



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES  
EXECUTIVE SESSION NOVEMBER 22, 2016 ♦ 5:30 P.M.  
REGULAR MEETING NOVEMBER 22, 2016 ♦ 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, November 22, 2016 for the purpose of entering executive session pursuant to FOIA §30-4-70(a)(2) to discuss a proposed contract for real property; the town administrator's contract, and to discuss a pending, threatened, or potential claim or other matters covered by the attorney-client privilege. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Johnson, Samples, and Stevens were in attendance. Councilmember Pellegrino was absent. A quorum was present. Mr. Johnson moved to enter executive session at 5:30 p.m. Mr. Courtney second. All voted in favor. **MOTION CARRIED.** Mayor Childs explained that the discussions for executive session were not completed and said that no action was taken in executive session. Mayor Childs recessed executive session at 6:25 p.m. until the end of the business meeting.

**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, Samples, and Stevens were in attendance. Councilmember Pellegrino was absent. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Otte; Planning Building & Zoning Director Morris; Police Chief Keziah; Public Works Director Adair, and Events Supervisor Ellis.

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

A. Invocation: Reverend Benji Simmons from Gathering Community Church gave the invocation.

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

**3. AGENDA APPROVAL.**

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

**4. MINUTES APPROVAL. A. Workshop November 4, 2016, and B. Regular Meeting November 7, 2016.**

Mr. Stevens moved to adopt the November 4, 2016 workshop minutes and November 7, 2016 regular meeting minutes as presented. Mr. Johnson second. All voted in favor. **MOTION CARRIED**

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

Ms. Holly Watson, Oak Drive North (*papers were distributed to councilmembers prior to the beginning of Ms. Watson's comments*): I want to talk tonight about the administrator's report, specifically item number three. Last council meeting I asked why the 3<sup>rd</sup> Avenue swash bid was awarded for \$79,995 and ended up costing \$189,651. The response from Ms. Fellner, our administrator, stated

54 that the Tim's Construction was awarded \$79,995. The construction cost for the project ended up 37-  
55 percent higher at \$109,310. Engineering was \$19,000 and the entire project came in at \$21,000 under  
56 the budget. So, the entire cost was \$109,000. But, I went to find out where I, to recall my memory,  
57 where I got the \$189,000 number from. It was from November 10, 2014 Town of Surfside Beach letter  
58 that was written and signed by Ms. Fellner and on page vii, which is seven, if you'll see the highlighted  
59 idea [sic] down here. This year the 3<sup>rd</sup> Avenue channel project was completed at a cost of \$190,000, and  
60 then it mentions it again on page 9. The only project that was completed was the 3<sup>rd</sup> Avenue South and  
61 then on page 11 is Ms. Fellner's signature along with Diana King. On page 10 it says bank stabilization  
62 and drainage project total \$189,651. Those are where I got my numbers from; straight off of her report  
63 attached to the financial statements for the year 2014. I don't make this up. I try and have all my  
64 information together when I approach anybody about anything. I still don't understand why the project  
65 was 37-percent over the bid award. And, why if she now says it only cost \$109,000, where is the  
66 difference between the \$184,000 [sic], and now it's up here as a \$109,000. I'm very confused about  
67 what's going on. Thank you.

68  
69 **6. COMMUNICATIONS**

70  
71 **A. Proclamation #16-111 Arbor Day, December 7, 2016, Director Adair.**

72  
73 Mr. Adair thanked Mayor Childs for issuing the proclamation, a copy of which is on file, declaring  
74 December 7<sup>th</sup> as Arbor Day in the Town of Surfside Beach. He explained that the proclamation along  
75 with budgeting \$2 per capita, and having a designated grounds crew were components of the Tree City,  
76 USA requirements.

77  
78 **B. Department Reports.**

79  
80 **i. Events.**

81  
82 Supervisor Ellis presented the written report, a copy of which is attached hereto.

83  
84 Ms. Samples referred to the Living History Day budget, and asked where the event revenue of  
85 \$1,697.96 would be set aside and if it would be designated for something. Ms. King said it would be put  
86 in the general fund.

87  
88 Mr. Ott believed those funds should be reserved for the next Living History Day, which they  
89 expect to do next year. If we are going to hold it, that is good, too. The committee said it would not be  
90 back for additional funding. Ms. Ellis said that revenue is what kept expenditures under \$5,000.

91  
92 Ms. Samples asked do we know they are not going to ask for any more funding for next year.  
93 Ms. Ellis that is what the society originally said. She had not heard anything.

94  
95 Mr. Courtney asked if there was a contract on this event. Ms. Ellis said no. Mr. Courtney asked if  
96 the profit was returned to the town. Ms. Ellis said yes.

97  
98 **ii. Finance.**

99  
100 Director King presented the written report, a copy of which is attached hereto.

101  
102 Ms. Samples asked into which fund the Lanier Parking revenue was deposited. Ms. King said the  
103 revenue from the pier parking lot goes into the pier fund; the remainder goes into the general fund. Ms.  
104 Samples asked if any money was put into a land fund. Ms. King explained that those monies are  
105 transferred at the end of the year. The land fund is part of the general fund. Ms. Samples asked if the  
106 town was expecting \$100,000 in grant funds for 3<sup>rd</sup> Avenue. Ms. Fellner said we hoped the town would

