



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
EXECUTIVE SESSION DECEMBER 13, 2016 ♦ 5:45 P.M.
REGULAR MEETING DECEMBER 13, 2016 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

Executive Session – 5:45 p.m.

Mayor Childs called Town Council to order at 5:45 p.m. Tuesday, December 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, and FOAI §30-4-70(a)(2) to discuss a contractual matter involving Huckabee Complex. Mayor Childs, Mayor Pro Tempore Ott, and Councilmembers Courtney, Pellegrino, and Samples were in attendance. Councilmembers Johnson and Stevens were absent. A quorum was present. Mr. Ott moved to enter executive session at 5:45 p.m. Mr. Pellegrino second. All voted in favor. **MOTION CARRIED.** Mr. Ott moved to reconvene regular session at 6:12 p.m. Mr. Pellegrino second. All voted in favor. **MOTION CARRIED.** Mayor Childs said that no action was taken during executive session. Any motions and/or directions to the town administrator will be made during the regular meeting that begins at 6:30 as noted on the agenda under Business Items 7.B. and 7.C. Mayor Childs declared the session adjourned at 6:12 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, Pellegrino, and Samples were in attendance. Councilmembers Johnson and Stevens were absent. A quorum was present. Others present: Administrator Fellner, and Town Clerk Herrmann.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

- A. Invocation: Pastor Okey Landers from Pine Drive Gospel Church gave the invocation.
- B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. AGENDA APPROVAL

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

4. MINUTES APPROVAL

A. Budget Workshop November 18, 2016. Mr. Ott moved to adopt the November 18, 2016 budget workshop minutes with an amendment to Line 247 by removing "create a tax" and inserting "using a-tax." Mr. Courtney second. Mr. Ott explained that he personally knows Ms. Watson. She would never suggest creating a new tax, but that her suggestion was to use accommodations tax funds to rebuild the pier. All voted in favor. **MOTION CARRIED.**

B. Executive Session and Regular Meeting November 22, 2016; C. Special Meeting November 30, 2016, and D. Special Meeting December 5, 2016. Mr. Courtney moved to adopt the November 22, 2016 executive session and regular meeting minutes; the November 30, 2016 special meeting minutes, and the December 5, 2016 special meeting minutes as presented. Mr. Ott second. All voted in favor. **MOTION CARRIED**

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

Mr. Tom Dodge, 15th Avenue North: This is about 4.D. I want to publicly thank Councilman Stevens for standing up for the people who put him in office, and I am totally ashamed of the rest of you that we put into office. Thank you.

Mr. Laurence McKeen, 6th Avenue South: Contrary to the previous speaker, I'd like to applaud you for doing what most of the residents in this town would've wanted you to do, and that is to keep our skilled administrator for another year and a half. I don't know why she wants this job. I wouldn't want it. Thank you.

6. COMMUNICATIONS

A. Surfside Rotary Check Presentation, Mr. Walter Warren and Mr. Adam Parness.

Mr. Adam Parness said on behalf of the Surfside Rotary Club thank you to Mayor Childs, Town Council, the Town of Surfside Beach, and all of its residents for once again allowing Surfside Rotary to hold the annual Thanksgiving Day Turkey Trot 5K race fund raiser. There were over 1,200 participants, many of whom stayed in town. The Rotary appreciates the relationship it has with the town and hopes that it will continue on into the future. Mr. Parness also thanked Ms. Ellis who is critical to the success of the event. A \$4,000 check was presented to Mayor Childs for the town. *(Applause)* Mr. Parness said 100-percent of the money raised goes back into the community. With this check, the Rotary has contributed almost \$40,000 to the town since the Turkey Trot began. *(Applause)*

Mayor Childs thanked Mr. Parness, and said it was appreciated very much.

B. Administrator's Report.

Ms. Fellner presented the written report, a copy of which is attached hereto. She added that the owner of the property upon which debris remains was sent a letter today giving him seven days from receipt of the letter to either remove the debris; pay the town to remove it, or a summons will be issued. Five bids were received and opened on Friday, December 9th for the FEMA (Federal Emergency Management Agency) consultant specialist involving structures in water. The bids are being reviewed and an opening meeting summary will be posted on the website tomorrow.

