



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING MAY 10, 2016 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

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6 **1. CALL TO ORDER.** Mayor Samples called the regular meeting to order at 6:30 p.m. Mayor
7 Samples, Mayor-Elect Childs, and Councilmembers Johnson, Mabry, and Stevens were in attendance.
8 Mayor Pro Tempore Pellegrino was absent. One seat is vacant. A quorum was present. Others present:
9 Councilmembers-Elect Courtney and Ott. Staff: Administrator Fellner; Town Clerk Herrmann, and
10 Events Supervisor Ellis.

11
12 **2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

13
14 A. Invocation: Mr. Johnson gave the invocation, because Reverend Greiser from the Church of
15 the Resurrection was unable to attend.

16
17 B. Pledge of Allegiance: Mayor Samples led the Pledge.

18
19 **3. AGENDA APPROVAL.** Mr. Childs moved to adopt the agenda as presented. Ms. Mabry
20 second. All voted in favor. **MOTION CARRIED.**

21
22 **4. MINUTES APPROVAL. A. Budget Workshop April 21 & 22, 2016, and B. Regular**
23 **Meeting April 26, 2016.** Mr. Childs moved to adopt the April 21 and 22, 2016 budget workshop
24 minutes and the April 26, 2016 regular meeting minutes as presented. Mr. Stevens second. All voted in
25 favor. **MOTION CARRIED**

26
27 Mayor Samples said one of the very, very special people that he had the honor and privilege of
28 serving with was Mr. Ralph Magliette. Although Mr. Magliette was no longer here, he is with us in spirit.
29 Mrs. Patricia Magliette was asked to come forward. Mayor Samples presented Mrs. Magliette the
30 memorial rose and Mr. Magliette's nameplate.

31
32 Mrs. Magliette thanked everyone for welcoming them into town, and welcoming Ralph to serve
33 on council. He enjoyed working for the town's benefit, treating everyone with honor, dignity, respect,
34 and loving kindness. She quoted Galatians 5:14: *For all the law is fulfilled in one word, even this, thou*
35 *shalt love thy neighbor as thyself.* Thank you for the privilege of letting Ralph help you, and God bless
36 you all. *(Standing ovation.)*

37
38 **5. ELECTED OFFICIAL INAUGURATION**

39
40 **A. Mayor-Elect – The Hon. Robert F. "Bob" Childs, Term 05/10/2016 to 05/12/2020.**

41
42 **i. Resignation from Town Council.** Mr. Childs read his resignation from Town Council,
43 which is attached hereto and made a part hereof by reference. Mr. Johnson moved to accept Mr. Childs's
44 resignation. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

45
46 **ii. Oath of Office, Charge by The Hon. Michael Smith, Esquire.** Mr. Smith charged Mayor-
47 Elect Childs with the oath of office, which he accepted. Mayor Childs signed the written oath, a copy of
48 which is attached hereto and made a part hereof by reference.

49
50 **B. Town Councilmembers-Elect.**

51
52 **i. The Hon. Mark Johnson, Charge by Mrs. Carrie Johnson, Term 05/10/2016 to**
53 **05/12/2020.** Mrs. Johnson charged Councilmember-Elect Johnson with the oath of office, which he

54 accepted. Councilmember Johnson signed the written oath, a copy of which is attached hereto and a
55 made a part hereof by reference.
56

57 **ii. The Hon. Randle Stevens, Charge by Mrs. Mary Ann Stevens, Term 05/10/2016 to**
58 **05/12/2020.** Mrs. Stevens charged Councilmember-Elect Stevens with the oath of office, which he
59 accepted. Councilmember Stevens signed the written oath, a copy of which is attached hereto and a
60 made a part hereof by reference.
61

62 **iii. The Hon. Ron Ott, Charge by Mrs. Doris Ott, Term 05/10/2016 to 05/12/2020.**
63 Mrs. Ott charged Councilmember-Elect Ott with the oath of office, which he accepted. Councilmember
64 Ott signed the written oath, a copy of which is attached hereto and a made a part hereof by reference.
65