107 get more, but \$100,000 was all that was available. Ms. Samples asked if Town Council would be involved  
108 in the street scape and design plan, before proceeding. Ms. Fellner said absolutely. Ms. Samples said  
109 good; none of that grant money would be spent until Town Council has talked about what will happen at  
110 3<sup>rd</sup> Avenue. Ms. Fellner said yes. Ms. Samples believed no work should be tasked for the restaurant  
111 expansion at the pier for which \$45,000 for engineering expenses was budgeted. Since the pier was  
112 damaged during Hurricane Matthew, we do not know what is going to happen with the pier. Ms. Fellner  
113 said she was exactly correct. Ms. Samples said excellent. Nothing will be done regarding restaurant  
114 expansion or the \$45,000 until council has had an opportunity to discuss the pier again. Ms. Fellner said  
115 to ensure that project did not move forward, she told the restaurant owners that the town would not  
116 even issue a permit for construction at this point.  
117

118 Mr. Courtney referred to the June 17<sup>th</sup> budget meeting during which the council approved raising  
119 base pay for the town's police officers. He asked if that had been implemented. Ms. King said base pay  
120 was increased for officers on the lower scales. Mr. Courtney asked if the increase was based on a  
121 percentage, or for an explanation of how the salaries were up to parity. Ms. King did not recall the exact  
122 calculations as the former human resources person worked on it with her. She would provide the salary  
123 base pay to Mr. Courtney.  
124

125 Ms. Samples wanted information to be brought to Town Council about why the salaries in  
126 September were so high. Ms. King explained that in September and October of every other year, one  
127 month is a three times pay month, and the other is a two times pay month. Staff is paid every other  
128 week, and twice a year there are months with three pay periods.  
129

130 **iii. Fire.**

131 Chief Otte presented the written report, a copy of which is attached hereto.  
132  
133

134 Mr. Courtney asked if the National Incident Management System (NIMS) was activated during  
135 Hurricane Matthew. Chief Otte said the system was used on the fire department level. The emergency  
136 operation center (EOC) was opened, and it was required. Mr. Courtney asked if logistics and finance  
137 were included. Chief Otte said right; actually we did it on a limited basis because when the EOC was  
138 opened, there was not going to be any financial need. The EOC included administration, police, fire, and  
139 public works. Mr. Courtney asked for clarification between mutual aid and automatic aid. Chief Otte said  
140 that mutual aid is when other departments are asked to come into the town to help; automatic aid is  
141 when other departments respond without being asked to help. Mr. Courtney asked for the number of  
142 calls made outside the town. Chief Otte said since January 2016 to date, the department responded to  
143 616 calls outside the town for auto aid or mutual aid. The Horry County IT department was contacted  
144 recently to determine whether the call types could be separated. Mr. Mike Hodge is working on that  
145 information. Year to date, the town has received 772 calls for aid, so the town is receiving more  
146 assistance than it gives.  
147

148 Mr. Johnson asked if the 772 calls were mutual or automatic aid. Chief Otte said it was a  
149 combination of both.  
150

151 **iv. Planning, Building & Zoning.**

152 Director Morris presented the written report, a copy of which is attached hereto.  
153  
154

155 Ms. Samples asked if all town buildings and structures were monitored and inspected to ensure  
156 they are completely up to code. Ms. Morris said that would be handled by the public works department.  
157 The planning, building, and zoning department only responds to specific requests from another  
158 department.  
159

160 Mr. Courtney knew there were people still taking down trees from the storm. He asked how  
161 those requests were being handled. Ms. Morris said when the trees are damaged from the storm, staff  
162 will inspect the tree, take a photograph to document the damage, and no fee is charged for the removal.  
163 The contractors are notified that they must haul off any trees they cut.

164  
165 **v. Police.**  
166

167 Chief Keziah presented the written report, a copy of which is attached hereto. Chief Keziah  
168 corrected the "34% decrease" in calls to a "34% *increase*" in calls, which was due to Hurricane Matthew.  
169 The department is participating in "No Shave November." The monies raised will be donated to the Anti-  
170 Bullying Campaign in memory of Patrick Kohlmann (former Councilmember Beth Kohlmann's son.)  
171 Sergeant Canfora, Patrolman James, Patrolman Hans, and Patrolman Decker each received the Medal of  
172 Valor Award from the South Carolina Officers Association for their efforts in the two life-saving incidents  
173 this past July. The vehicle that was swamped at the beach was delivered to the town today. It was  
174 salvageable at a cost of about \$3,500 that will be paid by the current police department budget. This  
175 past Saturday, Chief Keziah and Lieutenant Hofmann participated with the Myrtle Beach Police  
176 Department to sponsor a kid's event at The Market Common. They cooked over 1,000 hot dogs that day.  
177

178 Ms. Samples referred to the recent meeting at the civic center to discuss the heroine epidemic in  
179 our area, and asked how the town participated. Chief Keziah explained that it was held by SOBA (Saving  
180 Opiate Burdened Addicts), which is a private, for profit, rehabilitation company. SOBA rented the civic  
181 center, because the local church where the meeting was originally planned fell through. There was no  
182 participation by the town other than renting the civic center for the meeting. SOBA invited local law  
183 enforcement to attend. The meeting was to inform attendees of its services and programs. His  
184 department and other area departments are working to identify agencies that can offer help, and to  
185 develop heroine protocol, which will be presented to the Chief's Association in December. Ms. Samples  
186 said it would be beneficial to council to know when meetings like this are occurring so they would be  
187 informed to answer constituents' inquiries.  
188