Ms. Samples asked for an update on the audit. Ms. Fellner said the Comprehensive Annual Financial Report (CARF) is finalized. Staff is getting the transmittal letter signed by the auditors and staff, as applicable. The books are being compiled for distribution by the end of December. Ms. Samples understood that the owner on the south end said he would remove the debris, but he hasn't, and code enforcement is involved. She asked how much longer it would be before it was picked up. Ms. Fellner said seven days from receipt of the letter, which was mailed today. Ms. Samples asked if there was any more information about when the refund check for the state's portion of beach renourishment would be received. Ms. Fellner said there is no current information. Mr. Powell from Horry County said he spoke with the State and was told they are in final formal granting, which is the procedure used that includes writing a formal letter granting those monies and then they will be disbursed. Ms. Samples said the interesting point is that if for some reason the new bid process is delayed, and beach renourishment does not occur until 2018, could the town get the \$1.344 million refunded until the project has to be resubmitted. Ms. Fellner said that was already addressed with Mr. Wilson, because she did not like the answer from the county. Mr. Wilson told her that he would not be opposed to a full refund, but that Horry County as the project sponsor would have to request the full refund. Ms. Fellner's concern was how long it would be until bids were let again. If it was not until February or March, the town should definitely ask for those funds to be returned, and ask Horry County as the sponsor for Reach 3 to request

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107 the full refund. Ms. Samples said Town Council should be notified if she needs assistance in making that
108 happen. She hated to see the State holding the town's money when the town could hold it. Ms. Fellner
109 agreed.

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111 Mayor Childs said the Horry County Delegation was contacted and the members are willing to
112 help in this situation. But, because Ms. Fellner seems to have things under control, the Delegation was
113 asked to hold back for the time being.

114
115 Mr. Ott also wants to bring the money home and keep it in our bank. He asked if there was any
116 chance that the bottom line figure for beach renourishment cost will change. Ms. Fellner said it depends.
117 When you add the two Reaches to it, it becomes a much bigger job. But, there wouldn't be a
118 deployment for each Reach. The amount would probably be in line. The last report she gave council
119 was that the bids were over 25-percent higher than expected, which was why the bid failed. The Corps
120 of Engineers feels that by combining the three Reaches, it will bring cost down. Therefore, the
121 expectation is that no additional funds will be needed. Mr. Ott asked if the three Reaches included North
122 Myrtle Beach and Myrtle Beach and Surfside. Ms. Fellner said North Myrtle Beach is Reach 1; Myrtle
123 Beach is Reach 2, and from the southern limit of the City of Myrtle Beach to the tip of Garden City in
124 Georgetown County is Reach 3.

125
126 Mayor Childs asked regarding the hurricane debris discussion, if seven days from now the
127 homeowner would be fined and if the town would remove the debris and the homeowner charged. Ms.
128 Fellner said the owner would have an option to remove it himself; pay the town to remove it, or he could
129 be issued a citation. Staff is not allowed to go onto private property to do something to which the owner
130 said no. That would have to be adjudicated through the court.

131
132 Ms. Samples said the debris is on the right-of-way. Ms. Fellner asked if it was all on the right-of-
133 way. Ms. Samples believed most of it was. Ms. Fellner said then staff could pick it up. Ms. Samples said
134 council had a special meeting in which a resolution was adopted that stated the debris should be picked
135 up. She believed there was support from Town Council to have residents pay for the tree pickup. She
136 did not agree with that charge, but she understood the decision. Simply put, we need to pick up that
137 debris and she thought that was Town Council's directive from the special meeting. Council decided that
138 residents should pay for tree removal, but debris was to be picked up. That was her understanding, and
139 welcomed a correction, if that was wrong.

140
141 Mayor Childs believed the resolution stated that residents should pay to remove trees, branches
142 and trunks.

143
144 Mr. Courtney said council agreed to pick up the debris, but not trees or stumps. Ms. Fellner said
145 that was correct.

146
147 Ms. Samples believed the resolution stated that residents should pay to have logs, trunks, and
148 rounds removed. Ms. Fellner said that was correct. Ms. Fellner asked if that pile was largely debris. Ms.
149 Samples said the last time she looked at it, it sure was. Ms. Fellner said it would be taken care of
150 tomorrow. She apologized. Ms. Samples said thank you.

