



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION SEPTEMBER 13, 2016 ♦ P.M.
REGULAR MEETING SEPTEMBER 13, 2016 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 6:00 p.m.

Mayor Childs called Town Council to order at 6:00 p.m. Monday, September 13, 2016 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(1) to discuss the appointment of a person or persons to a public body. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Pellegrino, and Stevens were in attendance. One seat is vacant. A quorum was present. Mr. Johnson moved to enter executive session at 6:00 p.m. Mr. Ott and Mr. Stevens second. All voted in favor. **MOTION CARRIED.** Mr. Ott moved to reconvene regular session at 6:11 p.m. Mr. Courtney second. All voted in favor. **MOTION CARRIED.** Mayor Childs said that no action was taken during executive session. Any motions from executive session will be made during the regular meeting that begins at 6:30 as noted on the agenda under Business Item 9.D. Mayor Childs declared the session adjourned at 6:11 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, Stevens, and Councilmember-Elect Samples were in attendance. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Planning Building & Zoning Director Morris, and Police Chief Keziah.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Father Ron Greiser from Church of the Resurrection gave the invocation.

B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. AGENDA APPROVAL

Mr. Stevens moved to adopt the agenda as presented. Mr. Johnson second. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL

Executive Session and Regular Meeting August 22, 2016. Mr. Stevens moved to adopt the August 22, 2016 executive session and regular meeting minutes as presented. Mr. Courtney second. All voted in favor. **MOTION CARRIED**

Mr. Johnson called *point of order*, saying the motion was only to approve the executive session minutes. Mayor Childs clarified that Mr. Stevens' motion was stated correctly to include the regular meeting minutes and the executive session. Mr. Johnson apologized saying he did not hear the entire motion. Mr. Stevens said the apology was accepted.

54 **5. RESOLUTION #16-172 Declaration of Results of Special Election Runoff August 23,**
55 **Administrator Fellner.**

56
57 Ms. Fellner presented the decision paper and resolution, copies of which are on file. The
58 recorded resolution is attached and is made a part hereof by reference.

59
60 Mr. Stevens moved to approve Resolution #16-172 as presented. Mr. Johnson second. All voted
61 in favor. **MOTION CARRIED.**

62
63 **6. ELECTED OFFICIAL INAUGURATION – Councilmember-Elect Julie Samples.**

64
65 Ms. Samples was sworn in by her husband, former mayor, Doug Samples. She was welcomed
66 with a standing ovation. A copy of the recorded oath of office is attached to these minutes and made a
67 part hereof by reference.

68
69 **7. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker)**

70
71 Mr. Ray Kawa, 3rd Avenue North. I'm sick and tired of my property flooding and the bill is adding
72 up. If I don't see something more than staff walking around soon, I will go to the governor and file a
73 complaint against the town council and every person who served in the past to try to find some kind of
74 help. I've been fighting this battle for 12 or 15 years since a former public works director closed in the
75 ditch and put a 24-inch pipe in. The agenda includes work on the swashes; I don't [care] about the
76 swashes. Put them in line. Flooding is happening at my house on 3rd Avenue, and at my neighbors'
77 houses at 2nd and 4th Avenues between Cedar and Cherry every time it rains hard. If you can't figure out
78 how to solve the problem, give me the keys to the track hoe and I'll dig a ditch. [Mayor Childs,] I want
79 to thank you for coming to see the site. Finally, somebody showed up without being called to see our
80 places are under water.

81
82 **8. COMMUNICATIONS - Administrator's Report.**

83
84 Ms. Fellner presented the written report, a copy of which is attached. Ms. Fellner asked Town
85 Council if a special meeting could be held on Thursday, September 15th at 12 noon to discuss the swash
86 improvements, since the engineer just delivered his report just before this meeting. **TOWN COUNCIL**
87 **CONCURRED.**

88
89 Mr. Ott asked whether the South Carolina Department of Transportation (DOT) had responded to
90 the suggestions regarding 10th and 11th Avenues North. Ms. Fellner said not yet. Mr. Ott asked if DOT
91 had received the suggestions. Ms. Fellner said yes.