189 Mr. Courtney asked Chief Keziah how many hot dogs he ate! (*Laughter.*) Chief Keziah said he  
190 ate everyone they dropped. (*Laughter.*) Mr. Courtney asked for an explanation of the foot patrol. Chief  
191 Keziah said officers are walking the boulevard and other areas at night to increase their visibility, and to  
192 check doors. Mr. Courtney thought it was very good that that was being done. The department has  
193 written many summonses for speeding; and also many warnings. He hoped everybody would slow down  
194 a little bit. He asked if practice with vehicles on the beach was being done; he thought the town was  
195 starting a marine unit. Chief Keziah said that was already addressed. When the vehicle got stuck, the  
196 tide was out; but the tide came in before it could be removed from the beach. Chief Keziah facetiously  
197 said, "Fortunately, somebody had a camera and a Facebook page." Mr. Courtney said accidents happen,  
198 so it's acceptable. Chief Keziah said he was asked if he tried to hide the incident; his response was it's on  
199 Facebook! I would be the worst 'hider' out there. Mr. Courtney said you cannot hide a black and white  
200 in the ocean. (*Laughter!*)  
201

202 **vi. Public Works.**  
203

204 Director Adair presented the written report, a copy of which is attached hereto. Yesterday the  
205 department finished hauling the vegetative debris created by Hurricane Matthew to the Horry County  
206 grinding site. The total weight was 1,839 tons or 3,679,480 pounds. That is about three times the  
207 volume from the 2014 ice storm.  
208

209 Ms. Samples said the report was great, and she appreciated the graph. She asked if the town  
210 buildings and structures to ensure they are up to code. Mr. Adair said the fire marshal checks monthly  
211 for fire related issues. The public works department makes repairs, and responds to complaints. His  
212 staff does not know the building codes. Ms. Samples asked if inspections were made. Mr. Adair said no.

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213 His department performed maintenance. Ms. Samples said any code violations or problems would be  
214 addressed if they were reported. Mr. Adair said yes. Minor repairs are done by staff. When there are  
215 electrical or other major issues, professionals are hired. Ms. Samples if anyone was concerned that some  
216 of the town's buildings might not be up to code, because ultimately, the town was liable. Mr. Adair said it  
217 was absolutely concerning. If there was something specific, he would like to know. Ms. Samples said  
218 nothing specific; she was curious about inspections. Mr. Adair said when the mold removal was repaired  
219 in chambers, electrical problems were identified. Those problems were repaired during the remodel  
220 project. However, staff does not routinely look for that type problem. Ms. Samples said there is no  
221 standard practice to inspect the buildings and structures. Mr. Adair said no, not in the way she  
222 described.

223  
224 Ms. Samples commented that the public works staff did an incredible job with storm debris  
225 removal. However, she had a complaint about the ordinance in place. Ms. Samples said there were  
226 many areas where debris remains because we believe contractors created the debris. A particular lady's  
227 family helped her stack debris roadside, but a contractor also helped with removing a tree that was  
228 blocking the front door at her house. Now, because the contractor was seen in her yard, no debris is  
229 being removed. She believed that for storm related debris there should be an exception to allow storm  
230 debris to be hauled off regardless of whether a contractor was involved.

231  
232 Mayor Childs had asked the administrator if this could be addressed. Provisions were made for  
233 future storms, but that does not help with this event. In regards to Hurricane Matthew, he suggested to  
234 Ms. Fellner that the town haul the debris left by contractors and charge the residents actual cost. Ms.  
235 Fellner said a cost could be determined, but the code prohibits the town from hauling debris created by a  
236 contractor. She said Ms. Samples is exactly correct, staff must enforce the ordinance at all times.  
237 Council would need to make the determination and give staff explicit directions.

238  
239 Mr. Courtney personally believed that this had been going on for years. It was not fair to the  
240 residents that live here, especially the older residents, that don't know any better to dump debris on the  
241 vacant lots like many other do. The bottom line is all this debris is laying around town, and we are at a  
242 standoff for residents as to whether or not they are going to pick up the debris. In his opinion, due to  
243 circumstances, it should have already been picked up. He understands that staff is following directions,  
244 but this mess needs to be picked up. Waiting it out is foolish. There is debris on both ends of town, and  
245 people continue to drop debris on the vacant lots. Council needs to vote on this.

246  
247  
248 Mr. Stevens said simple common sense should rule. The town had an emergency; a resident did  
249 not follow the rules. But, I think it is a shame to penalize a taxpayer, because they did not know or  
250 follow the rules during a major hurricane emergency. In his opinion, the trash should be picked up, and  
251 the matter forgotten about. A mistake was made; so what? It's time to pick that trash up.

252  
253 Mr. Ott thought all the fools like myself paid the contractors to take it away. The next storm we  
254 don't do it. How about that then. We let Mr. Adair pick it all up. There is no compromise here. You got  
255 caught. There's an ordinance in place.

256  
257 Mr. Adair said to put things in perspective, there were several thousand buildings in town. I told  
258 about six people that actively had contractors on their property that were easily identifiable as  
259 contractors that they needed to haul their own debris away. Business licenses were checked for each  
260 contractor; some did have a town license, some did not. I understand the need to change things a little  
261 bit, if that is the desire of council. However, the problem is not as wide-spread as it seems.