151
152 Mayor Childs asked if the pile had trees. Ms. Samples explained that a contractor put trees on
153 the vacant property. The neighborhood residents saw the pile, and just added their debris, including
154 televisions, leaves, branches, and the pile became uncontrollable. Some of the neighbors actually
155 decorated the pile (*laughter*). I get where they were coming from. They were sending a message; I
156 heard that message. I think that there is still debris there to be picked up, and the council agreed that it
157 would be picked up. Ms. Fellner said the debris portion would be picked up tomorrow. Ms. Samples said
158 thank you so much.

159

160 Mr. Ott said the town won't pick up anything that is not in the right-of-way. Staff will not go
161 onto your property. Based on the photograph he saw of the debris pile, it looks like everything on the
162 top is normal yard debris. That should have been taken away. There were some bags there that should
163 be taken away. Of course, there is a debacle with electronics and we need to address that.
164 Everything should have been taken away that would be in a normal yard waste pickup. The debris
165 shouldn't even be there at this period.

166
167 Mayor Childs said that the television was not part of the hurricane.
168

169 Mr. Courtney said it is common around town for debris and tree stumps to be placed on the
170 right-of-way and then all the neighbors add their own debris to the pile. This is what created the
171 problem we have today. It is an ongoing problem that happens everywhere. The piles start small on
172 Monday and by Friday there are televisions, construction debris, and other debris piled on top. It is a
173 problem that the town needs to address. Defining debris is what this issue is. He saw the pictures
174 submitted by the residents. This home had a big pile in front of it. There is no reason why it shouldn't
175 be picked up. I think electronics are becoming a problem in our town. People will dump them out of
176 their vehicles onto vacant lots. The residents who own the lots become responsible for the items. It's a
177 tough situation.

178
179 Mayor Childs said that there is no simple solution to a lot of this. I personally saw contractors
180 come into town and dump debris on a vacant lot, because the word is out that the town will pick it up.
181 Recently, I reported a contractor and he was caught. Contractors don't want to pay tipping fees. Many
182 times they come at four or five o'clock in the morning. I don't think anybody has a good solution to this.

183 184 **7. BUSINESS**

185 186 **A. Second Reading Ordinance #16-0836 to amend FY2015-2016 Municipal Budget –** 187 **Depreciation Expense, Administrator Fellner.**

188
189 Mr. Ott moved to adopt second reading of Ordinance #16-0836 as presented. Mr. Courtney
190 second. All voted in favor. **MOTION CARRIED.** The decision paper and ordinance copies are on file.
191 First reading was adopted at the November 22, 2016 regular meeting without amendment.

192 193 **B. COMMITTEE APPOINTMENTS**

- 194
195 i. Construction Board of Appeals (2 vacancies): Volunteer, Mr. Nathan Johnson
196 ii. Parking Committee (1 term expiring): Volunteers, Mr. Tod Dodge, Ms. Brintha Vasagar
197 iii. Council Finance Committee (Mayor Childs resigned) Councilmember Pellegrino
198

199 Mr. Ott moved to appoint Mr. Nathan Johnson to the construction board of appeals; Mr. Tom
200 Dodge to another term on the parking committee, and Councilmember Pellegrino to the finance
201 committee. Mr. Courtney second. All voted in favor. **MOTION CARRIED.**

202 203 **C. Motions and/or Directions to the Town Administrator resulting from Executive** 204 **Session.**

205
206 There were no motions or directions to the administrator from executive session.

207 208 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed. 209

210 Mr. Ott asked the administrator to add a discussion on electronic debris collection on the next
211 meeting agenda. The current plan was a good idea, but it doesn't work. We need to stop leaving

212 electronics on the sides of the road where kids can throw rocks at them. Mr. Ott asked for council
213 consensus to add that to the next agenda.

214

215 Ms. Fellner asked if the discussion could be on the second meeting agenda so that Mr. Adair
216 would be present. She thought Mr. Adair might have some good points. Mr. Ott said okay.