92
93 Mr. Stevens said a citizen had just spoken about his land flooding. His understanding was the
94 town spent over a million dollars to fix that. Ms. Fellner said not exactly. Second Avenue was not done,
95 because the town ran out of money. Since the rain event, both DDC Engineers and Mr. Adair have
96 inspected Mr. Kawa's property and the surrounding properties. They still have to inspect all the drains to
97 ensure nothing was clogged. Mr. Stevens asked what size pipe was put in that area. Ms. Fellner did not
98 know. Mr. Stevens said several years ago the town placed two six foot pipes from Surfside Drive to 2nd
99 Avenue. He hasn't had any problem with flooding. He wondered why the town would use large pipes
100 there, but not take care of the areas where the citizens live. Ms. Fellner heard his concern, and said she
101 was not a stormwater engineer. There were many different elements to consider, including many soil
102 types that perk differently. Some of the worst soils in town are around 2nd and 3rd Avenues North. That
103 area is also very low. The 2nd to 2nd Avenues part of the stormwater project was never completed, either.
104 The last event helped the engineer reevaluate everything. The engineers will provide recommendations
105 for Town Council to consider.

106

107 Mayor Childs said on account of a funds shortage to complete that project, the engineer told him
108 the other day when they inspected Mr. Kawa's property that same work would need to be done on 2nd
109 Avenue to divert water so it would not pass down 3rd Avenue. Hopefully, once that work is done, it will
110 relieve Mr. Kawa's flooding problem. The engineers said with a rain like the town recently had, we could
111 put millions of dollars into stormwater, but there was no way to stop flash flooding.

112
113 Mr. Ott remembered that at one time the town collected 5 mils for stormwater projects. That
114 funding was removed. We need to put that back. Ms. Fellner said 2 mils are designated now. Mr. Ott
115 said you can dance all you want, but you have to pay the piper. Ms. Fellner said she understood that
116 managing stormwater was critical. Mr. Ott asked Ms. Fellner to make sure that the finance department
117 keep watch on that.

118
119 Mayor Childs suggested that this be brought up at the vision meeting. Ms. Fellner said it would
120 be discussed then.

121
122 Mr. Courtney believed there was flooding in other areas of town, including 14th Avenue South and
123 Melody Lane. Ms. Fellner said there was. Mr. Courtney said with all the rain, it was a strain on the
124 stormwater system. Ms. Fellner said it was.

125 126 **9. BUSINESS**

127 128 **A. Second Reading of Ordinance #16-0832 to amend Chapter 14, Flood Damage** 129 **Prevention, Director Morris.**

130
131 Mr. Courtney moved to adopt second reading of Ordinance #16-0832 with an amendment to
132 strike the amendment made to Section 14-19, subparagraph (c) and to add the following language to
133 Section 14-17, Flood hazard reduction standards, as paragraph (6) to state as follows:

134
135 Non-commercial developable lots located in the X, X shaded and AE flood zones shall
136 have an average grade of all adjacent lots. A foundation/current conditions survey shall
137 be provided and approved prior to the foundation being poured or piers being filled prior
138 to additional inspections being performed. Adjacent lot grades shall be measured at a
139 minimum of 20 feet into all adjacent lots.

140
141 This requirement shall not apply to Designated Coastal A Zones, V, and VE zones as no
142 fill shall be allowed in these Special Flood Hazard Areas (SFHA).

143
144 Mr. Ott second.

145
146 Mr. Johnson said the councilmembers received this proposed amendment at approximately 4:00
147 p.m. this afternoon. He did not have a chance to review it. He asked if Ms. Morris would explain how
148 this amendment would have either positive or negative effects on construction.