262  
263 Ms. Samples said that was the sad thing; there were only six people out there that don't have  
264 their debris picked up. She asked Ms. Fellner if council agreed, could a resolution to make an exception

265 for Hurricane Matthew debris removal be approved by Town Council. Ms. Fellner said yes. In the future,  
266 there will be a policy to address this matter.  
267

268 Mr. Courtney believed we learned from this event. In the future if a contractor is identified that  
269 is licensed and does not remove the debris, the contractor should be liable. Mr. Adair said this problem  
270 presents throughout the year with various contractors, which is why the ordinance exists. The town does  
271 not have the ability to haul away construction debris for all contractors.  
272

273 Ms. Samples agreed 100-percent that contractors should haul away their debris. That did not  
274 need to change, except during emergency events when circumstances are obviously different. I think we  
275 need to give somebody the authority to make that change.  
276

277 Mr. Johnson said this is a semi-slippery slope, simply because if we do a resolution due to the  
278 Hurricane Matthew debris, my concern would be the fact that contractors go in now to place debris  
279 roadside and expect the town to pick it up. Is there any way to identify the six or seven addresses to be  
280 included in the resolution? Mr. Adair said some of those have already hauled away their debris, but the  
281 remaining addresses would be provided.  
282

283 Mr. Courtney thought a sweep of the town should be done to pick up any remaining debris.  
284 Many of the vacant lots have debris on them. There was a truck load of stuff on one lot that wasn't from  
285 a homeowner or a resident; it was definitely from a contractor. He asked how this could be policed. Mr.  
286 Adair said you can't unless you happen to see it happening. We just have to pick it up. Mr. Courtney  
287 said the bottom line is we just pick up the debris left from Hurricane Matthew and be done with it.  
288

289 After additional discussion, Town Council **CONCURRED** to bring a resolution to allow an  
290 exception to allow staff to pick up debris created by Hurricane Matthew. Mr. Adair was asked to get a list  
291 of the addresses involved.  
292

293 Mr. Ott said he had never seen a comment on examination of the pier, or anything done to pier,  
294 in the public works reports other than nail-pops and things like that. We just asked the building director,  
295 but she doesn't go there and doesn't look at the electrical, or plumbing; who does? It belongs to this  
296 town. Do you do perform regular examinations of that area? Mr. Adair said the pier was inspected for  
297 damages, some of which are from vandalism, periodically. An inspection was done in September after  
298 the tropical storm that came through. A structural engineer and a licensed electrician inspected their  
299 components. Both made reports. Mr. Ott had one area that needed to be checked again. Mr. Adair  
300 asked him to let him know where.  
301

### 302 **C. Administrator's Report.**

303 Ms. Fellner presented the written report, a copy of which is attached hereto. She added the  
304 following comments during the report:  
305

306 1.A. The employee Blue Cross/Blue Shield insurance premiums may realize some savings  
307 because the Affordable Care Act is going down this year.  
308

309 1.B. The funding for the Google Analytics and the marketing agent, Ms. Becky Large, is through  
310 accommodations tax. A total of \$6,000 was funded for Ms. Large for the entire year.  
311

312 3.A. The \$189,651 amount is a combined total for drainage projects. It was not just for the 3<sup>rd</sup>  
313 Avenue South swash project. The fixed asset numbers were verified from the entire report, which  
314 comprise the \$189,651 amount and were separated the swash project to ensure the totals were correct.  
315  
316

317 Mr. Johnson asked for a brief update on beach renourishment. Ms. Fellner said as reported  
318 during previous meetings, the bid process failed. She is being told that the project is stalled in the Army  
319 Corp of Engineer's office. The Corp is trying to negotiate with the bidders and have not been successful  
320 at this point. Reach 1 and Reach 2 were trying to get funded, so the Corp may be trying to leverage this  
321 to combine the projects. That is where we are right now. This is out of our hands. The State has not  
322 returned to us the amount of funding that we are due, \$672,000. She believed Town Council would be  
323 actively speaking with the Horry County Delegation about getting that money returned to the town. Mr.  
324 Johnson said several people told him there was some activity on the beaches in Garden City Beach. Ms.  
325 Fellner said there was one place that is a separate, special district area that is funded in a different way.  
326 It is not coming out of the Reach 3 funds, but she did not have details of the project.  
327

328 Mr. Ott said the increase in 2014-2015 is being blamed on extra paving. It is in your capital  
329 projects budget. I just want to say that. An increase for four years of almost \$1.3 million is nothing to  
330 shake a stick at. This town never had that before. That's increases over your administration. Ms. Fellner  
331 said no paving was done by previous administrations. Paving only started in the last three years. We've  
332 done a lot of it. Mr. Ott said asked again if the projects in the capital projects budget. It went over the  
333 budget. Ms. Fellner said the paving costs will still show as an expenditure, even though the funds are  
334 budgeted, the cost is shown as an expenditure. Mr. Ott said we're up to \$1.3 million, and asked if that  
335 was all paving, too, over the four years. That is a lot of paving. Ms. Fellner said there were different  
336 projects. Mr. Ott said we never had increases like that before. Ms. Fellner said when former  
337 administrator Booth was here he would just asked for a budget amendment for \$2 million. Mr. Ott said  
338 they would discuss this later. Ms. Fellner said the capital project expenditures included underground  
339 wiring, stormwater, streetscape, Poplar Park, sewer, body cameras, the paving, and the increase in staff  
340 that includes the GIS employee and the code enforcement officer.  
341

342 Mr. Courtney asked if there was any reason to believe that the town would not receive the beach  
343 renourishment monies from the State. Ms. Fellner said no, this was funded, and the monies should be  
344 paid. Mr. Justin Powell from Horry County said he is calling the State every single day. We need help at  
345 the Delegation level. She believed the town would receive the money, because the State agreed to fund  
346 Reach 3. Mr. Courtney said the only way to get the money was through political pressure. Ms. Fellner  
347 said it would be paid sooner if the Delegation was involved, and that was important. Mr. Courtney asked  
348 if the damage costs for Hurricane Matthew had been finalized. Ms. Fellner said they are pretty close to  
349 finishing. She thought the first meeting is this coming Monday. Mr. Adair has almost all of the  
350 documentation, and will bring the totals to council very soon. Mr. Courtney said the reason I brought it  
351 to your attention is because I asked the fire chief about NIMS. As he knows, when incident command is  
352 open, logistics and finance are set up. Those numbers should have been in immediately right after the  
353 storm. So, we're still waiting to see how much the town lost from storm damage. Ms. Fellner said I  
354 understand.  
355

## 356 7. BUSINESS

### 357 358 A. First Reading Ordinance #16-0836 to amend FY2015-2016 Municipal Budget – 359 Depreciation Expense, Director King.