217

218 Mr. Pellegrino said the administrator just spoke about this. Electronics can be taken to Scipio
219 Lane anytime, and there are two pickups during the year at Sandy Lane. I don't see how changing
220 anything would prevent people from driving into town to throw out their electronics. If there's a
221 television on a vacant lot, I doubt that the lot owner put it there. If he did, he must have plugged it into
222 a tree. That's an enforcement issue. Obviously, we struggle with that. Officers are patrolling all the
223 time, but people won't throw out items when there is an officer around. I don't see any reason to go
224 through another discussion on this, because we aren't going to solve the problem.

225

226 Mr. Ott said his only thought is what we have doesn't work. We need to change it. To continue
227 doing the same thing over and over again is not going to work. That's why we do meet, and we debate
228 things, and bring ideas to the table to see what we can do. Maybe somebody will have that sparkling
229 idea that we need.

230

231 Mayor Childs thought staff picked up electronic items after there were roadside for a certain
232 amount of time. I think [Mr. Adair] tries to notify the property owner that they cannot be picked up. If
233 there is no response, then staff removes them. He's doing all he can at this point.

234

235 Mr. Courtney said there has to be a solution and we need to find it. When someone put items
236 out, neighbors move them over three feet again and again until they are on vacant lots. Televisions have
237 always been an issue. They are all over the whole town. They pop up in the middle of nowhere. It's
238 impossible to determine who owned it and who is responsible. I don't know if it will need more
239 enforcement to figure out when these items are being dropped. I see them all the time. I don't believe
240 going after the land owner is the right thing to do. I sure hope that council will come up with a solution
241 for this.

242

243 Council **CONCURRED** to add a discussion on electronic waste to the January 24th meeting
244 agenda.

245

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

247

248 Ms. Holly Watson, Oak Drive North: Gentlemen, Lady of the council, and public, on November
249 14th, 2016 I requested information pursuant to the Freedom of Information Act. I requested the records
250 of the town pertaining to all general ledger transactions in detail for the years 2011 through 2015, and I
251 requested a CD (computer disc) copy to save paper. I delivered my request in person to the town hall
252 and I have the signed receipt in my possession. Later that day I verified with the town clerk that I
253 needed the details of the accounts and again requested a CD copy in order to condense the information
254 each year from the town's tapes or CDs or back-ups. On Thursday, December 1st, I arrived at the town
255 clerk's office, but was only given some nominal balances. I did not accept this and returned them to the
256 town clerk. Also, on Thursday, December 1st, I again requested my information in detail for the years in
257 question. Today, I have deleted the request for the year 2011. But, I'm still in; I am only looking for the
258 years 2012 through 2015 as 2016 is not yet ended. Please direct your proper representative to furnish
259 me the information I have requested. It has been 30 days since my request was received. I have
260 clarified my request four different times. I have not received any notice when this information will be
261 available to me to pick up. Thank you. I have presented a copy of this statement to the town clerk, the
262 recorder of this meeting, to ensure there is no misunderstanding of my request nor misunderstanding of
263 my statements here tonight.

264

265 **10. TOWN COUNCIL COMMENTS**

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267 Mr. Ott: Thank you, Mr. Mayor. I want to thank everybody for this past year for the privilege to
268 sit in this seat. I'll continue to try to do what I believe is the best for all my neighbors and residents in
269 this town. I hope everybody takes the time to bring their families closer together; celebrate the bringing
270 in of the New Year of 2017. Also, celebrate the holiday of Christmas with the exchanging of gifts, but
271 also not to forget that it is also a time to remember this is the celebration of the birth of our God and
272 Creator's Son, and to appreciate everything that we have and have enjoyed in our life. Thank you.
273

274 Mr. Courtney: I'd like to thank everyone for coming out. I'd like to let everybody know that I
275 read everything that goes on and I see what's going on. A lot of the decisions that were made were
276 made for the best interest of the town. As far as police and fire, our organization committee is working
277 on getting raises for them and doing the best we can. We are doing everything we can to meet our
278 goals with that. I just want to say thank you for being out. Thank you for coming out during this
279 holiday. I want to wish you Merry Christmas; Happy Holidays. I look forward to seeing you in the New
280 Year. It's going to be a good year. We're going to move forward and we're going to get a lot of projects
281 done. Thank you very much.
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283 Mayor Childs: I would like to say that Mr. Johnson and Mr. Stevens are out tonight. Mr. Johnson
284 is ill. Mr. Stevens had some pressing family obligations.
285