149
150 Ms. Morris explained that at the last meeting, an amendment was offered for the Zone X only
151 where it was certainly needed, because there are many bowl shaped properties left in that zone. The
152 only change in the new language is that it actually includes flood zones. Instead of Zone X, it also
153 includes AE flood zones. At the minimum when the building is started, they have to elevate. If fill is
154 included, it would have to be equal to the surrounding properties topography to eliminate any stormwater
155 running onto neighboring property, or building in a bowl shaped depression allowing a neighbor's
156 stormwater running into their property. The amendment offered tonight is actually better than the one
157 adopted at the last meeting, because everything would be consistent, if this is adopted. The designated
158 Coastal A, V, and VE Zones were removed, because the Federal Emergency Management Act (FEMA)
159 does not allow any fill in those zones. The decision paper and ordinance copies are on file.

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Mr. Johnson asked Ms. Morris if she agreed with the proposed amendment. Ms. Morris said I do, yes. Mr. Johnson asked why the information was not received until four o'clock this afternoon. Mayor Childs said this was talked about at the last meeting. Mr. Johnson said there was nothing in writing.

Mr. Courtney said this came to his attention, because as Ms. Morris pointed out with this amendment we cannot fill any special areas. It was very important to clarify that. The change was to make sure that all properties were equal to others. The corrections were made to ensure those properties protected by FEMA were excluded.

Ms. Morris said there have been some properties in the special flood hazard AE zone where the height limit is 35 feet in the R2 and R3. Contractors would try to build up the property an additional two to three feet to get the higher 35 feet rule. Although a stormwater plan is required, when properties are built up so high, it is more difficult to keep stormwater on those filled properties. This would eliminate that problem.

Mr. Johnson understood, but said again that his biggest concern was the fact that council never had anything in writing until approximately four o'clock this afternoon. He had said this for the past eight or nine years, I don't like [receiving changes at the last minute.]

Mr. Ott said the original amendment did not encompass all the flood zones. It would be a waste of time if those were not added to the amendment. That's basically what happened and why you didn't get that written until this afternoon. It should have been presented that way in the beginning. We've held up construction for some people long enough, so we needed to clarify the amendment to state who would and who would not be affected.

Mr. Stevens asked if this amendment was presented to the CRS committee. Ms. Morris said no. Mr. Stevens had a problem with the second part of the amendment that states: *This requirement shall not apply to Designated Coastal A Zones, V, and VE zones as no fill shall be allowed in these Special Flood Hazard Areas (SFHA).* Ms. Morris said that was a FEMA requirement. Mr. Stevens explained that his objection was because the vacant lot next to his house floods when it rains. Ms. Morris explained that that particular property was not in one of FEMA restricted zones. The restricted zones were mostly located along the ocean front and/or Ocean Boulevard. Mr. Stevens moved to amend to designate that those areas shall be excluded. **MOTION FAILED due to lack of a second.**

Mr. Courtney apologized for the late notice on this amendment, and said that it was very important to move forward. There are people that are waiting to build their houses until this is resolved. The wording had to be changed because of FEMA, and he wanted to make sure it was right. He thought Ms. Morris clearly explained the problems and amendment.

Mayor Childs said he believed it was in line with the earlier discussion. His neighbor behind him just built a mountain to put his house on. Literally, it's like a ski slope. *(Laughter)* Ms. Morris said this amendment would prevent that.

Mayor Childs called for the vote on second reading of Ordinance #16-0832 as amended. All voted in favor. **MOTION CARRIED.**

B. First Reading Ordinance #16-0833 to Grant Franchise Fee to Frontier Communications, LLC, Administrator Fellner.

Ms. Fellner presented the decision paper and ordinance, copies of which are on file.

212 Mr. Johnson moved to adopt first reading of Ordinance #16-0833 to grant a franchise fee to
213 Frontier Communications, LLC. Mr. Stevens second.

214
215 Mr. Pellegrino said the town currently has Time Warner, and if this is adopted, Frontier's services
216 will be maintained in town. He asked if HTC or other communications companies were considered. Ms.
217 Fellner explained that telecommunications franchises were handled through the Secretary of State, not at
218 the local level. This ordinance is basically a formality.

219
220 Mr. Ott asked if cable services were limited to Time Warner and Frontier, and other companies
221 that come along. Ms. Fellner said it depends on who makes application to the state for a franchise
222 agreement, and the state sends notification to the town. At that time, an ordinance would be presented
223 to council.