360 Mr. Johnson moved to adopt first reading of Ordinance #16-0836 as presented. Ms. Samples  
362 second.  
363

364 Ms. King presented the decision paper and ordinance, copies of which are on file. She explained  
365 that depreciation is a non-cash expenditure that requires Town Council approval so the town will not be  
366 in violation of the accounting rules or the town's budget rules.  
367

368 Mr. Stevens asked what type depreciation schedule the town used. Ms. King said each piece of  
369 equipment or building has a different life span; the straight line method is used according to the

370 categories. At the end of the 2015-2016 fiscal year, the sanitation fund purchased three trucks. When  
371 the budget was prepared in May staff did not anticipate the additional depreciation expense. No trucks  
372 have been purchased during this fiscal year.  
373

374 Mr. Courtney asked if the police department base pay was raised or not. He was still unclear  
375 about that. Ms. King said the base pay was increased in this budget. There is a new salary chart for  
376 police. Mr. Courtney asked if the new chart includes the 3-percent. Ms. King said it was mixed in; if the  
377 position's pay was below the line, the position was raised to the base line. The positions were adjusted  
378 to bring them to scale. Mr. Courtney asked for a written explanation so he can understand it more  
379 clearly. Ms. King said she would be happy to send the pay scale to him.  
380

381 Mr. Johnson called *point of order* saying this discussion is about Ordinance #16-0836, not  
382 salaries.  
383

384 All voted in favor. **MOTION CARRIED.**  
385

386 **B. Resolution #16-175 to accept the SCDOT US Highway 17 Business**  
387 **Municipal Agreement, Administrator Fellner.**  
388

389 Mr. Johnson moved to adopt Resolution #16-175 to accept the South Carolina Department of  
390 Transportation US Highway 17 Business Municipal Agreement. Ms. Samples second.  
391

392 Ms. Fellner presented the decision paper and resolution, copies of which are on file. This  
393 agreement is for the upgrading of Highway US 17 Business, which is at no cost to the town. In order for  
394 the town to participate in the project, Town Council must approve the resolution/agreement that gives  
395 SCDOT authority to work on the road within the town's corporate limits.  
396

397 Mr. Stevens asked if this was a formality for the projected improvements shown on the photos  
398 displayed in chambers. Ms. Fellner said yes, it is.  
399

400 Mr. Ott said there is still a concern with citizens about a traffic light being placed on 11<sup>th</sup> Avenue  
401 North rather than 10<sup>th</sup> Avenue North, which is a wider road with homes on only one side. 11<sup>th</sup> Avenue  
402 North is a narrow road with residential homes on both sides. He asked what SCDOT's response was to  
403 the suggestion. Ms. Fellner said SCDOT had both its engineers and the engineering company Stantec  
404 that did the design work review that suggestion. The response is that SCDOT is in favor of moving  
405 forward with a light at 11<sup>th</sup> Avenue North.  
406

407 Mayor Childs, and Councilmembers Courtney, Johnson, Samples and Stevens voted in favor.  
408 Mayor Pro Tempore Ott voted against. Mr. Ott explained that his objection to the resolution and  
409 agreement was for the reasons already stated. **MOTION CARRIED.**  
410

411 **C. Motions and/or Directions to Town Administrator from Executive Session.**  
412

413 There were no motions or directions to the town administrator.  
414

415 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.  
416

417 Mr. Courtney asked Ms. Fellner to schedule another organizational meeting.  
418

419 Ms. Samples asked who served on that subcommittee. Mayor Childs said he, Mr. Courtney and  
420 Mr. Pellegrino.  
421  
422



423 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)  
424

425 Ms. Wanda Burgess, 15<sup>th</sup> Avenue South: Happy Thanksgiving to everybody. Several years ago I  
426 brought before Town Council, before [Hurricane] Matthew graciously blessed us with his presence that  
427 eventually the pier would come down. Thank you, Matthew, for helping us along with that. I think some  
428 of you might remember that I said at the time that when we had storm damage from it would be an  
429 opportunity for the town to take a look at building something that would not only grow the tourists  
430 industry, but also include the residents here. We can actually make a lot of money, if the people holding  
431 the workshops and Town Council would take a look at various piers in other areas and compare them to  
432 what we have here. To me, personally, the pier is of no use to me. I don't fish; I want my fish on a  
433 plate. If it had bands like they do in Garden City on Friday and Saturday nights, yes, I'm there. I'd even  
434 buy a drink. It's something that this town could not only grow our tourist industry, but also the residents  
435 here could enjoy it a lot more, if we would take a look at more diversification of the new [pier] other than  
436 just throwing a line in the water and hoping something bites. I believe we pick up electronic waste and  
437 hazardous waste twice a year. Mr. Adair said that was correct, in the spring and the fall. Ms. Burgess: I  
438 don't know about anybody in this room, but I don't schedule when I'm going to get a new computer  
439 based on when the city picks up electronic waste. I don't schedule when my printer is going to die; nor  
440 do I paint my house based on the collection dates. Why can't the city have a dumpster for those things  
441 somewhere here on town property for the convenience of the residents in town? That would eliminate  
442 Mr. Adair's people having to haul it away when people set out things all year. We would just have a  
443 place to take it. Enjoy Turkey-Day. The average person consumes 4,000 calories that day, and it takes  
444 eight hours to work it off according to Good Morning America Monday morning. Happy Thanksgiving!  
445 *(Laughter.)*  
446

