



**SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING Civic Center, 115 US Highway
17 North, Surfside Beach, SC 29575 www.surfsidebeach.org - ☎ (843) 913-6111
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TOWN COUNCIL MEETING AGENDA Tuesday, November 23, 2021; • 6:30 pm.

- 1. CALL TO ORDER** – Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, Councilmembers Drake, Holder, Kreklau, Kinken, Stamey and Mayor Pro Temore Keating were in attendance. Others present were Town Administrator Shanahan, Town Attorney Crosby and Town Clerk Sheri Medina.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A. Invocation:** Oakey Landers of Pine Drive Baptist Church gave the invocation.
 - B. Pledge of Allegiance:** Mayor Hellyer led the Pledge of Allegiance.
- 3. MOTIONS RELATING TO AGENDA**

Councilmember Stamey made a motion to remove item 8 (a) from the agenda. Councilmember Kinken second. Councilmembers Stamey, Holder, and Kinken voted in favor. Councilmember Keating, Kreklau, Drake and Mayor Hellyer voted against. **Motion Failed.**
- 4. MINUTES APPROVAL**

Councilmember Keating made a motion to approve the minutes for October 26, 2021, Regular Meeting, November 9, 2021, Regular meeting, and November 15, 2021, Special meeting. Councilmember Drake second. All voted in favor. **Motion Carried.**
- 5. PUBLIC COMMENTS – Agenda Items Only (5 minutes per speaker)**
 - A. Ann Westcott**, 413 Cedar Drive: spoke in opposition to the rehiring of Ms. Morris, stated it would not be good for employee morale.
 - B. Shawn Fallon**, 411 Cedar Drive: I ask questions and do not receive answers. The person you are considering to hire is not qualified, and you have other candidates that are. I am very dissatisfied with this Council.
 - C. David Pellegrino**, 2nd Ave North: there were many reasons over the last few months as to why we could not get our inspections done. When I was on Council, we decided to have the director carry the CBO license so that we would have a backup.
 - D. Gail King**, 810N Hollywood Drive: the person on the agenda is the worst decision you could make. You have an applicant that has all the qualifications and has never been fired.
 - E. Judy Henion**, 611 11th Ave North: the person in question has never been fired. There are a lot of rumors floating around. Do your homework. This person has integrity, and this individual is very qualified. Many things need to be done that haven't been done since her removal. Some may have an issue with her because she has told them no; I want someone with integrity.
 - F. Larry McKeen**, 6th Ave South: the job description stated that the person needs a CBO. I suggest you repost the position and see who applies. You can still hire the same person, but it will be fair.
 - G. Al Kelly**, North Dogwood, I have never had a problem with the person in question. Maybe some had someone else in mind. Contractors will not come here to work.
 - H. Lynn Livesay**, 520 10th Ave South: Regarding the tree ordinance. This has been tweaked. We have a mitigation fund. There will be fines if you cut down trees. These funds should be for repairs and the planting of new trees. I would not think you would hire someone that is not qualified. Two years is a long time to take the test. I think there should be a probationary period.
 - I. Carrie Johnson**, Harbor lights Drive: I worked under this person. She is ethical and knows the Ordinances of this town. I would ask how many codes have not been followed since she has been gone. She always treated everyone the same, and we need her back.
 - J. Terri Lauer**, 124 Harbor Lights Drive: I am on a committee, and I follow all the Ordinances. I was trained by the person in question, and she always explained everything thoroughly. She was not fired, and she was let go by the previous administration.
 - K. Al Lauer**, 124 Harbor Lights Drive: I have worked with this person; she guided us through the process. I can't say enough about her, and she is not a bad person.

L. Alex Samsel, 514 7th Ave South: Over the last 12 months, I have been privy to 2 people who had qualifications that did not follow our Ordinances, so I would rather have someone who follows them.

M. Fred Nash, 4th Ave South: I have never had a problem with anyone in this town. I love this city, and you are picking on a lady who tries to do her job. I love this town and don't want to see it destroyed.