224
225 Mayor Childs called for a vote on the motion to approve first reading of Ordinance 16-0833 to
226 grant a franchise agreement to Frontier Communications. All voted in favor. **MOTION CARRIED.**

227
228 **C. Swash Improvements, Administrator Fellner.**

229
230 Ms. Fellner reminded everyone that this item was deferred until the special meeting on Thursday,
231 September 15th, at 12 noon. (See Item 8, above.)

232
233 Mr. Courtney asked if the inspection reports for the swashes would be presented. Ms. Fellner
234 said yes.

235
236 Mr. Johnson said that, unfortunately, he would be out of town and unable to attend the special
237 meeting.

238
239 **D. Committee Appointments (Volunteers were discussed in executive session at 6:00**
240 **p.m.) i. Accommodations Tax (1 term expiring) Volunteer: Mr. Gary Livesay; ii. Business (4**
241 **terms expiring) Volunteers: Mr. Sammy Truett; Mr. Bert Krassin; Mr. Joe Cotter, and Mr. Lee**
242 **Zulanch; Ralph Magliette Senior Citizens (2 vacancies and 1 term expiring) Volunteers: Ms.**
243 **Linda McKeen; Ms. Brenda Norris, and Mr. Shelby Smith.**

244
245 Mr. Johnson moved that Mr. Gary Livesay be appointed to the accommodations tax committee;
246 Mr. Sammy Truett, Mr. Bert Krassin, Mr. Joe Cotter, and Mr. Lee Zulanch be appointed to the business
247 committee, and that Ms. Linda McKeen, Ms. Brenda Norris, and Mr. Shelby Smith be appointed to the
248 Ralph Magliette senior citizens committee. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

249
250 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.

251
252 There were no matters to be discussed.

253
254 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)

255
256 Mayor Childs said that sometimes council was complaint driven. We don't look for problems, but
257 they are brought to our attention and we do address them. A number of people have contacted me over
258 the past few weeks about some comments made by the public. There is an ordinance that we have now,
259 and it's one of the things I swore to uphold when I took the oath of mayor. "Section 2-54, Public
260 Comments – General. Any citizen of the municipality or guest may speak at a regular meeting on a
261 matter," this is important, "pertaining to municipal services and operations, except personnel matters."
262 From this point on, we will enforce that code. I don't think things that happen outside of council should
263 be brought to council's attention like who did this or that. We've all been here and heard it, so in the

Town Council Regular Meeting
September 13, 2016

264 future, I will not allow that. I ask everybody to please go by the ordinance. I'm supposed to maintain
265 the peace. With that in mind, it's time for public comments.
266

267 Mr. Ray Kawa, 3rd Avenue North. Regarding the franchise fee, I've talked to previous mayors
268 about this. I've been in town for 40 years. Our first cable company was Clearview Cable in the early
269 1970s. Different franchises have taken over that and keep a franchise where no competition can come
270 in. But, they never upgrade the services. Our servers are too small so our internet is slow. We don't get
271 the same service that they do in Deerfield and Caropines, where they have high speed internet. You're
272 paying for 50mg, but the most you get is about 12mg to 20mg on a good day, if the kids are in school.
273 Same things happens with Frontier. When's the last time you saw phone lines being replaced? When it
274 rains there is noise on the lines and services are dropped. When the franchise agreements are written,
275 they should include a requirement that within a year that services and infrastructure should be upgraded.
276 The town should have fiber optics. I still have telephone wires for my internet, which is ridiculous. If the
277 Governor is in charge, then someone should speak with her. Mr. Kawa asked Mr. Stevens if his six foot
278 pipe transferred water from Caropines down 3rd Avenue and runs into Myrtle. Mr. Stevens said Holly
279 Lake and Myrtle Lake. Mr. Kawa said when that water passes through the "past mayor's canal" it fills
280 Myrtle. When it does, our water doesn't flow. We are on the high side of town between Cedar and
281 Cherry. Mr. Kawa proceeded to explain how "all the highway water" runs through town and ends up in
282 his back yard. Two 48 inch pipes were put on Glens Bay Road that will end up pushing water to his
283 street. He floods because there was a 10 x 10 ditch behind his house that was filled in with a 24 inch
284 pipe by a former town employee. From the day that happened, he started complaining about flooding.
285 His house floods any time it rains during high tide. The 24 inch pipe is too small to move the water. I
286 beg you people until you can figure out what to do, dig up the little pipes and put a ditch back in there
287 for me. I'm at \$40,000 worth of damage and it's still coming. Insurance won't cover it, because you
288 people are trespassing according to the agents.
289

