



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION OCTOBER 24, 2017 ♦ 5:30 P.M.
REGULAR MEETING OCTOBER 24, 2017 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 5:30 p.m.

Mayor Childs called Town Council to order at 5:30 p.m. Tuesday, October 24, 2017 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, specifically the town administrator, and the appointment of a person or persons to a public body. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, Samples, and Stevens were in attendance. A quorum was present. Mr. Johnson moved to enter executive session at 6:00 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mr. Johnson moved to reconvene regular session at 6:27 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mayor Childs said for the record that no action was taken during executive session. Any motions and/or directions to the town administrator will be made during the regular meeting that begins at 6:30 p.m. as noted on the agenda under the Business section. Mayor Childs declared the session adjourned at 6:27 p.m.

Town Council Meeting – 6:30 p.m.

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

Mayor Childs welcomed special guests Surfside United Methodist Church Boy Scout Pack 853, and Den Leader Daniel Bennett. He explained that the scouts attended this meeting to work towards earning their "Build a Better World" badge. The scouts were given town logo pins, and photos were taken with the Mayor.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Fire Chaplain Carmen Carella gave the invocation. **B. Pledge of Allegiance:** The Pledge was led by Boy Scout Pack 853.

3. AGENDA APPROVAL. Mr. Ott moved to adopt the amended agenda, with another amendment to defer 7.g. Infrastructure until the next meeting. Ms. Samples moved to remove 7.G.v. as the stormwater committee appointments had already been made. Mr. Johnson second. All voted in favor of the amendment. **MOTION TO AMEND CARRIED.** All voted in favor of original motion as amended. **MOTION CARRIED AS AMENDED.**

4. MINUTES APPROVAL. Regular Meeting October 10, 2017. Mr. Stevens moved to adopt the October 10, 2017 regular meeting minutes as presented. Ms. Samples second. All voted in favor. **MOTION CARRIED.**

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

Ms. Betty Lowery, 4th Avenue North: I'm back, and I'm not yelling at you. I'd like to comment on something under the discussion, and that is the ability of commission, committee, whatever, to speak during public comments, and I'm assuming that the discussion is going to be to try end their ability to speak during public comments, and that would not be right. Now, I know that the law states that council people can't speak before say planning commission, because you're not supposed to be able to influence

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54 their decisions. It's supposed to be separate. But, these people on commissions and committees, unlike
55 you are, they're not elected. Also, they don't have any power and to comment on that. There was one
56 council person some time ago that said these committees just had too much power, and they needed to
57 be restricted, which came as a real surprise to me. I was on one of them and I didn't think we had any
58 power. We make some recommendations and that's as far as it went. They don't have any power. All
59 they can do is recommend. The only thing, the only one of them that I think actually has any power at all
60 might be the board of zoning appeals, and their decisions have a legal aspect to them. None of the
61 others do. They are citizens. Sometimes it's hard enough to get volunteers to serve on these various
62 things. Now you're going to say that they are not going to be allowed to speak during public comments?
63 They're still public, and they still have these opinions. Now, I may be totally incorrect and the discussion
64 isn't going to be about that at all, but if it is, I think that would be a big mistake. They need to be able to
65 speak. You need to be able to hear their input, whether they're representing the commission, or the
66 committee, are board or whatever. They need to be able to speak. If you're not going to pay any
67 attention to whatever they send you as far as the various committees and you're not going to let them
68 speak in public, why should any of them bother? Nobody wants to hear anything they have to say, either
69 officially or unofficially, and I just think that would be wrong, and I'm sorry if somebody got their feelings
70 hurt at the last meeting, but that comes with the job, and you know you volunteered. You worked really
71 hard to volunteer for that job. Thank you.

72
73 Mr. Harry Kohlmann, South Ocean Boulevard: I'd like to speak on the Town Council discussion, a
74 review of ordinances and obstructions on the beach. I agree with reviewing ordinances, in fact, you have,
75 I believe you have an ordinance, I don't even know if you know you have this ordinance, you can't throw
76 a ball in the street. Wow, talking about the 55 and older community, you can't throw a ball in the street.
77 That should be changed. But the ones on obstruction on the beach, it's not even six months old. It was
78 implemented after the season started. To look at it with not a clear picture is crazy. You can't even look
79 at it next year, because this year, two things happened on the beach: beach nourishment and a limited
80 ban of tents on the beach. Only one third of the town had that. I'll tell you right from the get go on the
81 south end it worked great. We didn't have a refugee camp. We didn't have people from Oceanside Village
82 invading our beach, because it was the only beach in the Grand Strand, get this, the only beach in the
83 Grand Strand that you put up a tent. Now, to truly evaluate the ban you'd have to look at it after the full
84 season. Next season you'd have to look at it. Not this season. Next season people will know and it'll also
85 be in effect for the whole beach. You will know if it hurts our economy or not. If people like it or not. The
86 people who don't like it in my opinion, are the people that let their kids drive their golf carts or their drive
87 their golf carts at night or they shoot fireworks off. They paid their money, they're gonna do whatever
88 they want to do. And, it's not right. So I hope you think about postponing it till you get the big picture;
89 not the little picture, not because somebody whispered in your ear, there's somebody influential in the
90 community doesn't want this ban. Please; thank you.

91
92 Mr. Bill Bigham, 7th Avenue North: I'm with Beach Services, Ltd. that furnishes the lifeguard
93 services for Surfside Beach. What I'm having a hard time understanding is why there's so much
94 controversy, because this is strictly a safety issue. I've been here 47 years. There's not one drowning
95 when a lifeguard was on the beach during the season and during their working hours. The tents create a
96 problem for the lifeguards, fire department, emergency, and police. Like Mr. Kohlmann was saying, every
97 other town and the county has banned the tents for safety reasons. I've got some pictures I'd like y'all to
98 take a look at. Anybody that can say that this is not a safety issue; I don't understand it. (** *walked away
99 from the podium to hand pictures to the Mayor*).

100
101 Ms. Holly Watson, Oak Drive North: I've been in this town for 33 years. I lived here ever since
102 we had slag roads and had to carry water in jugs. So, I've been around a long time. I'm extremely
103 disappointed tonight, because I'm addressing the administrator's report. Last meeting I ask you to review
104 the employee handbook, and I told you that our employee handbook had no grievance procedure for our
105 good employees that we have, our long-term employees. We love 'em all. We especially love the street
106 cleaners and the garbage men and the people that work very hard for our town. We do not have a place

107 for our employees to go if they feel like they have a hostile work environment or something going on with
108 the running of the town. They have nowhere to go. Our employee handbook does not mirror the
109 Municipal Association handbook. Now what I told you last meeting was that we needed to mirror the
110 Municipal Association handbook and that the Municipal Association had looked in our handbook and made
111 recommendations and these were not followed. The administrator's response was that she never said the
112 Municipal Association reviewed our handbook. But, attorney Mr. Strom reviewed our handbook. Well, I
113 hate to tell you, but Mr. Strom is the lead labor hotline attorney for the Municipal Association of South
114 Carolina. We took advantage of our 10 free hours for his review. His professional review and
115 consultation. So he was representing the Municipal Association when he reviewed our handbook. My
116 concern is for our good employees. They have nowhere to turn with their complaints. They have nobody
117 to tell that there's been any corruption or money stealing or embezzlement, or any of that going on. So I
118 implore you to find a way to mirror the employee handbook of the Municipal Association with a hotline
119 that our people can call to report any wrongdoings and problems that they're having. A labor attorney is
120 invaluable. There's reasons to have a labor attorney. It'll keep our lawsuits down. We've got too many of
121 them going on and it will keep our unemployment taxes down, because we won't be liable for
122 unemployment. So please keep that in mind, and again I am extremely disappointed that you were given
123 the wrong information. It wasn't coming from me. Thank you.

124
125 Ms. Carol Cook 7th Avenue, South: Regarding first reading of the home occupation ordinance,
126 this is item 7.C. There is a clause that allows for home child care up to six children, there is also music
127 lessons to children. There is no way to enforce that other than complaint based enforcement. When my
128 neighbors and I were faced with the beauty shop on 7th Avenue South, and we were documenting our
129 complaints to P&Z, and to the business license department, it divided the neighborhood. It was very, very
130 difficult for the people on our street to get along, because everybody had to choose sides. If you're going
131 to enact this ordinance and put a restriction on the number of children, then you need to put in a way to
132 enforce it. It's not fair to put it on the neighbors to enforce the ordinances. If the P&Z department or the
133 police department can't enforce it, then it should not go on the books. Thank you.

134
135 **6. COMMUNICATIONS.**

136
137 **A. Employee Award Mr. Rone Rutledge, 5 years.** Mayor Childs said that Mr. Rutledge can't
138 be here tonight, because he comes to work very early in the morning. But, I want you to know he has
139 worked for public works a total of 38 years. He chose to participate in the retirement incentive program a
140 few years ago, so he is on his second career with the town and has five years in this time. Congratulations
141 to Rone. Mr. Adair will deliver his awards.

142
143 **B. Department Reports.**

144
145 **i. Events.** Supervisor Ellis presented the written report, a copy of which is attached hereto. She
146 noted that two vendors did not attend the Seniors Fair, so there were only 38 at the fair. She publicly
147 thanked members of the Ralph Magliette Senior Citizens Committee for their hard work on the Senior Fair
148 during which 152 people registered. Mr. Pellegrino gave away 225 cups of ice cream, so we believe some
149 attendees did not register. The 2017 Beach Sweep was held October 21. Of the 127 participants 103 of
150 them were from Karate World. The students get extra credit for participating. The 508 cigarette butts
151 was down from 3,689 in 2016. The most unusual thing found was 15 dead Monarch butterflies. A copy of
152 the full report was placed on the dais. Ms. Mary Heyward has participated as a vendor at the Farmers
153 Market since its inception. At today's market, Ms. Heyward got up at 1:30 in the morning to prepare
154 chicken bog, candied yams, and green beans as a free lunch to anybody that wanted a plate. Many of
155 our staff members enjoyed lunch curtesy of Ms. Heyward. Thank you to Ms. Heyward. Ms. Ellis asked if
156 councilmembers would like to ride on a float in the Christmas parade. **Council CONCURRED.** Mayor
157 Childs thanked Ms. Ellis and said the Seniors Fair was a success. I think it was the biggest we've had. Mr.
158 Pellegrino's ice cream was well received; free ice cream is always a winner. Mr. Ott said Ms. Ellis, you do
159 very well for us in our town. You make it the friendly family beach with everything you do. Mr. Ott said

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160 thank you for everything you do. You do a really good job with the Health Fair and the other [events.]
161 You do so much for the town, I just want to say thank you for good job. We appreciate it all. Ms. Ellis
162 said you're welcome. Mr. Pellegrino said thank you. It was a good month. We had the Family Festival,
163 Senior Citizen Health Fair, Sunday Serenades, Health Fair, Farmers Market; what a great town. We had
164 all these activities to go to. Thank you for organizing those. Mr. Stevens said I just want to give you five
165 stars. You do a great job. Thank you very much. *(Ms. Ellis was excused at 6:56 p.m.)*
166

167 **ii. Finance.** This report is deferred until the November 14, 2017 Meeting when the
168 Comprehensive Annual Financial Report will be given by Green, Finney and Horton, CPA, the town's
169 auditors.
170

171 **iii. Fire.** Chief Otte presented the written report, a copy of which is attached hereto. Mayor
172 Childs said there were so many fire apparatus at the Pickled Cucumber fire that we almost had a traffic
173 jam. They really came from everywhere and did a superb job. I'm surprised that Myrtle Beach responded
174 because they are so far from town. Chief Ott said the Midway Fire Department, located in Pawleys Island,
175 also came. Mayor Childs said this incident proves how beneficial mutual aid is for the town. Mr. Courtney
176 thanked Chief Otte and said you did a good job. We discussed my concerns, and you will follow up on the
177 information. Chief Otte said yes. Mr. Ott said good job, Chief. Mayor Childs asked Chief Otte to relay
178 thanks to all the departments that responded during the fire at Pickled Cucumber.
179

