

## SURFSIDE BEACH TOWN COUNCIL EMERGENCY MEETING Council Chambers, 115 US Highway 17 North, Surfside Beach, SC 29575 TUESDAY, OCTOBER 4, 2016 • 4:00 P.M.

## **TOWN COUNCIL EMERGENCY MEETING AGENDA**

- 1. CALL TO ORDER Mayor Robert F. Childs, III
- 2. PUBLIC COMMENTS AGENDA ITEMS ONLY, 3 MINUTES PER SPEAKER
- 3. BUSINESS
  - A. Ordinance #16-0835 to Declare a Localized State of Emergency in the Town of Surfside Beach and to Authorize the Appropriate Action Be Taken In Connection Therewith During the Hurricane Matthew Storm Event, Administrator Fellner
  - B. Resolution #16-174, Declaration of a State of Emergency for the Town of Surfside Beach, Administrator Fellner
- 4. TOWN COUNCIL COMMENTS
- 5. ADJOURNMENT

Second Reading: NOT REQUIRED/EMERGENCY ORDINANCE

STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)	TO DECLARE A LOCALIZED STATE OF EMERGENCY
COUNTY OF HORRY )	IN THE TOWN OF SURFSIDE BEACH, AND TO AUTHORIZE THE
)	APPROPRIATE ACTION BE TAKEN IN CONNECTION THEREWITH
<b>TOWN OF SURFSIDE BEACH )</b>	

**WHEREAS,** the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled are is empowered by Section 4-9-130 of the South Carolina Code of Laws and Section 30-4-80(A) of the South Carolina Freedom of Information Act allows the town to call emergency meetings without a 24-hour notice to adopt emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people; and

**WHEREAS**, pursuant to South Carolina Code Section 4-9-130, such emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present, is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements, and shall expire automatically as of the sixty-first day following the date of enactment; and

**WHEREAS,** Town Council finds it necessary to enact an emergency ordinance as a result of its determination that a localized emergency exists within the Town of Surfside Beach, and directs that certain measures are to be taken to address that emergency.

**NOW, THEREFORE**, by the power and authority granted to the Surfside Beach Town Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

- 1. **DECLARATION OF STATE OF EMERGENCY:** In accordance with Section 4-9-130 of the South Carolina Code Surfside Beach Town Council hereby declares that a localized emergency exists throughout the Town of Surfside Beach, effective 6:00 p.m., October 4, 2016, more particularly described in the attached Resolution #16-16-174 Declaration of a State of Emergency for the Town of Surfside Beach, and hereby directs that appropriate action be taken as set forth in such Declaration.
- **2. TERMINATION/EXPIRATION.** This Ordinance will remain in effect for sixty (60) days unless sooner terminated by Resolution of Surfside Beach Town Council.
- **3. SEVERABILITY.** If any section, subsection, or part of this ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other preemptive legal principle, then that section, subsection or part of this ordinance shall be deemed ineffective, but the remaining parts of this ordinance shall remain in full force and effect.

- **4. CONFLICT WITH PRECEDING ORDINANCES.** If a section, subsection or provision of this ordinance shall conflict with the provisions of a section, subsection or part of a preceding ordinance of the Town of Surfside Beach, unless expressly so providing, then the preceding section, subsection or part shall be deemed repealed and no longer in effect.
  - **5. EFFECTIVE DATE.** This Ordinance shall become effective immediately.

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 4th day of October 2016.

Robert F. C	Childs, III, Mayor
Ron Ott, Mayor Pro Tempore	Timothy T. Courtney, Town Council
Mark L. Johnson, Town Council	David L. Pellegrino, Town Council
Julie M. Stevens, Town Council	Randle M. Stevens, Town Council
Attest:	Debra E. Herrmann, CMC, Town Clerk

## DECLARATION OF A STATE OF EMERGENCY FOR THE TOWN OF SURFSIDE BEACH

WHEREAS, Hurricane Matthew has hit the Caribbean as a life-threatening Category 4 hurricane with maximum sustained winds of 145 mph. As it moves slowly to the north, forecasts are showing it drifting west, which could have significant impacts for Florida, Georgia, South Carolina, and North Carolina. The storm currently is expected to approach the United States mainland as a dangerous Category 3 hurricane, packing sustained winds of 115 to 120 mph. The latest forecast models project the center about 60 miles away from Florida's eastern coastline by Thursday. The storm is forecast by the National Hurricane Center to impact coastal South Carolina including the Town of Surfside Beach with dangerous tropical storm and/or hurricane conditions later in the week. Dangerous impacts include high tide and storm surge, beach erosion and rip currents, tropical storm or hurricane force winds, very heavy rains with possible severe flooding, and the potential for significant property destruction and threats to life safety, residents being displaced from their homes, road closures, and widespread power outages. On Monday, October 3, 2016, states of emergency were declared in all of Florida, as well as eastern and central North Carolina. It is anticipated that the Governor of South Carolina will declare a state of emergency for South Carolina and may impose an evacuation of portions of the Town of Surfside Beach.

WHEREAS, Surfside Beach Town Council is informed and believes that an emergency has been created by this extraordinary weather event, creating a menace to the preservation of public peace, safety, security, health, welfare, and property, and resulting in the resources of the County in contending with the situation being taxed to their limit; and

WHEREAS, Surfside Beach Town Council finds that a State of Emergency exists due to the circumstances as described above, specifically declaring this State of Emergency for the Town of Surfside Beach, under the authority granted to it under State and local law, authorizing whatever measures necessary to respond appropriately to the emergency, and requests that State and Federal resources be mobilized in response to this hazardous weather event and resulting losses and damages sustained.

**NOW, THERFORE,** the Surfside Beach Town Council hereby declares a State of Emergency to exist in the Town of Surfside Beach, as set forth hereinabove, and directs that the Town of Surfside Beach Emergency Operations Plan section of the Town of Surfside Beach Comprehensive Emergency Management Plan be activated and implemented, that the Town Administrator take the measures necessary to mobilize the necessary life safety mechanisms and responses, that all reasonable actions and precautions be taken as is necessary to ensure the fullest possible protection and preservation of life and property and, in addition, that this Declaration be transmitted to the Governor for the State of South Carolina requesting that the Governor make the appropriate declarations and take whatever other actions necessary to address this emergency.

Resolution #16-174
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To Declare a State of Emergency
During Hurricane Matthew

**FURTHER**, the Town Administrator may determine that it is necessary to amend the budget to identify the sources of existing or borrowed funds, and to establish a budget for the emergency expenditures. This budget amendment may be the result of the need to borrow monies for the purpose of making allowance for expenditures which have arisen as a result of such emergency. In the event of a state of emergency or disaster declared, approval of additional expenditure appropriation for debt incurred or use of fund balance, fund balance reserve, or transfers from other funds, will be by Resolution of Town Council through a telephone vote. This spending approval shall not require a supplemental budget ordinance or budget ordinance amendment.

**BE IT SO RESOLVED**, this 4<sup>th</sup> day of October 2016.

Robe	rt F. Childs, Mayor
Tim Courtney, Town Council	Mark L. Johnson, Town Council
Ron Ott, Town Council	David Pellegrino, Town Council
Julie M. Samples, Town Council	Randle M. Stevens, Town Council
	Attest:
	Dehra E Herrmann CMC Town Clerk