290 Mr. Randy Holden, 3rd Avenue North. I want to back up Mr. Kawa's comments. The rain last
291 Friday was more than normal. I have no problem with water that falls on my property, but when it
292 comes from somewhere else, I have to agree with Mr. Kawa, there is a bad problem. Water was knee
293 deep running through our yards. Please do something. I don't know anything about the pipe, there has
294 to be some kind of records to prove what he's saying. Over a foot of water was in my shed. Luckily
295 there was nothing on the floor that got damaged. He's spent a lot of money trying to get something
296 done, so please do something.
297

298 Mr. Bob Benson, 3rd Avenue North. I'm a real estate agent. When we lived in North Carolina, we
299 lost everything when the economy crash. That's okay. I still believe in the free enterprise system. We're
300 from Florida originally, so we're familiar with wetlands, water, hurricanes; so it's not new to us. We
301 made the decision to move here, and ended up buying an older home on 3rd Avenue. We had everything
302 checked; the house was in bad shape, but my wife likes a project. My wife and I have been married 46
303 years. I have never seen her completely lose it until the day that it rained here and the water came up
304 to our porch. Water came up underneath the house where we had taken the house frame to the dirt and
305 started over with 37 new joists and flooring. It's nobody's fault; it just happened. There are six catch
306 basins around our house. Explain to me how you get 12 inches of water in a tropical storm and flood my
307 house. Everybody I talked to said this has never happened before. You are the political people. You
308 make the decision as to whether we are of value. I think you think we are of value, because this is a
309 great, great little town. We are not planning to move; we just need some help, because we don't have
310 anything left. Our house is what we are leaving our children when we die. That's all we have.
311

312 Ms. Sandy Healy, 7th Avenue North. Good afternoon, Mr. Mayor and Council. I just wondered if
313 there are any plans to dredge Lake Elizabeth. I have lived on the lake for five years, and I'm beginning
314 to see it filling up. Maybe you all haven't noticed that. I had to put up a seawall to keep my property
315 from washing away. The water is not flowing out as it should and it's filling in with dirt coming from
316 somewhere. My seawall is 6 foot high, and the water came up to within a foot and half of the top of the

317 wall. Could the council look into this or just come look at the lake and see how bad it's getting. Thank
318 you.
319

320 Ms. Patricia Magliette, Harbor Lights Drive. Good evening. Yes, I love it here. We have
321 previously mentioned that we used to have 5 mils for the stormwater, and now we're down to 2 mils. I
322 guess that means less money on stormwater. What I'm thinking is maybe we need a little bit more
323 money from more people just to help out on all these wonderful stormwater systems. We had a rain
324 event, but when we have rain there are times where our storm drains at Harbor Lights Drive also run
325 slow, and we are probably one of the neighborhoods that are higher up. Water was going next to my
326 patio during the last event, but public works said the drains were just moving slow. I think we need to
327 be able to have our wonderful public works department go around and see how fast or slow drainage is
328 moving, and make sure they are not clogged up. Even when you have a very good plan like we have,
329 you have to make sure the water is flowing the way it should all over town. We love our houses and
330 don't want to see anything float away. Please consider this and whether we need more millage for
331 stormwater. It would be a good idea to put it back since this is a coastal town.
332