180 **iv. Planning, Building & Zoning.** Deputy Director Harrah presented the written report, a copy
181 of which is attached hereto. Mr. Ott said I usually see the violations by the code enforcement officer but
182 maybe it is so small I can't see it. I'd like to look that over and see what's going on in our town and how
183 the code enforcement officers are adjusting to these different things. Last month there was an incident
184 where a code enforcement officer went to a home and told him that he had to remove the flag, because
185 the flag was tattered. I think we spoke about that. Mr. Harrah said yes. Mr. Ott said I'd like to see that, if
186 you would please, and also make the font size larger. Mr. Harrah apologized and said the goal was to
187 make the information fit on one page. Mr. Johnson said at 641 Sparrow Drive South there seems to have
188 been some major tree topping and/or tree removal about a month or so ago. Was that work performed
189 legally and with the proper permits? Mr. Harrah said the details would be brought to the next meeting.
190 Mr. Stevens said the report notes that the planning commission continues to work diligently on the design
191 overlay district. Highway 17 is being improved by the Department of Transportation beginning at Melody
192 Lane up to the intersection at Highway 544. I would like to see the planning commission have a design
193 overlay ready before or as soon as that road is paved, because the new highway will attract new
194 businesses. I hope that you will ensure that happens, because we don't want to be behind 'the eight ball.'
195 Mr. Harrah said absolutely. Mr. Courtney thanked Mr. Harrah for the report and said I also would like to
196 see the violations added back to the report. I like to see what you guys are doing out there to make sure
197 that nobody is getting picked on unnecessarily, as we saw in two incidents. I know that your goal is to try
198 to save paper, but I need a little bit better reading material. If we ever go to tablets, that would be great.
199 I'm very concerned, because I was told by planning and zoning members in the past that they didn't
200 receive the paperwork for their last meeting. I think we've discussed this. All board members are to
201 receive printed packages prior to meetings, well in advanced so they have time to review them. I myself
202 am an old-school guy that likes that paper to write notes on the side of my paperwork so I can look at it.
203 Mr. Harrah said no problem.
204

205 **v. Police.** Chief Hofmann presented the written report, a copy of which is attached hereto. Mr.
206 Ott said the data is terrific. You can really pick out things with what's going wrong and why these
207 accidents are occurring. We went for years with 60 some accidents, and now were down in the 20s. I've
208 got to commend our Chief here. He is really looking over why and how and trying to save us from
209 ourselves. I looked at the map, but it was small, but you can see it's mostly up on and around Highway
210 17 and some around Ocean Boulevard. You can pick out where are our weaknesses are: yielding the
211 right away, and following too closely. I look forward to you continuing to do good things. Thank you very
212 much. Chief Hofmann said thank you. I think we'll have a lot of success when the highway is

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213 restructured; hopefully, some of these center turnarounds will be reconfigured. They are big problem
214 because nobody really knows how to navigate them. The town doesn't have authority to mark them. I
215 hope the restructuring will continue to bring those accident numbers down. Mr. Stevens said thank you
216 for everything you do. You are setting a shining example of how a police department should be run. I
217 want to commend you on that. Anybody in this town that cares about safety, this man is doing the job,
218 and this is the kind of police force that we always need. Thank you. Mr. Courtney said thank you very
219 much for your report. I asked you for that information; you did an outstanding job. It took me an entire
220 day to go through it, but it was worth it. You have really shown improvement over this last 12 months.
221 We actually have gone down in our accidents. We're roughly down close to 30-percent. When you go for
222 looking for car insurance, you should contact your agent. Generally we're paying higher premiums
223 because we live in Horry County, which has a high accident rate. A lot of people bring their driving habits
224 from outside areas into our neighborhoods. The police department is sending a clear message that you
225 should slow down when you come to Surfside Beach. So thank you very much. Your report is very
226 detailed, and again I went through all the numbers, and I was impressed. You guys did a great job. I see
227 that the investigations are up a little bit. There are 21 open investigations. Chief Hofmann said yes. We're
228 pushing a few more investigations over; maybe a few more than normal, because we have a new
229 investigator and we're trying to get him as much experience as possible. So as we have time, we can
230 spend time investigating crimes that other communities or other agencies may not have time to
231 investigate. This helps them, and our investigator by hands-on work and help solve as many crimes as
232 we can. Investigator James is doing an outstanding job. Mr. Courtney said I'm very happy with your
233 report. You did such a good job. I have no complaints. Tell your guys to be safe. We do, this community
234 really does appreciate all of our first responders and the hard work they do. We're fortunate to have a
235 police department where you can call 911 and you get a car respond within a minute or so, if it takes
236 that long. Go across Highway 17, and the response will take a lot longer. I can guarantee it. But thank
237 you very much for all the work you did. Mayor Childs said thank you, Chief. Thank you for having your
238 cars being visible around the neighborhoods. I've heard two or three people that noticed your cars. I
239 think it's very good. Ms. Samples said I am very excited about the initiative with the senior citizens
240 committee. I think it's a great plan, and I appreciate you bringing that forward. Did I miss you discussing
241 the timeframe for that? Chief Hofmann said the new Computer Aided Dispatch (CAD) will be deployed in
242 December, so the meantime we'll start developing a list. We'll do some more public announcements, and
243 publish it on Facebook. I hope that it's running maybe the second week of December; sooner if possible.
244

245 **vi. Public Works.** Director Adair presented the written report, a copy of which is attached
246 hereto. He noted that yard debris tonnage increased 30 to 40 tons compared to last year due to
247 Hurricane Irma. Clean up for Hurricane Irma was absorbed into the regular work schedule. Any
248 reimbursement for hurricane expenditures will most like be for preparation. Last Tuesday the County
249 Transportation Committee (CTC) approved an additional \$250,000 for street resurfacing in the town,
250 which will offset the \$250,000 we have budgeted this fiscal year. That work will be done in the spring.
251 Net cost to the town will be zero. Mr. Ott said we've had a short discussion about something that we
252 sadly forgot. When we work on our decking and crossover ramps, we forget that we do have
253 handicapped people. At 13th Avenue South where we have the surf off, there are sections where they
254 hand out trophies to handicapped surfers. Last year they had to carry these people onto the beach. I'm
255 sure that you can rectify that in some way to make that accessible for them. Mr. Adair said as we
256 discussed, I would have to consult with OCRM (South Carolina Department of Health and Environmental
257 Services – Department of Ocean and Coastal Resource Management) to determine what the maximum is
258 that could be built there. We have a pretty large walkover there now. In any event, it will require
259 surveying and some permitting. Of course once permitting is granted, council would have to concur on a
260 budget if it is outside the budget limitations. Mr. Adair said he would start the process and bring a report.
261 Mr. Ott asked if contractors are still allowed to pay the town to remove a large tree. Mr. Adair said no;
262 that was just for the cleanup after Hurricane Matthew during a finite period of time. Mr. Ott said thank
263 you, and I want to thank the administrator for looking at 13th Avenue South. Ms. Samples thanked Mr.
264 Adair for the report. Your department is huge, and I know you have a lot of moving parts. I want to
265 compliment you tonight on the service you provide for the residents. You're always accessible, and I hear

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266 more comments about your accessibility and your willingness to go to residents' homes to explain
267 situations to them. I really appreciate that. Thank you. In spite of your large department and
268 responsibilities, you still find time to provide support to the residents in this town. Are the CTC funds
269 expected during the 2018 budget? Mr. Adair said in anticipation of this, the current budget has \$250,000
270 for road paving. The CTC award will cover those costs, which will be reimbursed by CTC. The road paving
271 is already planned in addition to the RIDE III resurfacing money. Our goal is to pave about five more
272 miles of roads next spring, utilizing RIDE III and CTC monies. Very little will be paid from the town's
273 coffer. Ms. Samples said I support Mr. Ott's comments and concerns about the 13th Avenue South
274 handicap access. Do we think we will need a budget amendment for that; do we know? Mr. Adair said it
275 has to start with a conversation with OCRM, and then a survey to see how much of our current walkover
276 is in the setback area. We are only allowed a certain amount. You cannot have two different walkovers
277 on the same parcel of property. It will probably involve taking one of the existing staircases on the beach
278 side and turning it into a ramp system, but it must meet OCRM's regulations. Mr. Courtney said thank you
279 for the report. We talked about yard debris last time you reported. What becomes of the yard debris that
280 is left on the rights-of-way? Mr. Adair said the town ordinance calls for all residents to place their logs
281 and limbs out in piles of no more than 4 foot in length in front of their own house. Any leaves, pine
282 straw, or small twigs should be bagged. We're calling for paper bags starting next July, because the Solid
283 Waste Authority will not accept plastic bags anymore. If debris is left roadside on a vacant lot, the town
284 will collect it. It is over \$1,000 fine to illegally dump. Mr. Courtney was concerned that the message be
285 clearly sent, because many people do a lot of lawn work. They put them in the black plastic bag that
286 often sit there for a couple of days. Mr. Adair explained that the town is scheduled to pick up yard debris
287 Tuesday through Friday; a four day schedule. Bulk collection is done Mondays town-wide, and when the
288 truck passes through an area, the yard debris is collected. The schedule was designed to minimize debris
289 sitting roadside. Mr. Courtney asked how much bulk was collected. Mr. Adair said 48 tons was collected in
290 September; that averages about 12 tons each Monday. Mr. Courtney continued to express concern that
291 visitors coming into town see TVs and mattresses laying road side. He said I know this is a tough one. I
292 don't know if there is a solution. Mr. Adair said the solution is to hire more people and purchase more
293 equipment. Mr. Courtney asked if a second day bulk pickup be scheduled. Mr. Adair said not with the
294 current staff and equipment. The truck is used for other pickups, not just bulk debris. There is a cost
295 factor to increase service, because we are maxed out with current staffing and equipment. Mr. Courtney
296 asked if funds for additional projects be presented in the upcoming budget like the handicapped ramp
297 that Mr. Ott mentioned. I support that project, and it should've been done, because we have a lot of
298 handicap people that come down for the surfing contests, etc. So, I'd ask that you budget to paint the
299 white lines along the town parking lots. Even the town hall lot has no lines painted. I don't know why this
300 is not budgeted already; it's a day-to-day operation. Mr. Adair said it is. At least two lots are striped every
301 year. Mr. Courtney asked where the town hall lot stood. Mr. Adair said 3rd or 4th South was painted last
302 year, and the Huckabee Complex lot was done last year. The lots that are in the worst shape will be
303 painted this winter. This is already budgeted in the street department. The Ocean Boulevard striping is
304 thermo-plastic, unlike parking lots that use regular paint. Mr. Courtney said \$25,000 is needed to stripe
305 Ocean Boulevard. Mr. Adair said we priced all of Ocean Boulevard at a cost of about \$17,000. Improving
306 that one intersection at Surfside Drive and Ocean Boulevard would maybe cost a couple of thousand
307 dollars; there may be sufficient funds in the budget to paint that. I contacted Carolina Pavement
308 Markings for a price, but they have not yet replied. Mr. Courtney said the minutes reflect that the
309 painting was supposed to be maintained all along as a day-to-day operation. The cross walk dates back
310 to 2010. Please follow up on that; this should've been done every few years. It's been neglected. Mr.
311 Adair said the cross hatching was added to the exiting parallel lines in 2010 to make them more visible.
312 Mr. Ott said he received photographs from a resident where it definitely looks like people are dumping
313 stuff here; dumping furniture and everything. I saw what looked like a whole living room set dumped the
314 other day between Dogwood Lake and Lake Elizabeth on Cedar Drive. Perhaps we should ask the police
315 officers to watch for furniture coming over in a pickup truck to determine whether it is going to
316 somebody's house. Mr. Adair said conversations were held with Chief Hofmann and former chiefs
317 regarding this. When a hotspot is identified, the police watch it. Usually, dumping occurs after hours

318 when no one is around. No dumping signs are posted, but people that dump aren't really inclined to
319 obey. Mayor Childs said thank you; very good report.