447 Ms. Holly Watson, Oak Drive North: I found it interesting the comments again about the swash  
448 on 3<sup>rd</sup> Avenue South. It looks like we're going to beat that swash to death before this is all over with.  
449 What was interesting was that council was only aware in the May 27<sup>th</sup>, 2014 according to the  
450 administrator's response here that they were only going to spend \$109,000 or at most \$135,000 or so.  
451 Again, I get the \$189,000 total cost right out of the administrator's signed report along with Diana King,  
452 our finance director who stipulated three different times that that was the only swash improvement or  
453 stormwater improvement that was made. Then it was a line items listed at \$189, 651. But, council did  
454 not know the true cost of that project, because according to her response, as well, council only knew of  
455 \$109,000 or at the most, \$135,000. What's happening here is that council was not able to make  
456 decisions because you are unaware of additional costs that are going into these things. I see when  
457 you're asking over and over and over again for contracts that you're not executing contracts, either. I  
458 feel like what's happening, and the reason that our budget is running away like it is, is because if it's a  
459 budgeted item at all, it seems like it doesn't really matter to anyone who has anything involved with the  
460 money of this town that's under budget, over budget, or where it is. It's not their money; they don't  
461 care, it appears. At any rate, I'm going to give you some statistics once and for all. Since the  
462 administrator agrees that in 2011 our budget was \$5,254,000; we agree on that. The 2017 budget is  
463 \$7,837,870. That's a 49-percent increase in six years. Now, I know a lot of you aren't worried about the  
464 money situation in this town, but I am. We don't have a pier, which means we don't have any fishing  
465 revenue coming in, which means we won't have any admissions to the pier, because there is no pier  
466 there. Nobody has told me how much it is going to cost to take that pier down, the rest of it. Or, how  
467 much it's going to cost to put safety barricades around the end of the pier where pylons are still under  
468 water, which is dangerous for jet skiers, boaters, and surfers. The town is liable for all that. I haven't  
469 heard anything now about the pier and how we're going to salvage that. We are four months already  
470 into this budget year. I have not heard any suggestions about how to cut cost. Our revenue is going to  
471 go straight down. We don't have an attraction any longer. Our attraction is only the beach, and we have  
472 to look at this eyesore for what I anticipate is going to be another two years. I'm asking you, please, to  
473 let's have at least a 10-percent across the board cut. Just mentioning an item to council, like the  
474 insurance is going to go up anywhere from three to whatever percent, and I'm going to have a meeting  
475 with them, you did not give permission for that increase to go into effect. You have not voted on it. You

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476 have not made a decision. Nothing has been said about that. But this seems to be the case over and  
477 over and over again. That's why we've grown the budget \$2 million in six years. I want to see as a  
478 taxpayer, please, an across the board cut on expenses. Not salary; expenses. I would like to have a  
479 hiring freeze, by the way. But, expenses, because we don't have a cushion any longer. We used to have  
480 \$5 or \$6 million in the bank. We don't have that any longer. As far as your capital improvements, they  
481 are not coming in at budget. You are not voting on the different, and you haven't; by the time you get it  
482 you hear well the numbers are going to change. We're not on a cash system. We are on an accrual  
483 basis accounting system in this town. Cash numbers should never change. Once the cash is in the bank,  
484 it's cash. It's in the bank, that's it. We're on an accrual system where you accrue depreciation and other  
485 things. I would like for you to have another budget meeting, because the other one was a joke. There  
486 was no paperwork, no nothing. *(Time ended.)* Thank you very much.  
487

488 Mr. Alan Beck, 10<sup>th</sup> Avenue North: I wanted to commend the council for having the separate  
489 workshop on the tree ordinance, which I attended. I know a lot of people did; the place was pretty full.  
490 I'm glad that we're going to take a look at that and try to make some improvements. I wasn't going to  
491 say anything more tonight, but when I heard Ms. Samples talk about possibly giving an emergency  
492 change to take care of this trash pickup, I stopped to think what about everybody in Surfside that might  
493 have a wilting dandelion in their yard. Our ordinance that was passed without people reading it requires  
494 us to have everything in our yard disease free; all grass, all shrubs, all trees. The penalty if it's not  
495 disease free is \$500 a day fine shall be put on by the code enforcement people. It may solve the money  
496 problem, but it'll sure make a lot of people in town unhappy; anybody's that got a wilting weed. The  
497 problem I think was a lot of people wanted to make a good tree ordinance, and then they added in all  
498 this landscaping stuff that defined all your shrubs, and all your grass, and anything green on your yard as  
499 part of it, and then said if any of it's diseased, you're liable to be arrested by the town and fined \$500 a  
500 day for any diseased thing. I guess Spanish moss in the tree, \$500 a day; \$180-some thousand dollars a  
501 year fine if you've got some Spanish moss up in your tree. Take your emergency ordinance and change  
502 those few words that says code enforcement shall make this penalty every time. Get that out of there.  
503 Take out the \$500 a day on the citizens. Take the grass and shrubs out of the tree ordinance. You  
504 might also consider the bit in the ordinance that says the town can plant anything they want along  
505 anybody's front yard as long as it's on the edge of the public property. They could go put a hedge of  
506 poison ivy, Kudzu, anything the town wanted, if they wanted to be vindictive on somebody. We've given  
507 too much power and responsibility to our code enforcement people and to our town administrator from  
508 the council that didn't carefully read the tree ordinance when it got passed. I'm sure nobody intended  
509 that all to be done. If you're going to rescind some of it, take a look at those few words you can take;  
510 otherwise, the ordinance requires code enforcement to go fine everybody \$500 if they've got a diseased  
511 piece of grass in their yard. You didn't intend something stupid.  
512