333 Mr. Jim Buchanan, Buchanan Construction. I am not a resident of Surfside. We are building two
334 houses on Melody Lane and Lakeside Drive, which was a little bit flooded during our rain event. The
335 ironic thing about this is I had potential clients that own property who want to build a two story house.
336 They were going to build on the ground, but after the rain event, they want to build an elevated two
337 story house. That means there would be three stories nine feet high with your floor trusses and roof
338 pitch. We cannot get the house under your 35 foot rule even with a 6 pitch on it. We would like the
339 council to consider raising the roof height to match Horry and Georgetown counties, which is a 35 foot
340 mean height, which means they take it halfway up the roof line for the calculation. After the rain event,
341 they do not want the house. They want a raised beach house, and I told them we cannot do it. That's
342 why I'm here tonight to bring that to your attention. You cannot build a raised three story beach house
343 outside the rental zone and get it under 35 feet. It's virtually impossible to do. I would like you to
344 consider looking at that ordinance and maybe changing it. Thank you. God bless.
345

346 10. TOWN COUNCIL COMMENTS

347
348 Mayor Childs: I'm going first tonight *(laughter.)* Mr. Kawa, I met you on Friday night. You do
349 have a problem, and the gentleman behind you. I have pictures of your lot. I brought the engineers
350 over there Saturday to show them both of your properties. You do have, I think, one of the worst areas
351 in this town. Hopefully, when we go back to stormwater projects your area will be looked at first. I think
352 you rate at the top of the list. To [Mr. Benson], I've never seen so many drains in one yard in my life as
353 you have in yours, and the water was over the top of those. There is a problem. The engineers are
354 aware of the problem, and we're going to address it as soon as possible. Everybody knows that
355 stormwater systems are very, very expensive. At the last vision workshop we talked about the possibility
356 of creating a stormwater [utility] fee. We are one of the only beach communities that do not have a
357 stormwater [utility] fee. These projects start at hundreds of thousands of dollars. I think the cost to Mr.
358 Kawa's area is about \$250,000. It does have to be addressed. There are serious water problems there.
359 I feel sorry for all three gentlemen. We are going to address this area as soon as we get the funds.
360 There are other issues with stormwater that came up during that same rain. We are about up to [the
361 top] with stormwater problems, but are at [the bottom] with money. We will do this as fast as we can,
362 and hopefully, we will resolve these issues in time.
363

364 Mr. Johnson: Thank you, Mr. Mayor. I agree with your stormwater comments, but first, I would
365 like to welcome our newest councilmember, Councilmember Samples. This is the first time in many,
366 many months that we have had a full council. I look forward to serving with her as I do all the other
367 councilmembers. Getting back to stormwater, we can't control the rain. There's only one person that
368 can control the rain. He is not sitting up here. He might be sitting through us, but he's not sitting up
369 here. We can do what we can, and I pledge that we will do what we can. We're going into a slower

Town Council Regular Meeting
September 13, 2016

370 season now. Hopefully we can get some things alleviated. We can raise taxes; we can raise fees, but
371 there is an issue at times. It may be once a year, but there is still an issue. We thought we had it all
372 under control, except for the 3rd Avenue area, which always seems to be a thorn in somebody's side. My
373 heart goes out to the people that live there, because I was under the assumption that we pretty much
374 had it under control. Until you get an event like we had, we just never know. That's pretty much all that
375 I have, except for the fact that I considered raising height limits and about ten seconds later I said no. I
376 will not raise the height limits in Surfside Beach. I do not agree with that, and I hope my fellow
377 councilmembers agree with my opinion. Thank you. God bless you. See you next time.

378
379 Mr. Pellegrino: Thanks for coming tonight. I'd also like to welcome Ms. Samples to the team.
380 She comes at an interesting point, because we're coming to a very difficult time here financially for the
381 town. We just had to spend a large sum of money for beach renourishment, which is going to start in
382 November, which is good. That's definitely something we need. We talked about several issues tonight:
383 the 3rd Avenue North flooding. The pier issues, we touched on that. We need to get more details on
384 that. We talked about the damage to the swashes. Between beach renourishment and that, we're
385 talking millions of dollars. It's a lot of money. It's not cheap to fix those problems. A lot of you
386 mentioned that we did have 5 mils and it was moved to 2 mils. It can go back to 5 mils, but that 3 mils
387 has to come from somewhere out of some other account, whether we cut some department or
388 somewhere; it has to come from somewhere. We could raise taxes or we could add fees. Obviously, the
389 money has to come from somewhere. We do have real problems, and we try to resolve the problems.
390 This group up here has its work cut out for it, because we've got to figure out how to divvy out the funds
391 as best we can to get the biggest impact. On the height issue, we've had a lot of talk about height in
392 past months. I would say that is one of the two things Surfside has done very well. They maintained the
393 height level so we don't have big hotels and we can maintain that family beach, and we don't have debt.
394 Those are the two positive things and I wouldn't support any type of height increase. Thank you for
395 coming.