320

321 **C. Administrator's Report.** Ms. Fellner presented the written report, a copy of which is
322 attached hereto. There were no questions or comments.

323

324 **7. BUSINESS.**

325

326 **A. First Reading Ordinance #17-0854 to amend §9-9(f) Surfside Drive Parking to set**
327 **9:00 a.m. to 5:00 p.m. daily, except Sunday for 2 hour parking in the Business District,**

328 **Councilmember Courtney.** Mr. Courtney moved to adopt first reading of Ordinance #17-0854 as
329 presented. Mr. Ott second. Mr. Courtney said this matter was brought for discussion and first reading, but
330 it was not brought to his attention that the hourly restriction was not included. There was discussion on
331 limiting the parking from 9:00 a.m. to 5:00 p.m.; the intention was to limit the restriction, and this
332 ordinance is to implement that. Mr. Johnson explained that many of the businesses in this district host
333 ball games on Saturdays, and a two hour time limit would definitely impact their customers. Mr.
334 Pellegrino agreed. Mr. Ott moved to amend the ordinance to include Saturday as an exemption day. Ms.
335 Samples second. All voted in favor to amend. **MOTION TO AMEND CARRIED.** The decision paper and
336 ordinance copies are on file. All voted in favor. **MOTION CARRIED AS AMENDED.**

337

338 **B. First Reading Ordinance #17-0855 to amend §14-4 and §14-55 No survey or**
339 **engineered stormwater plan required for existing driveway improvements, Deputy**

340 **Administrator Harrah.** Mr. Ott moved to adopt first reading of Ordinance #17-0855 as presented. Mr.
341 Stevens second. Ms. Samples thanked Mr. Harrah for bringing this forward. When this ordinance is
342 adopted, you will not need to get an engineered drawing or survey to repair or replace an existing
343 driveway. Mr. Harrah presented the decision paper and ordinance, copies of which are on file. Ms.
344 Samples asked if first reading was adopted, could second reading be on the next agenda. Mayor Childs
345 said that is customary. All voted in favor. **MOTION CARRIED.**

346

347 **C. First Reading Ordinance #17-0856 to amend §17-007 Home Occupations, Deputy**

348 **Administrator Harrah.** Mr. Ott moved to adopt first reading of Ordinance #17-0856. Mr. Stevens
349 second. Mr. Harrah presented the decision paper and ordinance, copies of which are on file. Mr. Ott
350 thanked the planning commission members who worked with along residents to bring this amendment.
351 This ordinance will eliminate residents arguing amongst themselves about which neighborhood
352 businesses are allowed. Mr. Courtney asked if babysitting services were allowed in a home. A constituent
353 complained about a child care service in his neighborhood. Complaint based inspections should be
354 eliminated. Mr. Harrah referred to number 9 in §17-007, and said child care is allowed, but is limited to a
355 maximum of six (6) children, including the occupant's children. DHEC (Department of Health and
356 Environmental Control) regulations do not allow more than six children in child care in a residence. Mr.
357 Stevens thanked the planning commission and Mr. Harrah for bringing this forward. The ordinance pretty
358 much covers it in numbers 1 through 10. I am aware that if you have more than six children in day care,
359 you have to follow state laws. You've done a great job, and I commend you. Mr. Johnson disagreed, and
360 said I know of one insurance agency that operates in what I believe is an R2 residential area in town. I'm
361 concerned about that type business in residential areas, because I don't know if they have walk-in
362 customers. We need to keep a sharp eye on situations like that. I found out when a client brought his
363 neighbor's declaration page to me to compare insurance costs. There are all kinds of businesses out there
364 of which we may not be aware or that do not have a business license. Mr. Courtney said again, I'm
365 concerned about the complaint based inspections. What are we going to do about that? Why are
366 residents who complain being contacted by the police department? Chief Hofmann believed the incident
367 to which he referred involved a neighbor trespassing to take photographs. Mr. Courtney said I hope you
368 understand that I don't want people playing police officers. Are complaints confidential? Mr. Harrah said
369 the identities those who complain are confidential. Mr. Courtney asked if the information was disclosable

370 under the Freedom of Information Act. Mr. Harrah said yes. Mr. Ott believed that enacting this ordinance
371 would end neighbors complaining. All voted in favor. **MOTION CARRIED.**
372

373 **D. MOU Horry County Fire Department, Chief Otte.** Mr. Stevens moved to approve the
374 Memorandum of Understanding (MOU) with Horry County Fire Department as presented and to authorize
375 the town administrator to execute it on behalf of the town. Mr. Courtney second. Chief Otte presented
376 the decision paper and MOU, copies of which are on file. Ms. Samples said so it is business as usual;
377 nothing's changing, except for the fact that we are actually documenting what the mutual understanding
378 is. Chief Otte said the difference is there will be a decrease in the number of calls, because the town will
379 only respond to fire calls; not medical calls. Ms. Samples said the ambulance that sits in our fire house
380 will respond to the medical calls. Chief Otte said they could, yes. Mr. Pellegrino said thank you for this.
381 Obviously, when the fire occurred at the Pickled Cucumber that helped. The ambulance in the firehouse is
382 also benefit. Just to be clear to the public, Horry County will provide automatic aid to structure fires.
383 Surfside Beach will provide automatic response to structure fires and alarms. So Horry County just comes
384 to structure fires. Surfside is going out into the county for structure fires and alarms. Also, the town
385 agrees to maintain records for all responses, and the town agrees not to charge or collect any fee.
386 Basically what that means, just to be clear, is that we will be first responders for the calls and alarms to
387 Caropines, Deerfield, the campgrounds, and Prestwick and almost all the way to the Harley-Davidson
388 Shop. We're giving a free service to the county. We do benefit because we get that ambulance here, and
389 we do get help for structure fires. We got a lot of help from all over the area during the Pickled
390 Cucumber fire. I just want to be clear so the citizens understand what the agreement is from a financial
391 standpoint. Mr. Courtney said the town benefits from this agreement. It's very important to remember
392 that when you write grants for equipment and personnel, if there isn't any call volume, you won't get the
393 grant. It is not good for our equipment to sit inside the firehouse, and it's not good for our firefighters
394 not to do any exercising as far as training. I think this is a positive move, and the ALS (advanced life
395 support) is right here in our fire house. It's less than two minutes away. You cannot get that anywhere
396 else. If you have a problem, a life emergency, you'll be happy you had an ambulance there in two
397 minutes. That's the one thing we that do have. I think this is the right move. Thank you, Chief. Mayor
398 Childs, Mayor Pro Tempore Ott and Councilmembers Courtney, Johnson, Pellegrino and Stevens voted in
399 favor. Councilmember Samples voted against. **MOTION CARRIED.**
400

401 **E. Bid Award: Highway 17 Project Underground Conversion Improvements, Director**
402 **Adair.** Mr. Ott moved to award the bid to Stantec in the amount of \$73,400 for the Highway 17
403 underground wiring conversion improvements. Mr. Stevens second. Mr. Ott said this project will place
404 light wires along Highway 17 underground. The decision paper is on file. All voted in favor. **MOTION**
405 **CARRIED.**
406

407 **F. Infrastructure Committee Recommendations, Administrator Fellner.** This item
408 deferred until the next meeting by approved motion (*See Agenda, Item 3, above.*)
409

410 **G. Committee Appointments (deferred from 09/26/2017)**
411

412 **i. Planning Commission (2 vacancies).** Each volunteer was addressed separately; motion to
413 nominate:
414

415 Mr. John Dougherty: Mayor Pro Tempore Ott and Councilmembers Courtney and Stevens voted
416 in favor. Mayor Childs and Councilmembers Johnson, Pellegrino and Samples voted against. **MOTION**
417 **FAILED.**
418

419 Ms. Mary Kiely: Mayor Childs voted in favor. Mayor Pro Tempore Ott and Councilmembers
420 Courtney, Johnson, Pellegrino, Samples, and Stevens voted against. **MOTION FAILED.**
421

422 Mr. Larry McKeen: Mayor Childs and Councilmembers Johnson, Pellegrino, and Samples voted in
423 favor. Mayor Pro Tempore Ott and Councilmembers Courtney and Stevens voted against. **MOTION**
424 **ADOPTED.**

425
426 Mr. Gregory Lozano: Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney,
427 Johnson, Pellegrino, Samples and Stevens voted against. **MOTION FAILED.**

428
429 Ms. Nicole Mastrosante: Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson,
430 Pellegrino, and Stevens voted in favor. Mayor Childs, and Councilmember Samples voted against.
431 **MOTION CARRIED.**

432
433 Mr. Paul Holder: Vote not taken as the two vacancies were filled.

434
435 **ii. Ralph Magliette Senior Citizens Committee** (2 Vacancies) Mr. Joe Buczek; **iii. Parking**
436 **Committee** (1 Vacancy) Mr. Gregory Lozano; **iv. Keep Surfside Beach Beautiful** (open) Ms. Laurie
437 Czerwienier, Ms. Sherry Emmons, Ms. Stephanie Gordon, Ms. Jackie Paulex, Ms. Jennifer Perkins, Ms.
438 Kelly True. Mr. Stevens moved to appoint all those volunteering for these three committees. Mr. Courtney
439 second. All voted in favor. **MOTION CARRIED.**

440
441 **H. Motions and/or directions to Town Administrator from Executive Session.** There
442 were no motions made or directions given.

443
444 **8. TOWN COUNCIL DISCUSSION.**

445
446 **A. Review Ordinances #17-0842 and #17-0846 Obstructions on Beach, Mayor Pro**
447 **Tempore Ott.** Mr. Ott said to answer a couple of questions about why are we discussing this, it's
448 because it doesn't go into effect until January 1, 2018. So, it's actually not in effect at this time. We put a
449 different type of ordinance in effect that only limited tents from 8th Avenue South to 17th Avenue North,
450 and they were banned this year. But the full banning of these tents happens at the end of December
451 31st, 2017. That's why it's in discussion now. It will be brought back again. We will look at it, as we will
452 continue to look at everything we enact in one year from this time. So another year from that we will be
453 doing it in January on 2019. The situation with the tents and as one of the residents said, it seems like
454 it's not actually do we want the tents, or we don't. It's because that were being swamped in by people
455 from Ocean Lakes. They're coming in, because they can't put tents on the beach by Ocean Lakes. And
456 also from the south end, south of Melody Lane, people are coming up and they're putting their tents
457 where we are and they're crowding our beach. At the same time we're limiting the people, the residents
458 that live here. We're not were not taking care of our own people. People like these tents, and when
459 they're put in properly where you don't four and five together there's not that much controversy on it.
460 Why do we punish our own residents? Because other residents are coming in and they're jamming the
461 ends of our town, and that's what I see. I've been looking at this almost every day going to the beach,
462 looking at how many tents are on the beach at any time. On the 4th of July at one o'clock there wasn't 17
463 tents on there. There was only 16 on the entire beach. For whatever reason, they just weren't there. I've
464 asked people as much as I can what the people without tents, people with tents, I've tried to get a feel
465 from the people that are sitting on our beach, so I can help myself make a decision. I voted in favor of
466 banning tents from 8th Avenue South to Melody Lane, because we had no beach there. At high tide there
467 was hardly; there was less than 20 feet. So you can't have a 10 or 12 foot tent and 3 feet before we go
468 into the ocean. But right now, we have a lot of beach, well not a whole lot, but we have a lot more beach
469 there since beach renourishment, and that's why I asked to bring this back at this time and look and see
470 how has the beach renourishment now affected what we have. And I would like to bring it into council for
471 discussion. This is what we are doing here, because the actual ordinance does not go into effect until
472 January, so I would be pleased to have people... Mayor Childs said Mr. Ott, I would like to remind you
473 we're back into beach renourishment again. We've lost over 50-percent of our sand that was just put
474 down. So we're kind of back to square one where we started when this ordinance [was adopted.] Mr.