513 Ms. Kathy Goddard, 15<sup>th</sup> Avenue South: I was reading a few notes on the meetings that you've  
514 been at. I was interested in [the comments about] cutting the police and the fire department. My  
515 husband is very ill. He's been ill for five years. I've had the fire department at my house in the worst of  
516 times. This fire department. I can tell you, if it wasn't for this fire department, I don't know where I'd be  
517 right now. The police department officers were there to help me. Most of the citizens in this town are  
518 older and elderly. I would hate to see our safety, number one with crime on the rise, and the drug  
519 addictions that are all around us, that our police and fire and rescue help. We have a healthy need for  
520 them. Thank you.  
521

522 Mr. Stan Wrobel, 3<sup>rd</sup> Avenue South: I can identify one of the six piles for you. It's across from  
523 my house on 3<sup>rd</sup> Avenue South and Cedar Drive South. Now, you're down to five to go and find. This  
524 pile is essentially hurricane waste. But, there's also some community dumping that goes on. It's not an  
525 abandoned lot; it's an unoccupied house. People take it upon themselves to just dump their stuff there.  
526 Heaven forbid that it be in front of my property. Recently there was a pile of destruction debris dropped  
527 off there. We don't know where it came from. I contact Director Adair. The construction debris was  
528 removed today. But the vegetation, most of which is from the hurricane, is pretty close to a storm drain.

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529 It's probably the size of four parked cars about eight feet high. It is on town property. It's on the right-  
530 of-way. It's an eyesore. If traffic is backed up on Surfside Drive, 3<sup>rd</sup> Avenue South is, I guess, a  
531 secondary gateway to get to the beach. It's a public eyesore. We need to have some pride and get it  
532 cleaned up. It's common sense; get rid of it. It's from the hurricane. I just need your help with that.  
533 Thank you.

534  
535 Mr. Tom Dodge, 15<sup>th</sup> Avenue North: At the last meeting, Ms. Fellner said the 4<sup>th</sup> Avenue swash  
536 was not bid on, because it was an emergency. At this minute, all material has been there for over a  
537 month, but the contractor does not seem to be in much of a hurry to do the job. I haven't seen him  
538 there since last Wednesday. Perhaps Ms. Fellner should have told him it was an emergency. Rumor has  
539 it that someone on council wants to make changes in the fire and police department and possibly get rid  
540 of the ambulance. Please do not change what we have. We need that ambulance right where it is. This  
541 town's citizens for a large part are elderly, like me. If our ambulance had to come in from Scipio Lane, it  
542 would add ten to 15 minutes more in time. Don't take away the quick response that we have now. The  
543 other burr under my saddle blanket is please tell the town's taxpayers what the truth is about the missing  
544 money. True or false? These are simple answers, folks. Is or was SLED (South Carolina Law  
545 Enforcement Division) investigating? True or false? How much money was taken? A little or a lot?  
546 Please just tell us something. Thank you.

547  
548 **10. TOWN COUNCIL COMMENTS**

549  
550 Mr. Ott: Thank you, Mr. Mayor. I'd like everybody to enjoy their Thanksgiving. Don't worry  
551 about what was going on here or there. Just enjoy your Thanksgiving. Thank you.

552  
553 Mr. Courtney: Yes, I'd like to thank everybody for coming out. I wish you happy holidays. Let  
554 me make something really clear, I don't think there's anybody on this council, or I'm definitely not,  
555 getting rid of our police or fire [departments.] If anything, I'm going to get them a raise. But, they're  
556 staying. We all moved here for a reason, and that's because of this town; we have our own police and  
557 our own fire. They have to be compensated, and that have to be at parity with other departments. They  
558 don't get the perks like other departments do like take home cars, and additional monies. Also, there is a  
559 glass ceiling where they can move; it's very restrictive [in town.] We will never get rid of our police  
560 department. If anything, we'll be giving them a raise. Also, the ambulance is not going anywhere. It's  
561 the last that we're ever going to do to this community. My wife will never do CPR (cardio pulmonary  
562 resuscitation) on me, even though she's certified. So, I have to rely on that ambulance every night.  
563 *(Laughter)* Going on to the budget workshop, yes, I am a little concerned. I understand that staff is a  
564 little strapped right now. They can't figure out where the money is going or coming. I shouldn't say  
565 that, but we care a lot about the money and want to know what the damages are from Hurricane  
566 Matthew. I expected to have that in by now. But, Ms. Fellner said she would have that for me I believe  
567 by next meeting, hopefully. Ms. Fellner said as much detail will be provided as possible. Mr. Courtney:  
568 Thank you so much. So, yes, the workshop was not really productive. We didn't know how much money  
569 we had. We still have a lot of work to do on it. There's going to be cuts. There's no way around it.  
570 That's all there is to it. In the past, I heard, division meeting over the last year that we have capital  
571 projects we're running up to \$7.5 million worth of projects that need to be done. We are going to have  
572 to make some cuts. We're going to be a little lean here. But, there's no reason why this town can't  
573 move forward with anything else it's doing. It will work out. I want to wish everybody a happy  
574 Thanksgiving. Thank you for coming out. God bless you. Have a happy holiday.

575  
576 Mr. Johnson: Thank you, Mr. Mayor. Thank you all for coming out tonight. I hope you all have  
577 a blessed Thanksgiving, and hopefully, you will be back for the December meeting, but if not, Merry  
578 Christmas and happy New Year. We'll see you next time.