396
397 Mr. Courtney: Good evening. Thank you for coming. I'd like to welcome Ms. Samples aboard.
398 Thank you very much for being here with us. I'm very familiar with stormwater. Fortunately, my wife,
399 my kids, and I survived Hurricane Irene. We took four feet of seawater into our house. A year later, we
400 took another six feet of seawater into our house from Hurricane Sandy. I don't care what you call it; the
401 100 year storm, the 1,000 storm, they're always given different names. I read an article by an old
402 professor that wrote that back in the early 1930s they were just called "bad weather." The bottom line
403 is, yes, we have a stormwater problem. We're going to work on it. We're going to work on it very strong
404 and find out where the problems are. We're going to try to correct them. It's going to take a little time.
405 We got flooded in the south. We got flooded in the north. Melody Lane, 14th Avenue, all the way up to
406 the north end. I saw the Mayor out there. Mr. Ott and I were out there in our boots closing down
407 streets and trying to control it. We had 14th Avenue closed off. We had water that was going into
408 people's houses. So, we're very concerned. We had people from Ocean Pines I and Ocean Pines II out
409 there cleaning out storm drains with their hands to get the pine needles and mulch out of them. So, the
410 community did come together and did help. We saw a lot of you out there working hard, helping. So,
411 we are working on this problem. Again, all we can do is try to work on it and make it better; make it
412 work a little bit better. We will try to do the best we can with the water. As far as height, I'm not even
413 touching that, because you know where I stand. I sat on the board of appeals for two years. You know
414 where I stand on that issue. Again, I want to thank you for coming out. God bless you. Have a good
415 night.

416
417 Mr. Ott: Do we want to talk about flooding? I can't sugar coat it because there's problems, and
418 I sat back there [in the audience] for decades and I listened to everybody tell me well, we're good. I've
419 been sitting in this chair for five months. We've got huge problems. Bigger than you want to know.
420 We're going to work on them as a team. We're going to stop staying we're going to put things off. We
421 need to do it. Somehow, we've got to get money to do this. I'm going to listen to everybody's way to
422 get money. It's going to cost a lot of money. We haven't addressed these problems, and we need to

Town Council Regular Meeting
September 13, 2016

423 address these problems. The people down on 14th South, I had my old truck parked across the street,
424 because cars going down were causing a wake that was waving into their living rooms. That's not right.
425 It was just a little storm. Let's call it a little storm, because they come a lot bigger than that. We need
426 to stop looking at it and saying we'll get to it. We need to fix this, and I hope my Mayor and Council is
427 along with me, and I believe they are. I promise you I'll never talk about doing anything pretty in the
428 town until the necessary structure problems are fixed in this town. Thank you for giving us your
429 thoughts. Thank you for coming here. I love hearing what you have to say, because you all say the
430 truth. That's what we're all here to do. We're not going to say, oh, we're good, because we're not.
431 Thank you very much.