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475 Stevens said the thing we have to look at is we have a beach service, and we put a set of rules for them.
476 Every morning the public works is out there cleaning that beach all during the summertime, and this is
477 when it's primarily when the people would come down with the tents is in the summertime, and they go
478 out there at six o'clock in the morning, start setting up their tents and put them one after another, after
479 another, after another, so you got, and Mr. Bigham, I don't know where he went, but he showed us
480 some pictures, and I've gone down and seen it myself. If people wouldn't abuse this privilege, we
481 probably wouldn't be a problem. But unfortunately, citizens from Oceanside Village and Ocean Lakes
482 come over here to Surfside and they abuse the privilege. They put tents not 10 x 10, I've seen them 20 x
483 20. Tents put five and six in a row. They put them out next to the ocean. They don't put 'em back and
484 then, of course, the lifeguards, if you work as a lifeguard, you have to be able to see the people on the
485 beach, and they put 'em where they shouldn't be. So, there's a problem we've had. Basically, I don't see
486 any need for the tents. We've got people that the umbrellas down there all the time, but if you're really
487 gonna go back, and you're gonna bring this back and put tents on the beach, then you've got to
488 regulating it. I'm just going say these regulations that; this is what they should be: 30 feet apart, every
489 single tent; no farther than 15 feet from the dunes; no tent on the beach before 8:30 in the morning,
490 and all tents shall be removed by five o'clock in the evening. When I say tents, I say canopy tents,
491 because that was a problem before. They had the word, we were doing wordsmithing, and canopy tents
492 are what I'm talking about. No tent should be larger than 10 x 10, and it shall not exceed that 10 x 10
493 area or 100 foot area, including the tie downs, which they like to put the tents down and then stretch the
494 tie downs five feet on either side of the place. That, if you want to do that, that's, you've gotta put
495 regulations and rules, because if you don't, people abuse it. If you didn't put a speed limit on Ocean
496 Boulevard or on 17, everybody would be flying up and down the highway and there'd be more wrecks
497 than you can count, shake a stick at. That's the way it is. I don't see any sense in messing with this.
498 We've already done it. We've already passed it. I'm not sure that revisiting it is worthwhile. That's just my
499 opinion on it. Mr. Pellegrino said I voted against the tent ban as most of you know. I still stick by that. I
500 ran on the beach all through the summer between one and five o'clock, depending on when I was
501 available. There were one or two occurrences where there were two tents put together, but for the most
502 part, there was one tent and there was a lot of space between. I mean, there wasn't a lot of crowding. I
503 just heard that there were only 16 tents on the beach on the 4th of July at three o'clock, which is prime
504 time. So you still can't convince me that's it's an issue. I see it as more of a positive. It's something our
505 tourists want; a lot of our citizens want. Still, as I said last time, I still don't see a problem with them. I'd
506 like to see a vote come back. Ms. Samples said I agree with Mr. Pellegrino. I'd like to see a vote come
507 back on canceling the tent ban. I'm in support of tents. Mr. Johnson said I also did not vote for the tent
508 ban for several reasons that I stated back then. Although we lost maybe 50-percent of the sand from
509 beach renourishment that doesn't put us back to square one. We still have fairly adequate sand, so I
510 would love to have it brought back to vote again. The vote may fall the same way as it did last time. I
511 just would like it to be brought back. Mr. Courtney said I was one of the ones that voted for the tent ban.
512 My main reasons were we had three professionals get up here and tell us there was a problem. The chief
513 of police, the fire chief and the chief of lifeguards. If this council can get the three of them to come up
514 and say that there will be no problem or there is no problem, so be it. Have them come up and say that.
515 We had three professionals get up and tell us, our first responders, that there was a problem with this.
516 I'd like to see the tents back, too. As far as beach renourishment, beach renourishment is not going to
517 give you more beach. It's gonna give you height. It's gonna give you more stand pumped up. We still
518 have the same amount of beach. If you go there at mean high tide, there is very little beach left on the
519 south side. That's the way it is. It's the way the water takes it away. That's where the cove is, if you look
520 off the pier, you'll see the cove. You'll see where it comes off. Other than that, that's the only thing I'd
521 like to add is I don't see why we're revisiting this when it hasn't been implemented, yet. So, have we
522 really seen the true results of it? I'm good. Whatever you want to do. Mr. Stevens said one additional bit
523 of information, I understand some of the people want to bring back tents, but you need to control it. You
524 don't need to let it be five tents in a row. Just for the record, "I mean, Mr. Pellegrino, Councilman
525 Pellegrino said he saw 16 tents on the beach on 4th of July." Mr. Ott said I said that. Mr. Stevens said if
526 we adopted a one tent every 40 feet over a two mile section that's 264 tents over a two mile area. Just
527 to let you know, if you enforce it, and you control it, maybe it's a little better. But I still don't see any

528 reason for bringing it back. Mayor Childs said I think we've gotta be careful on restrictions and have the
529 police and the lifeguards spending all day long with a measuring tape saying you too close; you're too
530 far; move up, move back. So, I think we gotta be careful with that no matter what. Ms. Samples said a
531 point to make is this, we are residential community, but we are tourist town and the beach, of course,
532 brings in a lot of revenue that helps keep our taxes low. If we're going to get consensus to bring back the
533 discussion about the tent ban, it sure would be nice if we could do it sooner than later so those people
534 that are going to be booking their vacations for this coming summer will know what the expectations are,
535 unlike this last time when a lot of people had already booked their vacations and then we enacted the
536 ban. So, they came quite surprised; quite disappointed, and it did not bode well for the town. We all up
537 here received a number of emails from people who came to visit for the summer, and who were very
538 disappointed, frustrated and angry. So, if we're going to do it, then I would suggest that we do it sooner
539 than later in support of our businesses in town. Mr. Courtney said as it was just brought to our attention
540 that it seemed like the problem is coming from Ocean Lakes and Oceanside Village. I actually was
541 observing it myself this summer, and we did get a large migration of people from those two ends,
542 because there is a no tent ban in Horry County. There is no tents; there is a tent ban in Myrtle Beach,
543 and North Myrtle Beach they are not allowed to have tents, so what are we doing? We're getting the day-
544 trippers coming in here to put up the tents. The reality: are they spending money in our town? No. They
545 park on Melody Lane, they put up a sign there, no parking. The people had to walk an extra ten feet. But
546 the cars are lined up every summer all the way down to Hollywood Drive. So I don't know if it's a solution
547 or not. Me, personally, I don't have a problem with tents. What I have a problem with, though, is that
548 when three professionals got up here when this is brought in front of the council; I also reached out to
549 the administrator, and I had to reach out to the town attorney. I do remember we had this conversation.
550 We had the fire chief, police chief, and the chief of lifeguards recommending there is a problem out there
551 because of these tents. So be it. But the liability now is on us. We opened this door. We're opening up
552 liability on the town. Something for council to consider on this. Mr. Ott asked if Mr. Courtney just said
553 that people are parking on Melody Lane so they could bring their tent into the town this year. I thought
554 he did, because we had a tent ban [from 8th South to Melody Lane] this year. Mr. Courtney said I saw
555 them carrying umbrellas (**). Mr. Ott reiterated that there was a ten ban this year. Mr. Courtney said it
556 was not being enforced. Ms. Samples asked if there was consensus to bring the tent ban ordinance for
557 consideration. Mr. Ott said yes, I'm bringing it back. There's four. Ms. Herrmann said this is an adopted
558 ordinance, if it is brought for consideration it will be for repeal. Mayor Childs asked when that would be
559 on the agenda. Ms. Herrmann said the next meeting. **Council CONCURRED to bring the tent ban**
560 **ordinance to consider a repeal at the next meeting.**

561
562 **B. Adding unfinished business to the agenda, Mayor Pro Tempore Ott.** Mr. Ott asked for
563 consensus from council to add another section on our agenda, "unfinished business." Right now we have
564 an action index and that action index has hundreds of things that we sat in this room, discussed over and
565 over and we had never done anything with it. It goes into this action index, and we don't even get it sent
566 to us anymore. So it's an un-action index. By putting things on an unfinished business section on our
567 agenda they don't come off until we either dismiss 'em publicly, or we enact them. So, we're no longer
568 going to have things going into a vat of business that never gets addressed. I'm just asking for
569 consensus from the council to bring this into our business agenda. Mr. Pellegrino said I do get that action
570 index from Ms. Herrmann. You might not be on the distribution for that. So we do get an action index
571 from Ms. Herrmann. There's a lot of fun stuff on it, and it becomes lower priority because things come up
572 and become higher priority. There's a lot on that index. To put this on as an agenda item; we think some
573 of the meetings are long now, I mean it would be six, eight, ten hours, all night. Then there's a lot of
574 stuff on there. I agree we can look at it better. I look at it when I get emails Ms. Herrmann, but there's
575 probably a better way to do it than put it on the agenda. Mr. Ott said she doesn't actually send it out
576 anymore, and it's a vast pick. Ms. Herrmann said it was sent out after the last meeting. Mr. Ott said okay,
577 and how many hundreds are on there? Ms. Herrmann said I don't know, Mr. Ott. Mr. Ott said let me say
578 this. I'm tired of bringing things in front of council, people talk about them, they discuss them, and we
579 don't act on them. We don't say no or yes; you bring something here you either have to make a decision.
580 This forces you to make a decision, that's all. You stop wasting time talking about things and never acting

