form of elections which is allowed by State law in §5-15-61.

Also, State law requires a special election is required to fill a vacant seat with six (6) months or more of an unexpired term. Our ordinances states this. However, it also states that the special election will be held the following November after the seat is vacated. Therefore, any unexpired term of an elected official less than one (1) year will not be filled by a special election since the following November election would be after the term expired. This does not seem to meet the intent of the state law. I recommend that it be revised to say that the special election will be promptly and within a reasonable time after the the 60-day notice period required by state law.

Councilmember Keating made a motion to modify Chapter 5 to implement the nonpartisan plurality method of elections in accordance with State Code §5-15-61, and stipulate that any necessitated special election will be held as properly as possible after the 60-day notice period. Councilmember Drake second. All voted in favor. **Motion carried.**
 - C. **Discussion - Chapter 2.5** – Councilmember Keating stated this Chapter references the consumption and sale of Alcohol. A person violating this ordinance, would incur the local penalties of a fine up to \$500 or 30 days in jail. Everything in this ordinance seems to be reflective of what's in the state law. So, why don't we just rely on the penalties for violations, as outlined in state law? This would be a little less burdensome, in my opinion than what

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we're offering as a remedy. So, my recommendation would be to just modify Section 2.5 under Violations to reference state laws.

Chief Hofmann was asked to provide his opinion on this matter. Chief Hofmann stated a significant portion of the fine that we would impose goes to the State. I am OK with the removal of the language. We can charge under state law. The reason for the local Ordinance was so we could try it here. We don't have to worry about going to court.

Councilmember Keating asked Chief Hofmann to research this to ensure that this change would not be detrimental to the town. Chief Hofmann agreed to look into this issue.

Councilmember Keating made a motion that information can be obtained and delivered to Administrator Shanahan in the next couple of days regarding the viability of removing the local penalties of Section 2.5, then proceed to next week's meeting with either a draft ordinance change or a declaration stating chapter 2.5 is acceptable as is. Councilmember Holder second. All voted in favor. **Motion Carried.**

8. BUSINESS

A. Municipal Court - Judge Appointment – Councilmember Keating made a motion to re-appoint Judge Arakas for a four-year term as Municipal Court Judge for Surfside Beach. Councilmember Scoles second. All voted in favor. **Motion carried.**

B. Renewal of Memorandum of Understanding with City of Myrtle Beach Police Department- Chief Hofmann stated it had been two years since we introduced this memorandum of understanding with the City of Myrtle beach. This memorandum allows Surfside Beach to receive assistance from Myrtle Beach and provide assistance should they need it. Sadly, we did get a request to provide manpower to assist in an Officers' funeral procession. So, under this agreement, we were allowed to send someone to assist. This is very beneficial to us. I would ask that you approve the agreement and authorize the Administrator to execute the agreement.

Councilmember Keating asked, have there ever been any issues with the agreement? Any challenges to the provisions, or misunderstandings, interpretations.

Chief Hofmann stated it has worked like a charm. We've never run into any problems whatsoever on either side of the agency. We work together well.

Councilmember Holder asked if they can communicate with Myrtle Beach. Chief Hofmann stated yes; they can go on either town's channel.

Councilmember Keating made a motion to accept the memorandum of Understanding with Myrtle Beach and authorize the Town Administrator to execute said contract. Councilmember Dietrich second. All voted in favor. **Motion carried.**