286 Mr. Pellegrino: I'd like to first start off by thanking Debbie Ellis and the staff. We had the Turkey
287 Trot [on Thanksgiving Day.] We had the parade [last Saturday.]. Both went well and were very
288 successful. We have Breakfast with Santa coming up. I think this town does a very good job with
289 events, and Ms. Ellis manages those very well. Also, thank you for your involvement during the year. I
290 appreciate all your input. I appreciate you guys being involved. I've gotten a barrage of input over the
291 past weeks here; most of it not good. But, that's all part of the fun. I do appreciate input, good and
292 bad. I'll just make a note on that. Obviously, sometimes you agree with my vote. Sometimes you don't,
293 but I represent, as I said when I ran, four groups: the citizens, part time residents, second home
294 owners, and the businesses. So, sometimes I make decisions that might benefit one and hurt another or
295 it might benefit one and vice versus. So, those are the [constituents.] I take all four of those groups into
296 account when I make a vote. I hope you guys all have a great Christmas. Christmas can be a pretty
297 stressful time. So, just smile, and when you're down and you're stressed out just think about what our
298 Lord and Savior Jesus Christ gave us; our salvation. Please have a great Christmas.
299

300 Ms. Samples: Thank you, Mr. Mayor. First off, I'd like to say Merry Christmas to you all, and my
301 hope is that you have a happy and healthy New Year. But, I'd like to take the opportunity to send a
302 message tonight to our town staff. I want to wish them a Merry Christmas and a Happy New Year as
303 well. But, most importantly, I want them to know that I so admire their dedication to this town, and their
304 willingness to go the extra mile in everything they do in every department. I cannot tell you the amount
305 of people that stop me and say our public works guys are doing a great job; our sanitation guys are
306 doing great; our grounds crew; our police; our fire; town hall. It is a pleasure to hear all of the positive
307 and all of the goodness that comes from our town residents about our staff. I cannot thank them
308 enough. They are so appreciated and I just want them to know this council supports all of them 100-
309 percent and that we will forever be grateful for the time that they spend caring about our town. Thank
310 you all very much. Have a good evening.
311

312 Mayor Childs: I echo Ms. Samples. I don't think a week goes by that I don't have at least two
313 people go back and comment on the debris removal and how fast [it was done.] Unfortunately, some
314 residents still have not had their debris picked up. I think Myrtle Beach is still wrestling with that issue as
315 we speak. I mean we were just light years ahead of them. Our staff did do a great job. I hope
316 everybody got to go out to the parade this week. I think it was a very successful one. I got a lot of
317 positive comments about the parade. There is one other thing. I was reminded to tell about it a

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318 pamphlet on the back table, "Controlling Coyotes in Urban Areas." Evidently, there's been some requests
319 from people as to how to handle them; what to do, and what is a coyote. There are some on the back
320 table, and after the meeting they will be moved up to where the reception is [in town hall], should
321 somebody want it and we're not in session. That brochure is available. I, like the rest of council, would
322 like to wish everybody a Merry Christmas and a Happy New Year. I think we've had a pretty good year
323 up to now. Merry Christmas and a Happy New Year to everybody.

324
325 **11. ADJOURNMENT.**

326 Mr. Ott moved to adjourn the meeting at 7:10 p.m. Mr. Courtney second. All voted in
327 favor. **MOTION CARRIED.**

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329 Prepared and submitted by,

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331 _____
332 Debra E. Herrmann, CMC, Town Clerk

333 Approved: January 10, 2017

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336 Robert F. Childs, III, Mayor

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338 _____
339 Ron Ott, Mayor Pro Tempore

340 _____
341 Timothy T. Courtney, Town Council

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343 _____
344 Mark L. Johnson, Town Council

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346 David L. Pellegrino, Town Council

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349 Julie M. Samples, Town Council

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351 Randle M. Stevens, Town Council

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