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581 upon them. That's what is does. In most business and industry you will see unfinished business on the,
582 always on the agenda, and believe me, you don't want to be number one on that one because you're the
583 longest one. You will have to fix it, or go away. Right now we sit here, we talk about things, and then
584 they just go into this limbo place called action index, and nobody ever works on it. So why do we even
585 talk about it? That's the only thing I wanted to do; just have something if you bring it in front of council,
586 it is going to be acted upon. Yes or no, not just go somewhere and never seen again. Mayor Childs said
587 something like that I think that may be addressed to the administrator. Go and meet with the
588 administrator in her office, and when you receive that list from Ms. Herrmann. Then go over some of
589 those items that you're concerned with. Mr. Pellegrino said just the process already exists. When we get
590 the action index, and you're exactly right, if you have a question about something on that index, talk to
591 Ms. Herrmann or the administrator. Then if you have one there that you think we need follow up on, put
592 it on discussion. We already have the process. There's a lot on there. Obviously, it would take a long time
593 to get all of it on discussion. A lot of them aren't really high-priority items. Ms. Herrmann said the action
594 index was created to keep up with things that were outstanding. The index states whether motions were
595 carried; if yes, then you know that ordinance or that decision was adopted. If the item is information, it is
596 simply a reminder for the council. If the item has to be brought back, then it is so noted. Mr. Ott said it
597 simply doesn't work. So, we'll continue doing things that don't work and just continue to do them,
598 because bring back never comes back. That's what I'm saying. We talk about things and they never come
599 back. There's something on here right now, and I keep saying bring it back, bring it back, but. Ms.
600 Herrmann asked what that was. Mr. Otte said Huckabee. We're gonna fix it, it's been on and off of this
601 agenda for years. That's what the unfinished business forces this council to work. That's what they're not
602 doing. We need to finish it. Either sit here and make a vote saying we're not going to do it or we are
603 gonna do it. Not just put it in this limbo pile called inaction index. I've never seen anything come out of
604 there. Nothing, ever. Mayor Childs asked if there was consensus to add unfinished business to the
605 agenda. Mr. Courtney said I have to agree with this, because there are a few problems. We had two
606 matters of the parking committee recommendations: one was totally disregarded, and the one I ended
607 up catching two council meetings ago, which was straightened out by the administrator and myself, but
608 the employee parking decals that was passed by the parking committee. It was recommended to council.
609 Got voted on, but it was never implemented during the summer at all. So, now there is a problem there,
610 and I don't know if that was on the action index or not because it was addressed already, so it wouldn't
611 be on that. Ms. Samples said maybe it would be helpful if each meeting we had the action index placed
612 on the dais for us. In that way you have it in front of you, and we can review it, and if there is something
613 that stands out that maybe we want to bring back as a discussion item at the next meeting, or as a
614 business item, we can do that. Would that be helpful? Mr. Pellegrino said any of us up here can put
615 anything on the discussion. All you have to do is tell Ms. Herrmann or the administrator. We have that
616 list. If we feel that something on the list needs to be done, we can call Ms. Fellner or the clerk to add it
617 to agenda. Like Huckabee that it is on the discussion today. Mr. Ott said that's because I said that it was
618 gonna keep coming back. Mr. Pellegrino said that is fine. But all of us have the freedom to put something
619 on discussion for the next meeting. I don't know what why we need anything different. Mr. Ott said I'll
620 explain that to you again. It forces you to do it. Not that you feel like doing it or wouldn't feel like doing
621 it, once it goes on as a business item or a discussion, we either said yes or no. It just doesn't go
622 somewhere where we never address it again. Mr. Courtney said I can agree with it, because it puts it, it
623 makes you vote. That's what you're up here to do. You know what? I have to vote on hard things, and
624 sometimes people don't want to vote on 'em. I have no problem voting on anything. Nut going back to
625 this employee parking decal, the last Town Council in the minutes I read was that it wasn't implemented,
626 and if I knew only three were being sold there was a problem here and this should have been brought
627 back to council. If there was only three parking permits sold, decals for workers, then the system failed,
628 because this council implemented a program where employees down by the pier would have to purchase
629 or they would have to receive a parking permit to park in a designated parking area that was
630 recommended by the parking committee, correct? And that was never; was that implemented or not?
631 Because all the employees at River City, Surf Diner, and the hotel, that parking lot we should've been
632 issuing out red decals, and I didn't know there was in the cost involved with this and if that was the
633 reason, then maybe it should've been brought back to council. Ms. Fellner said well, I think that there are

634 specific reasons that it failed. I think it was implemented too late in the season, and I don't think there
635 was enough canvassing of the business owners to make clear exactly what the benefit to them was. So, I
636 don't think we've had a real test of it, yet. Mr. Courtney asked so, what are we doing up here then. We're
637 implementing, if we're passing the ordinances, and they're not getting implemented or we're taking a
638 shot in the dark. I'm just a little bit lost. Ms. Fellner said it was implemented. Mr. Courtney said I wasn't
639 informed that we only sold three. Did they sell? How much were they? Ms. Fellner said I didn't know that
640 until I think it was discussed with Mr. Adair after you and I had discussed it, because I wanted to know
641 why it wasn't done, because the signage was done, and I told you that. So, subsequently, when I found
642 out we sold three. Mr. Courtney said the objective was to get the employees to get them out of the prime
643 parking spots, and if it meant giving them a free pass to park there, I had no problem with that. But the
644 whole idea was to free up those spots by the ocean where the tourists can go and the residents can go,
645 right? That was the objective of it. Ms. Fellner said yes, but I think we're getting bogged down in
646 something that is not on the agenda. Maybe we can talk about that. Mr. Courtney said this is one of the
647 issues. Mayor Childs asked again if there is consensus to council to add to the agenda. Mayor Pro
648 Tempore Ott concurred. Mayor Childs, and Councilmembers Courtney, Johnson, Pellegrino, Samples and
649 Stevens objected. **CONSENSUS FAILED.**

650
651 **C. §2-113 Town Administrator Duties, Councilmember Johnson.** This item was removed
652 from the agenda (see Amended Agenda filed with these minutes.)

653
654 **D. Design Overlay, Councilmember Courtney.** Mr. Courtney said, again, this the design
655 overlay. This was something that; I wanted to begin to thank everybody on planning and zoning for all
656 their hard work they do. I just think there is a huge communication problem. This council had voted 7:0
657 to move forward an overlay. Now, it was brought to my attention after speaking to the administrator that
658 there was a problem, which is far as the overlay with landscaping, and the terminology that Mr. Harrah
659 used, the access management in the parking lot. Ms. Fellner said I don't think there was a problem. I
660 think the concern was with regard to the enhancements that could be happening on Highway 17, he
661 wanted the access management portion not to be discussed, yet, because we don't know exactly what
662 the lane closures will be or the breaks they're going to put in on the frontage road. Mr. Courtney said we
663 do have the maps, and what they're doing with GSATS (Grand Strand Area Transportation Study Group).
664 Ms. Fellner said yes, but they are moving forward with every other point on the overlay ordinance, and
665 perhaps I can ask Mr. Harrah to speak on this. Mr. Harrah said we have a map that is laid out by SCDOT
666 (South Carolina Department of Transportation). That map has not been implemented. The roadway is still
667 going through the design aspect; so are there possibility of changes, absolutely. We won't know the plan
668 until the final documents are approved by SCDOT. We're looking at a 2018-2019 possible start date,
669 possibly next year, but there's some closures that will be made. And that will affect the access points and
670 there are specifics in the overlay ordinance that prohibit an access within 150 feet of that entry. So, if
671 that entry is removed, then that becomes null and void. Mr. Courtney said why don't we leave that out,
672 the entry points out of the overlay, and move forward with the overlay. Mr. Harrah said we are moving
673 forward with the overlay. (**) The commission concurred to address access management after the
674 project was completed. The overlay ordinance will be completed and the access management portion will
675 be presented as an amendment. Mr. Courtney said the minutes reflect that it is to be done in 2018, but
676 at this point, we don't know if it will be done in 2019, but our overlay is important. We need to move
677 forward with that, even if that means dropping a couple steps out of that and still moving forward to give
678 planning and zoning ample time to work on it. So, will we have something in place, hopefully, by 2019?
679 Mr. Harrah said that's exactly where that I left with it with planning commission and they concurred the
680 right process was to review access management after that resurfacing project is completed. There was
681 no discussion to stop working on the overlay ordinance. Mr. Courtney said the overlay ordinance review
682 will continue to go on. Mr. Harrah said yes, it is on the next planning commission agenda. Mr. Courtney
683 said I spoke to a lot of planning and zoning members after the meeting. I went and spoke to the
684 administrator about it. I caught up with everybody by the end of the week, and it was brought to my
685 attention. The paperwork has got to be sent out to them. There were a lot of them confused. I'm not
686 gonna lie to you. They never got a package delivered to them. Everything was delivered to them by

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687 email, and the agenda, when I walked in the door there's only three sheets of it. So I just encourage you
688 to push paper right now. Make sure they get all the stuff they need to get prior to the meetings and they
689 have it in front of them, and they have the minutes of the past meeting so they can reflect back on what
690 they did at that last meeting. That was the number one complaint that I had gotten. Mr. Harrah said I
691 can speak to that because I've actually had to take those minutes and rebuild that Word document that
692 was never left behind. So that aspect was something that I've been having to work on. That is to take
693 those minutes and take the draft, because there is not an original draft in a Word document left on our
694 system. I've actually gone back and retyped every line and that is on the next agenda. Mr. Courtney said
695 do you understand where I'm coming from. The emails, some members just cannot access their emails
696 before that meeting. They came up to this dais and they had nothing in front of them. Mr. Harrah said I
697 understand that, and in respect to that particular email, it was in the member's SPAM box. So, it was
698 received it, but not in the Inbox. The email was sent a week and a half before the meeting. Mr. Courtney
699 said again the packages need to be on paper until we move forward to use tablets. Mr. Courtney said as
700 long as the overlay ordinance is moving forward, I have no problem with it. Mr. Stevens said I think we
701 had pictures across chambers with the plans for the Highway 17 project. He asked Mr. Harrah is the
702 plans had changed, because to my knowledge it hasn't. We had pictures. I don't know where they are,
703 but we can still them put back in here. I see no reason why the planning and zoning commission should
704 be held up when they can design an overlay based on those pictures we had that the state said they
705 were gonna do. I mean this is what the state sent us, and it was in here. Bring it back in here so the
706 planning commission can go ahead and do their job. I don't understand why anybody would be not
707 wanting an overlay for Highway 17, when we already have, the state gave us pictures. Ms. Fellner said
708 first of all, they are not being held up. I don't know where this perception has come from. Mr. Stevens
709 said it seems like that. Ms. Fellner said they are not being held up. What they have done is for the one
710 section, access management, they agreed to bypass and just move on, and that is exactly what's
711 happening. They have not been held up. Mr. Stevens said well, let's not hold them up, because I really
712 don't want that to happen. I want them to be able to go ahead and do the job. These people are
713 volunteers and they (**) he's got a picture of the a (**.) Mr. Ott said I've got them all. Mr. Stevens said
714 they've got something to go by. Ms. Samples said I'm not sure where the confusion is. I looked at the
715 minutes of the last planning commission meeting. They all seem to understand what was happening with
716 the overlay ordinance, and they all supported moving it forward. The only thing that they did all agree on
717 as well, not the only thing, but they did agree on as well, Mr. Courtney, is that the access management
718 section would be delayed. Nothing to do with Business 17; nothing to do with anything else. I'm not sure
719 where this came from, but I reviewed the minutes; listen to the meeting, they all supported moving the
720 overlay forward. No holdup. Mr. Courtney said I went to the administrator's office and I was actually
721 informed that there was a problem at the commission. That's where my information came from, and I
722 also attended the meeting, and on not only did attended it, I listened to the minutes, because I want to
723 make sure. If I'm wrong, I have no problem standing up here admitting I'm wrong. I'll look you right in
724 the face, and tell you I'm wrong. But, I went home and listened to those minutes. Not only that, I
725 attended the meeting. That's the impression I got. I did speak to a couple people, so this is where you
726 want to go with it, we'll go with it this way. But, again, this is where we stand and this is why we look
727 back. Look at the parking recommendations and again it was missed. It was over; it was forgotten about,
728 and that's why we had to bring back up tonight under the minutes. I had a call for a first ordinance to get
729 a time put on sign when this was done. This was done months ago, over a month ago. And, again, it
730 never went forward. That's it. Mr. Ott said I believe that the planning and zoning commission, the last
731 statement was do you want to go into the next section of the overlay or do you want to go on
732 adjournment and we'll start from this point when we go into to our next meeting, and, yeah, they did
733 show us the pictures, and they're the same pictures. They would have to inform us if something was
734 changing, is that right from what the people of the town were shown for the changes coming out 17, if
735 there was a major change, they would inform us, right? Ms. Fellner said it could be; there could be
736 changes, especially when you're making the kind of changes they are, and we're doing an electrical
737 underground conversion. They may have to move things; where they are gonna put an underground
738 vault might be like it happened on Ocean Boulevard. They had to change where they thought that can
739 be. That can change access at different points, so the easiest thing to do, it was felt was just let's have