66 **i. The Hon. Timothy T. Courtney, Charge by Miss Ashlee Reese Courtney, Term ending**
67 **05/08/2018.** Miss Courtney charged Councilmember-Elect Courtney with the oath of office, which he
68 accepted. Councilmember Courtney signed the written oath, a copy of which is attached hereto and a
69 made a part hereof by reference.
70

71 *Recess at 6:49 p.m. Reconvene at 7:00 p.m.*
72

73 **6. MAYOR PRO TEMPORE ELECTION.** Mr. Stevens moved to elect Mr. Ron Ott to serve as
74 mayor pro tempore until the next General Election. Mr. Courtney second. All voted in favor. **MOTION**
75 **CARRIED.**
76

77 **7. PUBLIC COMMENTS – Agenda Items Only.** (3-minutes per speaker). There were no
78 public comments on agenda items.
79

80 **6. COMMUNICATIONS - Administrator's Report.** Ms. Fellner reported:
81

82 Fire Engine 57. I wanted to inform the public that during a preventative maintenance check on
83 Engine 57, oil was found leaking around the head gasket. It was taken to the heavy equipment repair
84 shop to be evaluated. After extensive investigation, it was determined that it would require the
85 installation of a reconditioned engine at a cost of approximately \$29,000. In accordance with the
86 ordinance I have already reported this in writing to Town Council.
87

88 Non-Residential Parking Decals. As of early last week, we are sold out of the 100 authorized
89 non-resident parking decals for the 2016 season that sell for \$100 each.
90

91 Farmers Market. I also want to remind everyone that the Farmers Market is held in Passive Park
92 each Tuesday from now through October 25th from 10:00 a.m. to 3:00 p.m., so please come out and
93 support this effort.
94

95 Memorial Day Golf Cart Parade. Also, Ms. Ellis is still looking for golf carts for the Memorial Day
96 golf cart parade, which will be held on Sunday, May 29th at 1:00 p.m. Lineup is between 16th and 17th
97 Avenue North on Ocean Boulevard. The parade route extends from there to Melody. If you wish to be in
98 the parade, please call or email Ms. Ellis at your earliest convenience.
99

100 Free Bike Trailer Parking. Also, remember that there is free bike trailer parking available in the
101 13th Avenue South lot between Ocean Boulevard and Dogwood Drive and also at the 16th Avenue North
102 parking lot during all bike events.
103

104 Special Election. Finally, filing for the special election to be held August 9th for the unexpired
105 term of Councilmember Child's seat, is open from noon on May 27th until noon on June 7th.
106

107 Consensus Items. There were no consensus items.

108

109 Responses to public comments.

110

111 *Comment:* A resident was upset that the attorney assisting the business committee did not want
112 his name publicized. He further questioned who was paying for this and made a number of statements
113 concerning the lack of transparency.

114 *Response:* The citizen who is assisting the committee with the changes to be proposed to the
115 planning commission is a resident who saw an opportunity for service and offered his assistance to the
116 committee. There are no fees associated with this. The resident simply happens to be an attorney and
117 is not a member of the business committee. The town attorney will ultimately be the person to review
118 any proposed changes to the ordinance.

119

120 Mr. Ott said it would be beneficial to have a written report from Ms. Fellner ~~prior to~~ ***no later**
121 **than the morning of** the meeting because it would give him time to formulate questions and possibly do
122 some research. **(*Changed at the request of Administrator Fellner, D. Herrmann, CMC Town**
123 **Clerk)** Ms. Fellner said that would not be a problem; however, there might be some last-minute
124 changes when the report was given so Town Council would have the most current information.

125

126 Mr. Courtney asked how old the fire truck was that needed an engine, and whether it was a
127 pumper. Ms. Fellner said it was 2001 model, but did not know the type truck. She would email the
128 information to everyone. She also explained that pursuant to the town purchasing ordinance she advised
129 Town Council in writing of the emergency expenditure.