6. COMMUNICATIONS

A. PROCLAMATION 21-136, Arbor Day, December 7, 2021. Read by Mayor Hellyer.

B. FINANCE MONTHLY REPORT – Director King gave the finance report.

7. DISCUSSION (motions pertaining to discussion items permitted)

A. PIER UPDATE (BUSINESSES) - Councilmember Kinken stated most of you have seen what's going on, and you don't understand how some of it works. I found out that our buildings going on there are being built elsewhere then assembled on the pier. That's going to cut down a lot of time. They're estimating now that they will start pouring the deck the first week in December. It will have to sit there for at least two weeks to let it cure. The first two test pilings have been installed. By the end of October, we have spent a third of the money. They still say August will be the completion date.

Mr. Shanahan gave a PowerPoint presentation of the progress.

B. FORMATION OF A PARKING COMMITTEE, GOLF CART PARKING – Councilmember Kinken stated I felt like this was something we needed to work on when I was running. We need to have a Parking Committee, and this is one of our most significant issues. Frankly, I would like to see us charge golf carts. We have many people who come from the campground and across the highway, and they should have to purchase a sticker. We need people, the community, to step forward and develop some reasonable solutions for our parking.

Councilmember Drake stated, on the parking, I agree with him 100%. We need to move forward on that, and golf cart rentals the same way. You go down to the beach accesses, and you'll notice that the golf carts in there are not stickered. But I look forward to working on it.

Councilmember Kreklau stated we should bring back a parking committee to look at all aspects of parking. Parking will never get easier in town, and that needs to be looked at from different perspectives. And, the way to do that is to have a committee to have people come in with different ideas.

Councilmember Keating stated several months ago we convened an ad hoc parking committee for an issue occurring on Surfside Drive. At that time, we discussed and agreed to bring back the parking committee to address all of our parking concerns, including the golf carts and some of the complaints of adjacent property owners of the parking at the beach access. We were sidetracked with other more important issues after the issue occurring on Surfside Drive was addressed. We never embraced creating the parking Committee. By that, I mean, no one stepped up to volunteer as the council liaison, to work on the charter, on the mission statement, or to establish goals and objectives, roles, responsibilities, accountabilities, et cetera. We need to determine whatever that committee was going to be. I think with the new Council on board, we need to figure out who's the best choice to lead that charge and develop the committee with the objectives, responsibilities, and scope of work. From there, we can then solicit applicants and appoint people to undertake those questions.

Councilmember Holder stated I agree with this; it's time now to bring the parking Committee back. The north side of town is probably the worst of any area because many from Ocean Lakes don't want to go on a beach because it is too busy, so they come over and park. So definitely, we need to bring it back.

Councilmember Stamey stated I think we need to look at it, and I don't know exactly how it needs to be formed or how to get people involved. I think it's a good idea to have a parking committee, to go over some things and look at what we can do for the town and solve some of our parking issues.

Mayor Hellyer stated we passed the entertainment district, and the businesses down there don't have to have any parking, the only parking they have is what we (the Town) provide. We have the Yaupon Parking lot and the other one on Pinewood. That's not enough when we open our pier. I'm not exactly sure what we're going to do because there's no real estate for us to get to increase our parking lots. We've got many parking issues that we need to look at and figure out what we want to do.

Mayor Hellyer made a motion to form a parking committee. Councilmember Kinken second. All voted in favor. **Motion Carried.**

8. BUSINESS

A. MOTION TO TAKE FROM THE TABLE THE FOLLOWING MAIN MOTION, MOTION TO REHIRE MS. SABRINA MORRIS AS THE BUILDING & CODES DEPARTMENT DIRECTOR IMMEDIATELY AND ALLOW 2 YEARS TO OBTAIN THE CBO LICENSE - Councilmember Drake made a motion to take the following main motion from the table: rehire Ms. Sabrina Morris as the Building & Codes Department Director immediately and allow two years to obtain the CBO license. Councilmember Keating second.

Councilmember Stamey made a motion to amend the motion to review all applications before a decision is made. Councilmember Holder second.

Councilmember Stamey stated I want to give a reason why I'm making this decision. She did not apply for this job, and she applied for a consultant job. We have applications that meet all the qualifications that have not been debated or discussed for this job. My next question to you is, this person we consider, does she have all the credentials to do this job?

Mr. Shanahan stated she doesn't have the CBO and a couple of other things.