740 the planning commission move on to the next section, let's not do this. Now let's do it at the end when
741 we're much closer to knowing that everything looks fine. Mr. Ott said I agree. That's what this said at
742 that point. I know we've all seen the pictures they had at the school. If there were major changes, we
743 would be informed; your office would be informed, right. Ms. Fellner said yes. Mr. Ott said that's all.
744

745 **E. Taking Minutes for Executive Session, Councilmember Courtney.** Mr. Courtney said
746 this is a request for consensus of council to take minutes in executive session. It seems like we have a lot
747 of things that are being forgotten. I don't see a problem with minutes being taken in executive session. I
748 don't see why it should be a problem. If it has to be FOIA'd [sic] (subject to disclosure under the
749 Freedom of Information Act) then so be it. It's done elsewhere. It's done in other municipalities and other
750 governments. Mayor Childs said I'm personally against taking minutes in executive session. I think it
751 defeats the whole purpose of executive session. Mr. Stevens said I don't have any problem with it.
752 Transparency. Ms. Samples said I agree with you, Mr. Mayor. Mr. Ott said I believe that if you did, and
753 there was somebody's name, salary, or anything there would be a black marker through it. So, if anybody
754 wanted to see it, they wouldn't see that part. As for having things said, and we can listen, say, hey, did I
755 say that? Then you'll have proof. That's all. Mr. Johnson said I would like to get the attorney's opinion on
756 this. Ms. Fellner said the ordinance would have to be changed, first of all. Mr. Pellegrino said I agree with
757 you, Mr. Mayor, that it would certainly deter our interactions. I'm glad minutes weren't taken today, but
758 anyway, I didn't really behave myself today, (*laughter*), so I regret that. But anyway, I'm fine if minutes
759 are taken. I don't have a problem, I just think and I agree with Mr. Johnson, I think we need to get an
760 attorney's input on that. Mr. Courtney said I have no problem with that. I'd like to have the town
761 attorney at the next Council meeting for an executive session. Mayor Childs said let's see what the town
762 attorney says [about taking minutes on executive session] before we bring him in here. Ms. Fellner can
763 check on that and get back with us.
764

765 **F. Members of Boards, Commissions, and Committees speaking during Public**
766 **Comments., Councilmember Courtney.** Mr. Courtney said I want to start off by thanking everybody
767 that sits on all the committees; the beautification, parking, business committee, planning and zoning, all
768 commissioners, and you know, I do encourage you to speak, but I think a lot of times what you getting is
769 miscommunication. You know, you can come up here and you can blast me as a councilmember. I've got
770 thick skin. I was a police officer. I can take it. So, you can sit there and blast me all you want. Do I think
771 it's professional? No. Not at all. I think if you're going to come up here and speak in public comments,
772 you know, let it be coming from the public. I don't go to planning and zoning. I don't speak in those
773 meetings. Once in a while, I do stop by. Not too often. The last time I did, again, I appreciate everything
774 they do. But, there is a lot of miscommunication that goes on here. Again, where did I get my
775 communication? I went right to town hall. I sat down with the administrator. So, I have no problem, and
776 again, I appreciate everything you guys do, because it is hard to fill those boards. It is hard for these
777 committees. I talk to them to do the job they're doing. I talked about them getting their paperwork in
778 time. I think that was a big problem. And again, I thank you, and I welcome. But when it comes to public
779 comments, keep it down to the residential stuff. Do you want to see council? You want to speak as a
780 liaison or a chairperson of a committee, put yourself on the agenda. I'd love to hear you. If something's
781 not being done correctly, or something's not being done at all by council and that's affecting that
782 committee or council or a commission, come up. Put your name on the agenda, because you're welcome
783 to. Everyone on of you is welcome to put your name on. You belong to that committee, that commission,
784 put your name on here, come up here and will be able to go back and forth, not just one way. Alright, I
785 thank you very much; everyone that's done work here. Mayor Childs said well, my take on that, I am not
786 going to stop anybody from speaking. I have two members right over here that a couple times in the last
787 few months that I thought there was a couple people that shouldn't have spoken. They're hollering let
788 'em speak, let 'em speak. I don't want them yelling my ear anymore. So, I'm not gonna agree to that at
789 all. Mr. Stevens said I am going to defer to the First Amendment. I don't care who you are, whether you
790 are on a board, commission or committee or what you do, you have a right to speak before this council.
791 If you have a problem with us, then you have a right to complain. If you want to praise us, you have a
792 right to do that. This is too generalized of a statement and it's stepping on the Constitution. I will not

793 step on the Constitution. I think everybody, every citizen has arrived to speak their mind whether it is pro
794 or con. I don't think any person have that right taken away. I don't care what you do in this town, you
795 deserve the right to speak at these public meetings. And that's the part of the Constitution First
796 Amendment. Mr. Pellegrino said I also do not think we should limit public comments. Obviously, it's
797 important to be respectful. But everyone should be able to express their opinion. Certainly, I have my
798 fans that come up here and disagree with me, and that's fine. Anytime anyone gives any input, it makes
799 people think. It makes you think of the way you feel about a decision; the war they feel about a decision,
800 so you can be more informed. So I do not think we should limit public comments. Ms. Samples said our
801 commission members and our committee members have a vast experience that a lot of us up here don't
802 have. I think it's important that everyone be able to get up to speak as long as they're respectful. I don't
803 like people who get up here and are disrespectful. I think they should be allowed to speak, and I think
804 we should certainly take advantage of their expertise. We don't always get it right, and sometimes we
805 need to be corrected. I think they're invaluable and so I think the more they want to get up and correct
806 us with information that maybe we have provided it is incorrect, I'd like for them to get up and tell us
807 you're wrong that is not the correct information. I think it's invaluable to us and I value their input and
808 expertise. Mr. Courtney said this is not about people getting up here and their right to speak. They have
809 every right to come up here to speak. I'd give them ten minutest to speak. I have no problem with that
810 at all. It's about getting stuff done in town and how the ordinance is not getting through. When planning
811 and zoning put something on the table, okay and it gets done, it loses a few things, alright. This is to tell
812 the person, the chairman, or the member, the committee to come up and speak. We want to hear you
813 put. Put yourself on the agenda. Tell us what the problem is, because there is no communication with the
814 P&Z and the council, other than what we hear up there about what's recommended for Mr. Harrah or Ms.
815 Fellner. There is none. Again, this is not about Freedom of Speech. This is not about getting up here and
816 your right to speak. You have every right speak and sit up here all night long, if you want. I have no
817 problem with that. What I'm saying is you want to get things done. I think is a big communication
818 problem here, and I find out that I have to go into town to find out the information. And not all of the
819 information was shared with the P&Z. That's the truth, whether you like it or not. Again, I'm not limiting
820 the amount of time. I'm not asking anybody to limit their time. I'm asking that if they speak and if it's in
821 regards to planning and zoning, put yourself on the agenda. Come up here and speak, and we'll answer
822 those questions, and it will be an open communication. Public comments, come here and speak. I'll listen
823 to you all night long. As a councilmember I can't go to P&Z, and I can't speak as a resident. But I can pay
824 taxes here. I can live here, but I can't speak. That's all I'm saying. Keep it polite that all I'm saying. Keep
825 it polite. Mayor Childs asked if there was consensus of Council to have members of board and
826 commissions stop speaking during public comments. Mr. Courtney said I did not say not to speak. Mayor
827 Childs said he was reading it the way it was on the agenda. Mr. Courtney said it says 'speaking;' it does
828 not say 'do not speak.' I will not limit anybody for speaking. I was suggesting that they come up and they
829 be agenda to the agenda as a chairman to speak on the P&Z issues. Mayor Childs asked if there was
830 consensus for that. Mayor Childs said there is **NO CONSENSUS** for that.

831
832 **G. Huckabee Complex Deed Restrictions, Councilmember Stevens.** Mr. Stevens said I
833 would like to defer speaking on this, because I did not bring this up on the agenda. It says deed
834 restrictions, Administrator Fellner. So I will defer to the administrative. Ms. Fellner said I didn't request
835 for it to be on the agenda either. Mr. Ott said I did, because I said we're gonna leave it on here until we
836 do something about it. That's why. Huckabee, at the last meeting we talked about that. Have you spoken
837 to the attorney, Ms. Fellner, about what we can do and how we can do it? Ms. Fellner said you should
838 have received an email regarding that. I have no problem if the Mayor would allow Mr. Stevens to read
839 the email. Mr. Stevens said this is the email from our attorney, Mike Battle. It was was sent October 18,
840 2017 at 11:05 AM Re: Huckabee Complex. He says:

841
842 The Huckabee deed restrictions that limit the use of Huckabee property to softball or
843 baseball under the South Carolina Park Recreation and Tourism Guidelines for 1984, the
844 ten acre park was defined as a playfield. Although the grant was used for the purpose of
845 constructing baseball and softball facilities, I do not see anything in the funding

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846 agreement or the State Park Plan that limits the playfield uses for those two sports. I do
847 believe this park should be used for outdoor recreation that is consistent with the goals
848 of the South Carolina Park Recreation Tourism Department. I believe, soccer, football or
849 other outdoor sports would be consistent with those goals. If you have any doubts about
850 a proposed use, I would contact a representative of the South Carolina Park Recreation
851 and Tourism and determine whether you need express permission for the use. Thanks,
852 Mike Battle.
853

854 Mr. Ott said that's what I asked. The key question I have is the attorney said explicitly outdoor.
855 Now, we have this facility of 10 acres and the future could we possibly build an indoor structure where
856 we can have basketball, volleyball and things like that. Ms. Fellner said my understanding is no. I've
857 spoken with Amy Blinson, who is the head at the LWCF (Land and Water Conservation Fund). They hold
858 the restrictive covenant. She has said no, and I think the attorney has clearly indicated that his opinion is
859 no. Mr. Ott said now were getting to where we want to be. If we ever wanted to that what do we have to
860 do to make that happen? We gotta get rid of this encumbrance, is that correct? Now were finding out
861 why this encumbrances is there and why we have to hold this plot of land that we have over there, and
862 use that to unencumber so that in the future, we could possibly do this. I think that would be a great
863 feature in the future of this town. Ms. Fellner, do you agree? Where do we go from here? Ms. Fellner said
864 that was exactly the expressed intent of Town Council to have me look into that in the beginning. Mr. Ott
865 said we're in limbo with this. Where do we go from here; what are your suggestions, unless you want to
866 wait until the next meeting. Ms. Fellner said it is council's decision. If council wants the encumbrance
867 taken off, because down the road they might want to do that, we're not going to have that huge piece of
868 property valued at \$390,000 that could be used swap the encumbrance. Once we do anything with that
869 property, it is gone. There are very few pieces of property in town that exist for reasonable amount of
870 money that we could do that with. This is an opportunity, whether Council wishes to avail themselves of
871 it is a council decision. Mr. Ott said we need consensus to keep this on the agenda and bring it back and
872 let's find out what we want we want to do with this. Mr. Pellegrino said I think we need consensus to
873 continue with removing the encumbrance from Huckabee. Mr. Ott said that's exactly why we need to
874 have these things in old business. We need to keep going after it till we find out exactly what we're going
875 to do. This has been on our backs for years; literally for years. So, we still have the administrator and she
876 has direction to unencumber this at this moment. Now where are we going from here? Do we need to
877 acquire another property, and how much? Ms. Fellner said yes, the minimum amount I can go forward to
878 LWCF is \$550,000. We have \$390,000 of that. That is where we are. I've asked them about accesses; the
879 number of easements that the town has where property is unbuildable, but they are absolutely
880 uninterested in that. Mayor Childs asked if the consensus of council was to let the administrator proceed.
881 Mr. Ott said I'd like to have consensus to back at the next meeting to get an update from the
882 administrator. I want it on the agenda until we finish it. Mr. Pellegrino said I know we did some checking
883 about county involvement in the programs at Huckabee. Is there any feedback from the county? Mr.
884 Fellner said the response that I received was absolutely, we'd love to, but our sports programs are
885 \$100,000 in the whole right now. We're not looking to outlay any other cash. Mr. Pellegrino said I was
886 one of the ones a year or two ago that brought up opportunities with Huckabee, if we unencumbered it.
887 I've found out two things since then; the County isn't going to buy it or help us with it as far as funding
888 baseball leagues. We basically have this complex, and we're funding a county baseball league on it, or
889 we're paying the expenses. Another thing I found out is that the citizens don't care that we're funding it,
890 and they want to keep it. Many, many residents sent feedback. I got more feedback on that than almost
891 everything else. Most of the residents don't have any interest in doing something else with that complex,
892 just keep it the same. So, that's reason I mentioned in a long time. Mr. Stevens said it seems like we
893 keep going down this road. It's really doesn't make sense. We had a Notice of Limitation of Use, filed July
894 19, 1984 for the Town of Surfside Beach standard language for property Recreation Land Trust Fund. It
895 states simply right here that the property referred to herein and has been acquired by state financial
896 assistance provided by the Recreation Land Trust, which is part of South Carolina Park Recreation and
897 Tourism (PARD). This property may not be converted to other public outdoor recreation uses whether by
898 transfer, sale, or in any other manner without the express written approval of PARD. It also says shall the