130

131 **7. BUSINESS**

132

133 **First Reading of Ordinance #16-0826 to declare vacancy on Town Council and order a**
134 **Special Election, Administrator Fellner.** Ms. Fellner presented the decision paper and ordinance,
135 copies of which are on file. Pursuant to State Code §7-13-90(C), the Special Election will be on August 9,
136 2016. Filing opens at 12:00 noon on May 27, 2016, and closes at 12:00 noon on June 7, 2016. Mr.
137 Johnson moved to adopt first reading of Ordinance #16-0826 as presented. Mr. Stevens second. All
138 voted in favor. **MOTION CARRIED.**

139

140 **8. TOWN COUNCIL DISCUSSION**

141

142 **A. Resolution to support H5109 and ask State Legislators to support it as sponsors,**
143 **Administrator Fellner.** Ms. Fellner explained that it was very important for the Town Council to
144 support H5109 regarding adoption by the State of the Business License Tax Standardization Act. There
145 are legislators in the up-state that proposed a different bill, which would severely impact the town's
146 business licensing revenue. Town Council was asked for consensus to bring the resolution forward as a
147 business item at the appropriate time, probably in December or January.

148

149 Mr. Johnson said Ms. Fellner's assessment was correct. It could be devastating for the town if
150 the bill proposed by the up-state legislators was adopted. He agreed to support the resolution and to
151 bring it back for adoption. There are potentially several changes that might be made before adoption.
152 Ms. Fellner said the major change was already made, which was to include a way to account for rental
153 houses in coastal communities.

154

155 Mr. Ott asked why this process did not fall under Home Rule and said it appeared the state was
156 taking the town's business license revenue away. He asked if the State would charge the town. He also
157 had several other questions, and asked if Ms. Fellner could meet with him later to discuss this. Ms.
158 Fellner said as a brief explanation, that the up-state legislators are proposing that business licensing be
159 handled by the Department of Revenue, which is not equipped to do so. H5109 is proposed by the

160 Municipal Association, and gives the town better protection. Licensing would be renewed through a
161 portal on-line. When the resolution was presented for adoption, current information would be provided.
162 She said would meet with Mr. Ott at his convenience.
163

164 Mr. Courtney asked what the benefit was to the town and its residents by adopting this resolution
165 to support the bill. Ms. Fellner said the town stands to lose the majority of its business license revenue, if
166 this Bill is not adopted. Business license revenue is one of the town's largest sources of revenue. Mr.
167 Courtney said there was no choice, but to support it. Ms. Fellner said in her opinion, yes. In the up-
168 state, there are some who would disagree, because they are mostly supporting builders, construction,
169 and developers.
170

171 Mr. Stevens asked if Ms. Fellner could estimate the financial loss that might occur if the Bill was
172 not supported. Ms. Fellner said the revenue would represent about 20-percent of the town's revenue;
173 somewhere between \$1.7 and \$2 million. Ms. Fellner explained that the other bill would provide some
174 revenue to the town, but it was critical that coastal communities derive business license revenue from
175 their rental homes.
176

177 Mr. Ott reiterated his concern that the State was taking away the town's rights under Home Rule.
178 Ms. Fellner said that was the State Legislator's job to ensure that Home Rule was upheld.
179

180 Mayor Childs asked for consensus to bring the resolution for action under business on the agenda
181 at the appropriate time. All members **CONCURRED**.
182

183 **B. Any matters of concern or information to be discussed.**
184

185 Mr. Ott said one of the most common complaints he heard during his recent campaign was about
186 speeding traffic in town. He did not know what the process was to alleviate the speeding, but asked that
187 16th Avenue North be monitored, because it is a straight road to Highway 17 that creates a half-mile drag
188 strip, and perhaps some 4-way stop signs be installed at high-traffic areas.
189

190 Mayor Childs commended Chief Keziah for having radar set up on the north side. He had seen
191 many people slow up over the past few weeks.
192