Councilmembers Stamey, Holder and Kinken voted in favor of the amendment. Councilmembers Keating, Kreklau, Drake and Mayor Hellyer voted against. **Motion failed.**

Councilmembers Keating, Kreklau, Drake, and Mayor Hellyer Hellyer voted in favor of the original notion to rehire Sabrina Morris. Councilmembers Stamey, Holder, and Kinken voted against. **Motion Carried.**

B. MOTION TO RATIFY ORDINANCE 21-0933, CHAPTER 17, ARTICLE VII – LANDSCAPING AND TREE PROTECTION OF THE CODE OF ORDINANCES OF THE TOWN OF SURFSIDE BEACH, PASSED BY ORDINANCE BY THE TOWN COUNCIL, OCTOBER 26,2021 - Councilmember Keating made a motion to ratify Ordinance 21-0933 as necessary since the original modification portion of the code was not presented appropriately with an enabling ordinance when originally passed. Councilmember Holder second.

Mayor Hellyer stated we finalized this tree ordinance, but this was only temporary because we are going to redo the tree ordinance, and we are going to address it. But we did this tree ordinance to try to stop the tree cutting in the interim while we're doing that.

All voted in favor. **Motion carried.**

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

A. Ron Ott, 7th Ave North: There are houses in many zones that have been held to the height restrictions, and there are certain houses that exceed the height restriction that a former employee approved. He also spoke about the population of geese.

B. Lynn Livesay, 10th Ave South: to clarify the process, I was disappointed. Even if a person is not qualified, two years is too long to possess the proper qualifications. The process that happened here tonight was not good.

C. Judy Henion, 611 11th Ave: I want to applaud those who voted to bring back this person. We have an honest Town Administrator, and we will now have an honest Planning Director. So, let's move ahead.

D. Tom Dodge, 8th Ave: I think with the decision to bring back this person. She did a good job, and that was the best person we have had in the 30 Years I have lived here. We need to do something about the geese.

E. Shawn Fallon, 411 Cedar Drive: I am amazed that we had an applicant with the qualifications. That applicant should sue this town for not being considered.

F. Terri Lauer, Harbor Lights Drive: thank you for making the right decision. A lot has been overlooked. Now with the new hire, I know Ordinances will be followed, and it is your job to follow these Ordinances.

G. Carrie Johnson, Harbor Lights Drive: I also want to thank those who voted for this person. As far as the geese, there are things you can do. A company in Myrtle Beach can treat all the lakes and install something that would deter the geese.

H. Gary White, 315 B Lakeside Drive: I feel we continue to ignore the geese. Public Works should have to clean the streets. The person you are hiring has always been nice, and she is outstanding.

10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

A. Councilmember Stamey stated I'm glad all of you came out tonight. The voting did not go the way I wanted, but we followed the process. I like some of the comments. Some I could do without. I would like to wish all of you a Happy Thanksgiving, and God bless Surfside.

B. Councilmember Holder stated I'd like to thank everybody for coming out and those who are online. I'd like to wish everybody a happy Thanksgiving. It is going to be colder tonight. I'm not used to the cold weather. That's a big change. Have a good night.

C. Councilmember Keating stated I'd like to thank everybody for coming out and the residents who took time to come up and voice their opinions and their perspective on matters, whether we agree or disagree. It's always beneficial to hear the other side of the story. There's no 100% truth coming from anyone, frankly. Unfortunately, some are a little more biased and less truthful about things than the reality of the situation may have been. But I think it's now time that we put the unfortunate incident that happened two years ago, that had an employee removed, and we now start stepping forward. We've always said we wanted to improve our ordinances, make sure they're fair, and are reasonable to everybody, that includes all of our zoning and building codes. A lot of it is part of state law, but it's time that we refocus our energy. We need to get back on top of our CRS program before FEMA does to us what they did to the small town in Florida, that is remove us from participation in the National Flood Insurance Program. It's a serious threat at this point because we are not in compliance with our CRS program this past year. Hopefully, they will be kind to us. Give us a pass due to COVID and some other things that maybe we haven't been as diligent about the program as we should have been. We can all hope for the best. Since the Surfside Public Information Program in our CRS Program, created by the person in question, has been recognized by FEMA as a standard by which all others are judged. I think we have the right person to come in and get us back on track on that program and revise it with the new changes upcoming from FEMA in the program in general. Clearly, I think it's good move, I voted for it, and I think it's the right direction. We now have a person knowledgeable of our ordinances and where the trouble points are. She's been part of the town for many years, and she knows what is causing the most pain to our businesses and our residents. We can focus on correcting some of those paths. Other than that, I want to wish everybody a very happy Thanksgiving. Our December festivities are coming up; Our tree lighting is Saturday, December 4, the Christmas parade, the movie in the park on Dec 11th, breakfast with Santa and the golf cart parade on the 18th. So, make sure you're out and about, and seeing your neighbors, and celebrating the holiday season with us. Thank you, have a good night.