579  
580 Ms. Samples: Thank you, Mr. Mayor. Ms. Burgess, I believe we have a dumpster or a place over  
581 on Sandy Lane where she can bring her electronic equipment. Is that correct, Mr. Adair? Mr. Adair said

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582 no, collections are accepted only during the two drop off events, because here are no storage facilities.  
583 However, there is an electronics waste container at the Scipio Lane site. Ms. Samples: Thank you. It is  
584 over at Scipio. Thank you. I appreciate that so much. Ms. Watson, your comments about the budget; I  
585 get your frustration. We are doing; we are providing some oversight. Some of us are new and are doing  
586 our due diligence on the budget. You and I have spoken and we will continue to speak more. I do  
587 appreciate your input, but there are some of us that are really delving into it and providing some  
588 oversight. So, I can assure you that we'll have some better answers to your questions. Mr. Beck, the  
589 landscaping question, the tree ordinance workshop was a great workshop. We did have almost standing  
590 room only. Your landscaping concern I share as I believe all the councilmembers shared at that  
591 workshop. We are waiting for the planning commission to take up the tree ordinance and provide  
592 recommendations for us, to council. As soon as they do, we will be discussing that. But, I agree that the  
593 landscaping ordinance needs to change. The comments about people hearing rumors about the police  
594 department and the fire department, they are just that. They are rumors. Don't always believe  
595 everything you hear. We have, in my opinion, the best police department and fire department. I know  
596 they have my full support. I believe I'm quite comfortable in telling you you've got the support of this  
597 whole council. Public safety is the last thing we need to be cutting. If you've heard anything different,  
598 your information is incorrect. Let me assure you of that. I want to wish everyone a happy Thanksgiving.  
599 I am thankful for many things, and really appreciative that you all spend this time on a Tuesday evening  
600 to share with us your thoughts and comments. Everyone please be safe. And, again, happy  
601 Thanksgiving.  
602

603 Mr. Stevens: Thank you, Mr. Mayor. Thank everybody for coming out. Ms. Burgess, definitely  
604 we need to get on the pier and do some workshops. I like your idea; diversification. That has been  
605 discussed before. Give people more to do at the pier. That's a big thing. Ms. Watson, across the board  
606 cuts, I'm with you 100-percent. I'd love to see that happen. Mr. Beck, getting back to what you said,  
607 these fines are crazy for landscaping and all that, what you're talking about. Fire and safety, Ms.  
608 Goddard and Mr. Dodge, and the ambulance is important to us. Believe me, I know how important it was  
609 when my late mother-in-law [was ill] and I had to call the ambulance. They were there Johnny-on-the-  
610 spot. I don't want to give that service up. There's a lot of folks that are elderly that need a good  
611 ambulance service. Ten minutes could be the difference in saving their life or them dying. Mr. Wrobel, I  
612 agree with you on picking up the trash. It needs to be done. By the way, good things have happened.  
613 A lot of things have happened since we came here. We elected a new President. The Dallas Cowboys  
614 are 9:1. Clemson is 9:1, and could be playing for the national championship. South Carolina is actually  
615 winning their games and maybe we ... Mr. Johnson: Don't even go there! Mr. Stevens: We won't beat  
616 you this year. *(Laughter)* Have a good Thanksgiving. I hope y'all have a great, delicious turkey and all  
617 the goodies that come with it. Cake and everything; pumpkin pie. See us after Christmas.  
618

619 Mayor Childs: I want to wish everybody a happy Thanksgiving, and chime in on what the rest of  
620 this council said, I don't think anybody is looking to hurt our police or our fire department. They're  
621 probably more loved in town than council! It's hard to believe, but I think that's the truth. *(Laughter)*  
622 So, that is a bad rumor. Please, be careful. There are so many rumors that it's just amazing.  
623

624 **EXECUTIVE SESSION, continued from 6:25 p.m.**

625  
626 Mayor Childs reconvened executive session at 8:19 p.m.

627  
628 Mr. Johnson moved to reconvene regular session at 9:42 p.m. Mr. Stevens second. All voted in  
629 favor. **MOTION CARRIED.**

630  
631 Mayor Childs said that no action was taken during executive session. Town Council directed the  
632 clerk to schedule a special meeting on December 5<sup>th</sup> at 5:00 p.m. for an executive session to discuss the  
633 town administrator's contract.  
634

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635 **11. ADJOURNMENT.** Mr. Johnson moved to adjourn the meeting at 9:42 p.m. Mr.  
636 Stevens second. All voted in favor. **MOTION CARRIED.**

637  
638 Prepared and submitted by,

639  
640 \_\_\_\_\_  
641 Debra E. Herrmann, CMC, Town Clerk

642 Approved: December 13, 2016

643  
644 \_\_\_\_\_  
645 Robert F. Childs, III, Mayor

646  
647 \_\_\_\_\_  
648 Ron Ott, Mayor Pro Tempore

647 \_\_\_\_\_  
648 Timothy T. Courtney, Town Council

649  
650 \_\_\_\_\_  
651 Mark L. Johnson, Town Council

649 \_\_\_\_\_  
650 David L. Pellegrino, Town Council

651  
652 \_\_\_\_\_  
653 Julie M. Samples, Town Council

651 \_\_\_\_\_  
652 Randle M. Stevens, Town Council

653  
654 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded,  
655 and not intended to be a complete transcript. Appointments to hear recordings may be made with the  
656 town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance  
657 with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local media and  
658 interested parties via the town's email subscription list. The agenda was posted on the entry door at  
659 Town Council Chambers. Meeting notice was also posted on the town website at [www.surfsidebeach.org](http://www.surfsidebeach.org)  
660 and the marquee.  
661  
662