432
433 Mr. Stevens: Thank you, Mr. Mayor. Thank everybody for coming out. It was very interesting
434 that 3rd Avenue went from a ten foot ditch to a 24 inch pipe. That doesn't make common sense to me.
435 No common sense, whatsoever, to go from bigger to smaller, and you think you're going to handle the
436 water. I watched Greenwall Construction; they had one six foot pipe and then put another six foot pipe
437 from Surfside Drive all the way to 2nd Avenue North. There's 12 foot of pipe all through town property.
438 Yet, we've got citizens that are being flooded. This hasn't been going on just a little bit; it's been going
439 on for a long time. Ever since I came to this town in 2005, I've been hearing about this. I know you've
440 probably been here a lot longer than I have. We definitely need to look at this. Mayor Childs mentioned
441 a stormwater [utility] fee. Maybe we should take that to the voters. Let them decide. If the voters want
442 it, I don't have any problem with it. Maybe that's the way we need to do it; have a referendum on it.
443 Let you vote for it. Let the people speak. That's totally up to you. As far as Lake Elizabeth, yes, I saw
444 that there's a little island building out there. Last but not least, I know we mentioned about speaking in
445 Town Council public comments. Let me read the First Amendment to the Constitution. The First
446 Amendment guarantees freedom of speech, and not abridging freedom of speech or interfering with the
447 right to peacefully assemble or prohibiting a petition for government to address a grievance. So, as
448 along as citizens peacefully get up here and speak, I don't have any problem with that. There's an old
449 saying, if you can't stand the heat, get out the kitchen. Secondly, the South Carolina Constitution follows
450 up right there. The general assembly shall make no law prohibiting the free exercise or abridging
451 freedom of speech or the press or the right of people to peacefully assemble. I emphasize the word
452 peacefully. I think everybody's been peaceful. And, to petition the government or any department
453 thereof to address a grievance. So, I support freedom of speech, and I support the citizens being able to
454 get up here and speak like Mr. Kawa or anybody else that wants to get up here and speak. I'll stand
455 behind that as long as I live. Thank you for coming out. Y'all have a good evening. Have a good week.

456
457 Ms. Samples: Thank you, Mr. Mayor. I really appreciate your support. I am grateful to be here
458 and to be sitting up here. I'm ready to work. I know it's going to be a very complex and difficult road
459 ahead, but I'm prepared. Mr. Kawa, I think your concerns, your issues, should be a priority for us and I
460 think you've heard from this council this evening that all of us feel that it is. We hope that you will attend
461 the special meeting on Thursday and share with us again your pictures and your concerns and what you
462 have had to experience for many years. I know we've talked about it a lot, and I think it's time we do
463 something. I think even though it's going to be difficult to find out where we're going to get the money,
464 I think it's incumbent upon us to do that. So, I'm hopeful that some sort of resolve will happen sooner
465 than later, and that we won't have to wait for a referendum. Hopefully, we can make some of those
466 decisions to provide you with some relief. Again, thank you all for coming tonight and for those of my
467 friends and supporters who showed up to see me take office tonight, I am so appreciative and will not
468 soon forget. Thank you all so much. Hope you have a lovely evening.

469
470 Mayor Childs: Ms. Samples, before I ask for a motion to adjourn, I, too, would like to join my
471 colleagues in welcoming you to council. I worked with you on the 50th Anniversary celebration. I can
472 assure everybody that Ms. Samples is an excellent worker; a tireless worker. She does a great job, and I
473 expect that she will do the same here on council.

474
475

Town Council Regular Meeting
September 13, 2016

476 **11. ADJOURNMENT.**

477
478 Mr. Johnson moved to adjourn the meeting at 7:45 p.m. Mr. Stevens second. All voted in
479 favor. **MOTION CARRIED.**

480 Prepared and submitted by,

481 _____
482 Debra E. Herrmann, CMC, Town Clerk

483
484 Approved: September 27, 2016

485 _____
486 Robert F. Childs, III, Mayor

487
488 _____
489 Ron Ott, Mayor Pro Tempore

490 _____
491 Timothy T. Courtney, Town Council

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493 _____
494 Mark L. Johnson, Town Council

495 _____
496 David L. Pellegrino, Town Council

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498 _____
499 Julie Samples, Town Council

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501 Randle M. Stevens, Town Council

502 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,
503 and not intended to be a complete transcript. Appointments to hear recordings may be made with the
504 town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance
505 with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local media and
interested parties via the town's email subscription list. The agenda was posted on the entry door at
Town Council Chambers. Meeting notice was also posted on the town website at www.surfsidebeach.org
and the marquee.