899 PARD shall approve such conversion only if it finds that conversion to be in accord with the then existing
900 Comprehensive Statewide Outdoor Recreation Plan and only upon such conditions as it deems necessary
901 to ensure the substitution of other recreational properties of at least equal fair market value, and
902 reasonably equivalent usefulness and location. If you want to swap it, you have to have another piece of
903 property that does the same thing. Why mess with it? Mr. Ott said I keep pushing this because we have a
904 piece of property worth \$400,000. It's been sitting there for almost three years with a rope around it. We
905 have to move forward, if we like it or not. That's the reason I want to stay on these things until they're
906 finished. If we have to buy another piece of property, then we'll open up the big roped piece and people
907 will be able to walk their do on there and do whatever. Right now you've put out all this money and
908 nobody's allowed on it. It's just sitting there. We need to push forward and either say we're not going to
909 do or we are gonna do it. One way or the other that piece of property at 3rd Avenue South and Willow is
910 gonna be open. Mr. Pellegrino said on that point, this isn't going to be a short-term thing. We have a pier
911 to pay for, and we have to spend another \$160,000 for land and we're not gonna do that when we have
912 to pay for the pier. We need make the decision on whether we want to continue with swapping the
913 encumbrance, because any plans at Huckabee will be years in the future, because we're not going to buy
914 a \$160,000 piece of land. Ms. Fellner said I think by the close of this year, June 30, 2018, we will have
915 over \$300,000 in the land fund, because of the parking meters, which is what that money is to be used
916 for. There certainly would be sufficient funding for that. Mr. Stevens asked why grant money was turned
917 down from PARD, as he was told by House Representative Fry that could have been used for that 3rd
918 Avenue South and Willow Drive property. Mr. Ott said there is reason the rope is around it, but there's
919 also a reason why we have to continue moving forward. Ms. Fellner said basically that reason is as I've
920 said it many, many, times in council chambers at regular council meetings: once you take a penny; once
921 you plan to make it a park, or a passive park or something of that nature, even if it's conceptual, and you
922 do just a rough rendering, or you talk about what you're thinking about putting on it, that property is no
923 longer eligible for swapping the encumbrance. It will not be considered. That's why no money has been
924 taken. It's because this council said they were desirous of having me investigating swapping the
925 encumbrance off Huckabee. Mr. Stevens said once again I hear Mr. Ott telling me he wants this property
926 to be used. All we have to do is accept the money and we can use it. We don't have to go to this land
927 swap. We don't have to do all this stuff. Besides, the Huckabee property is worth at least \$2 million to
928 any developer. Mr. Pellegrino said that is the fee she came up with \$550,000 is to get it unencumbered.
929 It doesn't mean [it is market value.] We can make a decision today to not pursue swapping the
930 encumbrance and then we can do what we want with the lot and 3rd Avenue South. The consensus item
931 on table is whether we want Ms. Fellner to continue with swapping the encumbrance or whether want to
932 stop. If council decides to stop working to swap the encumbrance, then we are free to do what we want
933 with 3rd Avenue South. Mayor Childs asked if council concurred to allow Ms. Fellner to continue, and then
934 as Mr. Ott asked, to put Huckabee back on discussion. Council **CONCURRED to add Huckabee**
935 **Complex to the next meeting agenda.** Ms. Samples called *point of order*, and asked for order in
936 chambers. Mayor Childs said point taken, please, the hour is late and we all want to get out of here.

937
938 **H. Other matters of concern or information to be discussed by Town Council.**

939
940 Mayor Childs reminded councilmembers to respond to the clerk with the preferred meeting date
941 for the nuisance ordinance workshop. Dates are October 30th, October 31st, or November 6th.

942
943 **9. PUBLIC COMMENTS. General Comments.** (5-minutes per speaker)

944
945 Ms. Beth Kohlmann, Ocean Boulevard South: Good evening. First, I don't even know what
946 happened here tonight. In the words of the old mayor, looks like a backdoor thing happening and it's
947 disappointing to see. I know that we had a controversial council when I served, but we certainly did
948 voted on things the way we felt we should vote on them, and I learned early on, as they told me, you
949 vote, and then you go home, and you leave that vote in the room, and if you're doing all this talking all
950 the time, which all do and I love it, but discussion after discussion after discussion. You already beat up
951 the tent issue. Our ears were bleeding in this town, and I don't get it. One person says they got a

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952 hundred emails. I'd love to see the hundred emails. I'd love to see that. You could say you got a
953 thousand. We don't know what you got. I mean I'm out there every day talking people, too, and I think
954 it's great you talk to people. But you vote on something. We elected you to do your homework; to pay
955 attention; quite honestly, I only noticed one person that was paying attention when people were talking.
956 Right now you're all looking at me. But, you don't even pay attention to each other and it's really
957 discouraging. When people come up and give their concerns, you're all doodling, eating something,
958 looking at your cell phones. Not all of you. I'm not labeling all of you, because it's very noticeable to us
959 which ones are doing it, and it's rude. I'm not trying to school you, I'm just telling you from a public
960 person that pays taxes, I find it offensive, and I do have extra books of *Robert's Rules* if any of you want
961 to know that. Mr. Ott, I think it's really ... Mr. Ott: My phone. (** two speaking at once.) Mayor Childs:
962 Mr. Ott, this time for Ms. Kohlmann to speak. Ms. Kohlmann: I texted you to please not bring your phone
963 to the dais. It's not appropriate. Mr. Ott: It controls that microphone (*pointing to the podium.*) Ms.
964 Kohlmann: I have the floor, sir. My thing is you all voted. You vote, you leave. There's so much more
965 going on in this town that we need your help with. We have surfers that need to be picked up and
966 carried down to the ocean and they want to be able to just have the dignity and the pride bring
967 themselves down there to get in the water. I, for one, look forward to working with them all to see what
968 we can do and I know that the town is gonna do it to. I know they are. I know [Mr. Adair] is looking into
969 things, and I'm sure you want to help them, too, and there are a lot of residents that are willing to help,
970 as well. Maybe we could do a fundraiser. That something we can talk about. But, it's not all on you. Don't
971 make it seem like it's all on you. You have people here on committees, and people in town, they're gonna
972 support you. We want to get up here and tell you how we feel. But, we don't want to get beat up for
973 doing that. We don't want to get labeled a troublemaker, because we come up and we want to tell you,
974 hey, maybe you're not making the right choice. It's okay, because we don't all make right choices. Give
975 each other a break. Read *Robert's Rules*. I'm just asking you when you vote on stuff, vote, because that
976 is what we elected you to do. If you're gonna go now and somebody gets your ear, and you change your
977 vote, okay, fine, but you're gonna bring back every little ordinance when there some that are so screwed
978 up in this town or haven't been completed; you should be doing that. Do some positive stuff and shut off
979 your (*expletive*) cell phone. Excuse my language. Mr. Ott: It's for my hearing aids. It's for my hearing
980 aids. Mayor Childs: Mr. Ott, come on, now. Would you stop it? Mr. Ott: That's why.

981
982 Ms. Whitney Meservey, one of several representatives of Surf Rider Foundation: I just want to
983 start by saying thank you so much already for the support. We are very excited. We have already started
984 some fund raising efforts and we just want to be partners through this endeavor.

985
986 Mr. Brock Johnson: Thanks for having us. We're just here to; Mr. Ott brought to the attention of
987 council is to get a ramp installed at 13th Avenue South. But it's not just for surfers. We are all surfers. But
988 it's for everyone. All the tourists that come, people that can't walk as well, and not just for me that's in a
989 wheelchair. I moved to Surfside Beach 20 years ago in 1997. I moved around the Grant Strand a lot, but
990 I'm the president of Coastal Adaptive Sports. We are a Paralympics sport club. We support health and
991 wellness of people with disabilities getting out there and doing active things. I also from there started a
992 surfing organization to do the same thing, but to focus specifically on surfing and not just all of the
993 Paralympics sports. That's called the Adaptive Surf Project. We take surfers to contests; we build and
994 give away [surf] boards. We raise money to do these things. With Surf the billboards without inspired
995 give them away race of the night seducing said was Surf Rider's help, we've partnered with them on
996 many things, and we've been able to accomplish a lot. We bring people to this town; to this area with
997 things that we're doing. It makes those that are getting involved want to move to the Grand Strand,
998 because where they live there is nothing like what we're doing. What we're doing is getting people out of
999 their homes; getting people active; getting people healthy and participating in wholesome things that we
1000 all want to be a part of. It's very easy for everyone in this room besides very few of us to just walk out
1001 on the beach and enjoy it whenever they feel like it. But, we (*wheelchair users*) don't have that privilege
1002 anymore, and we just ask that it be brought to the agenda at the meeting. I'm here to represent myself.
1003 I was a member of the first Surf Adaptive Team USA in 2015 through the work that we've done through
1004 our charities. They selected me, as well as my surfing abilities, but it's mostly through that. I was able to

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1005 manage 5th in the world that year; 3rd in the nation last year, and 2nd in the nation this year. It's all due
1006 to the help of this community, all over the Grand Strand, including Surfside Beach. With my friend Terrell
1007 Wilson here, we started an entirely new division that they've adopted in the national level. Surfside
1008 resident Terrell Wilson is the 1st National Champion in the tandem division. *(Applause)* So my point is that
1009 we are here to represent this whole entire community, and as well as our disabled community. We just
1010 hope that we can get this project going. Thank you.

1011
1012 Ms. Melody Wilson: I'm Terrell's mother and this is his other mother, Lisa, back there. These
1013 guys have a passion for surfing, because there's not much they can do, and they feel free in the water.
1014 However, when we come to Surfside to surf, which we come couple times a year, we have to carry him
1015 down the stairs now. He has to slide down those wooden stairs, and then be transferred into one of our
1016 beach chairs, and I mean it would be greatly and an immeasurable help to have that wheelchair ramp
1017 accessibility, not just for these guys, but there's many people on the beach that we see when were down
1018 here, and there like how you get down there? Or they're out there just sitting at the end [of the deck]
1019 and they would love to be down on the beach. They ask if there's chair services. Unfortunately, your
1020 [c]hair services are up here [at the police station.] But now, if they had a wheelchair, and they could get
1021 down there, they would. Thank you.