C. Surf Dreams Foundation surf events – Phillip Jackson, Surf Dreams Foundation – Mr. Jackson stated we want to start doing events in Surfside Beach. They are typically done in Garden City and other rural, regional places. Our organization is growing rapidly. Our first event is already sold out. We will open up more spaces when we get more volunteers. We've partnered with the Surfside Beach Holiday Inn. That's a beautiful facility right on the beach. There's plenty of parking. It's really in an identified surfing area. We had our Carolina Cup event last year, we had over 300 entries, and we had over 19 beach houses right in the gardens. I want to bring that into Surfside. Our first event is on April 24th and 25th. We'll have about 100 participants in that series, depending on the water temperature. It tends to be a little colder for the little kids. But, they do travel for that series, as well. We have a surf contest in May that brings 50-75 people. We have June 19th and 20th take a kid surfing, which is free. We have September 8 through 12 Carolina Cup Pro/Am Surfing contest. There were \$10,000 in prizes last year. This will bring approximately 150 people. A lot of them are paralyzed, so we added that pro division, and we got many people. That was one of our biggest events. The Surf Dreams Foundation Championship Series will be on September 25th and 26th. Last year, we had people from Virginia, Maryland, North Carolina, South Carolina, and Georgia. So, we're growing, and we want to grow in Surfside. We partnered with the Holiday Inn and put more heads in beds to get some more money into Surfside and utilize the beach. So, we're asking for your blessing.

Councilmember Keating asked what will the town have to provide? Mr. Phillips stated we are self-sufficient.

Wendy Foster with the Holiday Inn stated we are excited about this opportunity. As you all know, we have a new restaurant, and we are open to business. We are very excited about these events, and it's always good to put heads in beds. If we can keep that money in this town, that's the way we wanted to be. So, we are looking forward to having these events with him.

Mayor Hellyer asked if the events will take place on 13th Ave S or at the Holiday Inn?

Mr. Phillips stated it would take place at the Holiday Inn.

Councilmember Keating made a motion to support the Surf Dreams Foundation's initiative conducting up to five events in Surfside in partnership with the Holiday Inn and authorize the town administrator to execute the proper agreement with the foundation to facilitate those events. Councilmember Dietrich second. All voted in favor. **Motion Carried.**

- D. Fire Protection and Emergency Medical Services** – Mr. Shanahan presented Fire Protection and Emergency Medical Services Cost Recovery. He explained that this shifts the burden incurred by fire departments responding to a motor vehicle accidents and other emergencies from the taxpayer to the responsible insurance providers. This is not a form of double taxation. The driver that is negligent and causes the accident, that driver's premiums will go up based on a pre-set table whether or not the fire department generates an invoice. Mr. Shanahan stated this is not a new program. Many of the surrounding Municipalities use this program. He assured Council that only insurance Companies will receive bills. Once you chose a company, they will administer the program for us. Mr. Shanahan asked that Council allow him to move forward with implementing this program.

The Mayor stated many towns do this, maybe even Horry County.

Councilmember Scoles asked if the insurance company does not pay, will the resident be billed because many drivers do not have Insurance. Mr. Shanahan said no.

Councilmember Keating asked what the fee will be for the Third-party who will administer this program. Mr. Shanahan stated it depends. Approximately 20-25 percent.

Councilmember Keating made a motion to authorize the Town Administrator to proceed with the procurement process for Fire Protection and emergency medical services. Councilmember Scoles second. All voted in favor. **Motion Carried.**

- E. First Reading Ordinance 21-0922** AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH TO AMEND CHAPTER 4, ARTICLE I SECS 4.3 AND 4.4, THE CODE OF ORDINANCES FOR THE TOWN, CHANGING BUSINESS LICENSE ISSUE DATE AND DUE DATE. - Mr. Shanahan stated this Ordinance only changes the dates for the business license issue and due date. The County will be sending out a model ordinance soon; we do not know exactly when, so we are being proactive.

Councilmember Keating made a motion to approve Ordinance 21-0922 first reading, Councilmember Dietrich second. All voted in favor. **Motion Carried**

- F. First Reading Ordinance 21-0923** AUTHORIZING USE OF MEMORIAL PARK FOR CRAFT MARKET SPECIAL EVENT AND APPROVAL OF MANAGING VENDOR AGREEMENT- Basically, a local business (My Olive Shack) this would coordinate a seasonal weekly outdoor craft market to showcase our artisans and local talent. It also provides another activity for residents and visitors. We are working to schedule the vendors to start on April 8th, every Thursday thereafter through December. Each vendor will obtain a business license from the Town and pay a participation fee for their booth space. Ten percent (10%) of the participation fees collected will be forwarded to the Town.