D. Councilmember Kreklau stated I'd like to thank everyone for coming out and voicing their opinion. I want people to keep sending me e-mails. I got a lot this last week, but that helps me decide what in the town's best interest. Have a good night.

E. Councilmember Kinken stated I thank everybody for coming. First, I want to address the lady that mentioned the massive trees. How come we had so much clear-cutting. At the second reading in 2017, the Council decided they would take out the 60 inches. That's why you have had so much clear-cutting in this town last three years. There is a reason. It's not that somebody ignored the ordinance. They changed the ordinance, so it was useless. I thought we were blindsided last week, and I found out this Monday that eight people applied for the director's position, two of them are qualified, three or more are more qualified, and three had the same qualification. I don't have anything against Sabrina because I know she knows what she does in her area. And I thought we were presented that they wanted her as a contract employee and helped with CRS. What happened tonight, my opinion, this borders on favoritism or nepotism or both. I thank everybody for coming out, watching, and listening. I wish everybody a happy Thanksgiving. We'll see you in two weeks.

F. Councilmember Drake stated I want to thank everybody for tuning in and coming out here tonight. Just remember, Thursday is a good day, with a good meal, thank the Lord for your family, your friends, and we live in a beautiful town, and don't forget that.

G. Mayor Hellyer stated I don't know if everybody has ridden around and taken a look at what's going on in the town right now. If you go by Memorial Park or Passive Park right now, in the middle of the night, it is lit up like daytime. That's where our Christmas tree is going to be this year. On December 4, I wish everybody would come out, see Santa Claus. I've also seen the town, Dogwood Lake at the very end of it and the gazebo, that's all decorated. Martin Field is decorated, and the Floral Park is decorated. There are decorations all over the town that we didn't have before. I think that John Adair and the Public Works have done a great job doing that. We all will enjoy the fruits of their labor. Remember Thursday is Thanksgiving, and Thursday morning, I believe, is a Turkey Trot. So, walk out your

front door if you're not going to get in it. At least to cheer the people on that are run by your house. I hope you have a good evening, and a good holiday. You all have a good evening.

11. **EXECUTIVE SESSION** – Councilmember Keating made a motion to adjourn Regular Meeting at 8:11 pm and enter Executive Session pursuant to the Freedom of information Act §30-4-70(a)(1) and (2), Discussion of appointments to Surfside Beach Committees, and to receive legal advice regarding claims (2019-CP-261732) (S.C.2018-02255). Councilmember Drake second. All voted in favor. **Motion Carried.**

Councilmember Keating made a motion at 8:53 pm to reenter the Regular Session. Councilmember Holder second. All voted in favor. **Motion Carried.**

12. **Motions resulting from Executive Session. The Council may take action on matters related to Executive Session.**

Councilmember Stamey made a motion to re-appoint Shane O. Stewart to the Construction Board of Appeals. Councilmember Holder second. All voted in favor. **Motion Carried.**

13. **ADJOURNMENT** - Councilmember Keating made a motion to Adjourn at 8:57 pm. Councilmember Drake second. All voted in favor. **Motion Carried.**

Surfside Beach Town Council

Robert Hellyer, Mayor

Cindy Keating, Mayor Pro Tempore

Chris Stamey, Town Council

LaVerne Kreklau, Town Council

Michael Drake, Town Council

William Kinken, Town Council

Paul Holder, Town Council

Attest: _____
Sheri L Medina, Town Clerk

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