193 **9. PUBLIC COMMENTS – General Comments. (5-minutes per speaker)**
194

195 Ms. Wanda Spannuth, Harbor Lights Drive: Mr. Mayor, Town Council, and residents, I recently
196 graduated from the Citizens Police Academy and I wanted to take this opportunity to thank Chief Keziah
197 and Lieutenant Hofmann and all the officers who participated in educating us and giving us some actual
198 experience. I want to thank Town Council for their support of this program. I think it's a wonderful
199 program. It needs to continue. Thank you.
200

201 **10. TOWN COUNCIL COMMENTS**
202

203 Mr. Stevens: Thank y'all for coming out. It's good to see a good crowd like this. I would like to
204 encourage everybody to come out to these meetings. Invite your friends and neighbors. The more
205 people we have here, and the better informed public we have the better off the town is. We serve you.
206 We are your public servants. You to let us know what you need, no matter what it might be. You need
207 to voice your concerns to us, and continually speak up, because if you don't speak up, we're not gonna
208 know what you need. We do a lot of things here. We need your input on a regular basis. Thank you for
209 coming out, and have a good time.
210

Town Council Regular Meeting
May 10, 2016

211 Mr. Ott: I'd like to thank the residents of the Town of Surfside Beach for this great opportunity
212 to serve you, and I'm gonna do the best job I possibly can. Lot of reading, lot of investigation, and I'll do
213 the best I can. Thank you very much.
214

215 Mr. Courtney: I'd like to thank all of you for electing me. I won't let you down. I'd like to
216 mention one thing. I could never fill Mr. Magliette's shoes, because it was very important to us when
217 Ralph would come down in my neighborhood. We wouldn't see too many councilmen down the south
218 end, but Ralph made it a point to come down there every few weeks or so. So, he was a very great
219 man, and we daily miss him. We really do miss him down there. I want to thank you for electing me. I
220 promise you, I won't let you down. I will always tell you the truth, and let you know what's going in
221 town. So, please let us know what your concerns are. Thank you.
222

223 Mr. Johnson: Thank you for coming out this evening. I would just like to recommend to the new
224 councilmembers that you really need to go to the Municipal Association conferences. You will learn a lot
225 in a short period of time, specifically about this House Bill that has been presented. There was one bill
226 from someone from the up-state. The Municipal Association came up with their own and it is the lesser
227 of two evils. Not that it's a bad deal, but if you want to talk to somebody about the House Bill and the
228 way it's presented, you need to speak to your representatives, because they are in charge of passing
229 legislation, obviously. So, you know, if you don't like something, go to them. I'll be glad to sit down with
230 you and discuss this House Bill, or any other thing that needs to be discussed, and I welcome you all.
231 Welcome, Mr. Mayor. Thanks, again, for coming out. God bless you, and we'll see you next time.
232

233 Mayor Childs: I want to thank everybody for coming out. I particularly want to thank everybody
234 for their support. I have worked hard over the last six years. I will continue to work hard for you, and I
235 do really and sincerely appreciate all the support I've gotten in town. Thank you so much.
236

237 **11. ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 7:24 p.m. Mr. Ott
238 second. All voted in favor. **MOTION CARRIED.**
239

240 Prepared and submitted by,

241
242 Approved: May 24, 2016

243 Debra E. Herrmann, CMC, Town Clerk

244 Robert F. Childs, Mayor

245 Ron Ott, Mayor Pro Tempore

246 Timothy T. Courtney, Town Council

247 Mark L. Johnson, Town Council

248 David L. Pellegrino, Town Council

249 Randle M. Stevens, Town Council

250 Vacant Seat

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258 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded. Contact the town clerk for
259 appointments to hear recordings. Bring a flash drive to obtain a free copy. In accordance with FOIA §30-4-80, meeting notice and
260 the agenda were distributed to local media and subscribers on the town's email subscription list. The agenda was posted on the
261 town website and the entry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.