Councilmember Scoles made a motion to authorize Memorial Park's use for the craft fair and authorize the town administrator to execute the contract. Councilmember Pellegrino second. All voted in favor. **Motion Carried.**

9. PUBLIC COMMENTS – Town Services or Business Conducted (5 minutes per speaker) -

- A. Veronica Collings, 713 Ocean Blvd. I've been doing business for many, many years. I believe that the 25% fee for the cost recovery is quite large. I share their empathy. There are hundreds of procedure codes, and thousands of diagnoses. It's just a complicated thing. We tried to take a 6% fee. It seems that for something that might happen to a handful of events a year, 25% seems high. I did it for 25 years.
- B. Judy Henion, 11th Ave North. Did I misunderstand that the vendors for the craft fair would be required to get a business license? According to the agreement from the Holiday Inn, they would apply to town for a business licenses. Then is that the same procedure for all markets or fairs? If that's the case, you have to treat everyone the same. I applaud you for creating a craft fair. We need more cultural differences. So every Thursday people will have a place to go. This function will attract more people and give an opportunity for culture change.

10. TOWN COUNCIL DISCUSSION AND COMMENTS

A. Councilmember Scoles Thank you, everyone, for coming out. Thank you to all the staff for all their hard work. Chief Hofmann, Chief Williams, I appreciate you and your guys very much. I hope everyone stays safe and we will see you in two weeks.

B. Councilmember Holder Thanks, everyone, for coming out and listening in. I think the surfing contest is a great thing. This will bring more people to our town even in the offseason. Thank you to everyone for your support and also to our Administrator for all his work. See you next time.

C. Councilmember Keating Thank you to everyone that has come out or watching online. We have passed many things today that I am very encouraged by. I can't wait to see the surfing contest, also the craft fair. My mother was an artist, so I am used to having custom paintings. I can't wait for that. For the agenda next meeting: we have had many meetings regarding Chapter 2 that we don't want to lose sight of. We had three financial changes recommended that I would like to see the first reading at the next meeting. Hopefully, we've put the contentious topic of remote participation to bed once and for all. Hopefully, with these changes, we can move forward. Also we will have Chapter 5 and 2.5 for first reading. I am encouraged that our Governor is lifting some of the restrictions due to the pandemic. Hopefully, we can get back to normal and return to the financial situation where they can be comfortable. Stay safe and healthy. See you in two weeks.

D. Councilmember Dietrich Thank you for coming out tonight. A lot of good points brought up tonight. We have many changes coming with the warm weather. Please stay safe. Be careful. See you next time.

E. Councilmember Pellegrino Thanks to everyone for coming out tonight. I have a comment regarding the Pandemic. In speaking with a couple of Hotel managers, I am hearing that reservations are up, which is good to hear. Have a great night.

F. Councilmember Drake Thanks to everyone for tuning in. Thanks to the Fire Chief for getting the information on the cost recovery. I think the Surf contest is fantastic. I am glad to see things happening for the kids. The craft fair will be something great to attend. Thanks again for coming out. Have a great night.

G. Mayor Hellyer Thank you for coming out. I think the Surf foundation is wonderful. We did a lot of constructive things tonight. We missed a lot of our events last year so people could not get together. I want to remind everyone Friday night is the Anything but BBQ, and Saturday is the BBQ festival. I look forward to seeing everyone out there. Mayor Hellyer asked Mr. Shanahan if there is an update on the mold situation.

Mr. Shanahan stated he just received the reports today. After he reviews the reports, he will update Council. Also, don't forget about the community garden; the boxes are in and is coming along.

Mayor Hellyer said he is looking forward to getting back to some kind of normalcy. Have a great night.

11. ADJOURNMENT Councilmember Keating made a motion to adjourn at 8:05 pm. Councilmember Holder second. All voted in favor. **Motion Carried.**

Surfside Beach Town Council

Robert Hellyer, Mayor

David L. Pellegrino

Bruce H. Dietrich, Town Council

Cindy Keating, Town Council

Michael Drake, Town Council

Debbie Scoles, Mayor Pro Tempore

Paul Holder, Town Council

Attest: _____
Sheri L Medina
Town Clerk

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