1022
1023 Ms. Johnson: I'm Brock's wife, and I know you're not allowed to accept gifts, so that is a
1024 business card with our website, and a little more information, if you would like to learn about some of
1025 those organizations that Brock discussed. He did not mention that he had been a lifeguard in Surfside
1026 before I met him. Mr. Johnson: When I moved here, the second summer that I came, I worked for Bill
1027 Bigham for a few years. I worked for Garrett Todd, as well, and they are still friends of mine. My first life
1028 guard stand was 10th Avenue South. That year, in 1998 I trained with Kip Deaton and Guy Daniels. The
1029 three of us started lifeguarding together and they became my friends, and that was the last summer that
1030 we had Guy with us. You all know Kip Deaton's father, former mayor Deaton. Still a friend. We've
1031 partnered with the Guy Daniels Foundation to add adaptive surfing into that contest. It's something that
1032 is very dear to my heart. I took that on a couple of years ago when we introduce adaptive surfing
1033 divisions to the east coast, there is nowhere else on the east coast that is doing adaptive divisions in
1034 official contests. No one is competing. Until we started competing. Now we've taken it from here to east
1035 coast championships, and the national championships. *(Applause)* Ms. Johnson: I just want to say that
1036 Brock really has a heart for this town, and down south. I'm not originally from the Myrtle Beach area, but
1037 I very much enjoy it here, and the fact that he wants to bring that accessibility down this way instead of
1038 us always having to always go up to North Myrtle where there is some more ramp accessibility. We want
1039 to surf down here. Surf rider has been an amazing partner with us and we just want to partner with you
1040 them and you all so that we can make Surfside Beach accessible for everybody. *(Applause)*

1041
1042 Mr. Harry Kohlmann, South Ocean Boulevard: I don't see why you guys can't do that. Not if. I
1043 understand why you just can't say yeah, we're gonna get this done. I'd like to talk about the parking. I'm
1044 no longer the parking chairman, but in January we sent recommendations and two of those
1045 recommendations were never done, even though the Council voted on 'em to be done. Mr. Ott's worried
1046 about unfinished business; well, that's up to you guys. You propose something, you thought of
1047 something, well, don't multitask too much, because you forget about it. That's your problem. The
1048 problem is that I see is that staff drops the ball. I don't know if they do it on purpose. If they're
1049 overworked, or they just don't want to do it. Staff came to me to propose to put employee parking
1050 special pass. They were asked by storeowners, [and] restaurants that wanted this, and they proposed
1051 using Surfside Drive that location, because nobody parks on Surfside Drive. You wasted hundreds of
1052 thousands of dollars putting parking spaces there. So, let's use that. So we brought it to the parking
1053 committee. We looked, and we said okay, but there is a street before there that everyone parks on and
1054 that's where a lot of the waitresses and people in the service industry park there, but other people also
1055 park there. It's on Yaupon Drive, and you all voted to put it on Yaupon Drive. Guess what, she told you a
1056 half truth. She put it on Surfside Drive only. They didn't put it on Yaupon Drive. No signs were up there.
1057 And there would be no signs on Surfside Drive if I didn't mention it to the administrator. There's no signs

1058 up. Oh, I'll have to look into it. [Mr. Adair] must have forgot. Well, I don't get what's going on here. The
1059 mayor asked for dog signs; within a week or two there's signs up. Holy moly, so what is it? Did they drop
1060 the ball or he just didn't want to do it? That's why nobody; why would you pay for a permit to park at the
1061 street that has no parking regulations. You could park for free. You're gonna pay to walk further to park.
1062 Does that make sense to anybody? It doesn't make sense to me. Now about members and boards and
1063 speaking in public comments, the way it used to be with the parking committee is that we will make
1064 recommendations. I would write up the decision paper and I would hand it to the administrator, and she
1065 would present it to you. Then we got a liaison and they started taking over this job. We made numerous
1066 recommendations. Well, you only got a couple. I don't know why. Why? Was it because someone wanted
1067 two people on council, they didn't want that thing to be voted on? They didn't want it to be looked at?
1068 We recommended Seaside Drive, uh uh, never came up. Never came up to put paid parking on there. We
1069 mentioned 13th Avenue South. Used to be to golf cart parking spots there. I asked Mr. Adair why he put
1070 garbage pails there and put up a no parking sign. He said Lanier said it obstructed their view. I called up
1071 Lanier, they never said it. Now you have a parking lot with less spaces and you walk off the beach and
1072 there is no garbage pail in sight. It's on the other side of the building. You know, some people on staff do
1073 a good job. There are other people who don't deserve your kudos every time. Oh, thank you; oh, thank
1074 you. Guess what folks, they get paid to do this. I was in the New York City Police Department. If you
1075 worked, didn't take a sick day for 20 years, you know what you got? You got a pin. You give people
1076 money for having the pleasure to work here for five years, for 10 years. I don't get it. Thank you.
1077

1078 Mr. Boyd Sadler, 8th Avenue South: (**) got that part right. I know it takes a long time to get
1079 things right sometimes. But you guys never seem, cease to amaze me at all. I mean between ethics,
1080 between cooperation, between even paying attention to the public. Seem to have your own agendas. I
1081 guess our clerk is gonna have to start doing a separate agenda for each of you, because you're not
1082 gonna read it anyway. Sadly to say, it's got to be a long meeting and I'm really missing intermission. We
1083 should've had at least two intermissions for this one. I believe your hearts, at least some of your hearts,
1084 are in the right place. I think some of you are in places that I really wouldn't want to be like looking out
1085 for those that could help you somewhere along the line. You were elected for a reason; for a purpose. I
1086 guess your purpose might be a real secret to you, and transparency doesn't exist anytime that you want
1087 to eliminate the minutes of a meeting; when it can be covered up if it involved a personnel matter, if it's,
1088 if you want to keep that secret, then you're hiding something. Where is that transparency? Where is that
1089 transparency? I'm looking forward to elections. I really am, and not just the one coming up, but the one
1090 following that, because I would like to see some differences, some changes. I'm glad I can leave now,
1091 and I really feel sorry for you guys carrying this; the weight of this meeting with you, but you do it to
1092 yourselves.
1093

10. TOWN COUNCIL COMMENTS.

1094
1095
1096 Mr. Ott: I need to clarify something, why I go to my phone. I'm handicapped. I can't hear, and I
1097 have a system on here (*pointing to phone*), it's software that allows me to change from ambient to that
1098 little microphone (*on the podium*), and then I have to change it if Ms. Fellner's talking or if council is
1099 talking. So that's why. I have the mayor here. Do I play games? Mayor Childs: no. Mr. Ott: I also had to
1100 change both hearing aid batteries tonight. Sorry I had to do that. When I do that I have to go in there
1101 and boot it back up so I can hear you. I used to talk real loud and that's the reason for it. Maybe if
1102 somebody want to know why I need things, it's because I'm Type I diabetic, and I was also, I also had
1103 colon rectal cancer. So I can't eat before I come here, and then my blood sugar goes down, and I'm
1104 sorry for that. I'm very sorry, but I have to maintain and take insulin to bring your blood sugar down, but
1105 you have to actually eat something with a little bit of sugar in it. I take little nibbles to keep sugar in the
1106 right [level]; you can feel it. I'm sorry have to tell you that, but I got a text tonight to tell me to stop
1107 playing with my phone. But I can't hear any other way. Mayor Childs: Come on, please! (*Gavel in*
1108 *response to audience noise.*) And now I'm being criticized for being handicapped. I am. I can't hear
1109 without it. I can't. Mr. Dodge, I can't. Sorry. Okay, but you don't care. You only care about yourself.
1110 Thank you.

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1111
1112 Mr. Courtney: Thank everyone for coming out. Again, I'm not going to get into Freedom of
1113 Speech. You can sit up here and you can come up here and make your comments. I've got no problem
1114 with it. I'll leave the Freedom of Speech to [Mr. Stevens.] He's pretty good at letting you know what you
1115 can do or not. Communication, yeah, the communication is poor. I wish I could tell you better, but it's
1116 not. It's poor. There are things that have gotten passed that is council and they got buried. I picked up
1117 on two of 'em. I don't know what the excuse was; why the reasoning, but again, when council votes on
1118 something, it gets pushed through, and it goes through and that's it. Agendas; I don't have a personal
1119 agenda, okay. I agree with a lot of you. The stuff that we should be doing up here is part of day-to-day
1120 operations. It's make sure your trash is getting picked up on time. It's to make sure that there is not
1121 debris laying on the road. It's to make sure you have parking available, and regulations are put in place.
1122 We work for you. We're up here to get things done for the community. These big jobs, well, that's not
1123 what I'm here for. I'm here to you represent you in the small stuff. The stuff that lays around your
1124 neighborhood all weekend. Day to day, I don't get involved in day-to-day operations. I've been criticized
1125 in the paper about asking too many questions. Too bad? I'm gonna ask them all the questions I can as
1126 long as I'm up here. I want to know the truth and I'm gonna share it with you. If you like it or not, the
1127 truth is gonna come out. Transparency, as you can see, I have no problem with minutes being taken, but
1128 we're not perfect. We're human. We're gonna make mistakes. We're gonna slip, but I came from a police
1129 department where minutes were taken my whole entire life. I was testifying. I was filling out a report. I
1130 always had to tell the truth. Look at may not have been perfect, but it is what it is. I have no problem
1131 with that, with the minutes being taken in any of our conversation. So transparency is big, big here, and I
1132 believe that we lack of. Again, thank you very much. I do appreciate every board member that serves. I'd
1133 like to thank the planning and zoning for all they did, as I said before. The beautification, all the work
1134 they put into it. They put a lot of work into it, and so did a lot of these other committees. They put a lot
1135 of time, put a lot of effort in it, and they send a message and it doesn't get up council. There's a failure
1136 there. So again, thank you very much. Thank you for coming out. Have a good evening. God Bless you.

1137
1138 Mr. Johnson: Thank you all for coming out. I would say a lot, or say a little. I think too much has
1139 been said already. This meeting should not have gone this long. But, they always seem to go long. Thank
1140 you all for coming out.

1141
1142 Mr. Pellegrino: Thank you for coming. Just one note as far as the wheelchair ramp for the
1143 surfers, I agree with Mr. Kohlmann, once Mr. Adair gets approval from the OCRM, I think we can knock
1144 that out pretty quickly. It's not a big job. So that's important to follow-up on. Other than that, thank you
1145 very much for your comments. Thank you for being involved and have a great night.

1146
1147 Ms. Samples: Everyone be safe tonight. Staff, thank you again for your hard work. We
1148 appreciate it. Two very important business items were passed first reading tonight and that was the
1149 replacement of your driveway issue, and businesses that are in a residential district. Those are two areas
1150 that needed addressed; staff handled it quickly. We appreciate it. I look forward to second reading, and I
1151 look forward to that passing. Thank you, council, for your support of these two items tonight. Thank you.

1152
1153 Mr. Stevens: I'm gonna pull a [Mr.] Johnson. Thank y'all for coming out. Have a good evening. I
1154 think [Mr. Johnson] said it best, y'all have a good week and enjoy yourself.

1155
1156 Mayor Childs: I'll just say one thing, I agree with the couple that said something about bringing
1157 this thing back up for a vote. I agree with you 100-percent. I did question that, and I was told that if four
1158 council [members] wanted to bring it up, they can bring it again. But I always thought you couldn't bring
1159 it up in the same session. It could be brought up in the next council, but I was wrong. I thought we had
1160 done that. We got over the hump on that, and I still think it's a good idea. But, anyway, it's neither here
1161 nor there.

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11. ADJOURNMENT. Mr. Johnson moved to adjourn the meeting at 9:40 p.m. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by:

Debra E. Herrmann, CMC, Town Clerk

Approved: November 14, 2017

Surfside Beach Town Council

VOTE:	Yes	No
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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

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