## SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING Civic Center, 89 Pine Drive, Surfside Beach, SC 29575 www.surfsidebeach.org - ? (843) 913-6111 ? (843) 238-5432

TOWN COUNCIL MEETING AGENDA Wednesday, June 29, 2022, ? 6:30 PM.

Please join the meeting from your computer, tablet, or smartphone. https://meet.goto.com/303687805

You can also dial in using your phone.
United States (Toll Free): 1 877 309 2073
United States: +1 (571) 317-3129
Access Code: 303-687-805

1. No Agenda

There is no agenda available for this meeting.

2. Meeting Materials

Documents:

02-08-21-EMERGENCY-ORDINANCE-RE-ATTENDANCE.PDF

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E). The public is invited to attend all meetings and events.

STATE OF SOUTH CAROLINA) EMERGENCY ORDINANCE OF THE TOWN OF SURFSIDE BEACH

COUNTY OF HORRY

REMOTE MEETING ATTENDANCE DURING COVID-19

TOWN OF SURFSIDE BEACH) STATEWIDE EMERGENCY

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services declared a public health emergency in the United States due to COVID-19, and on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

**WHEREAS**, On March 13, 2020, the Governor of South Carolina declared a State of Emergency, finding COVID-19 poses an imminent threat to public health, continued by subsequent Executive Orders, through the date of this Emergency Ordinance; and

WHEREAS, according to public health data, all counties in South Carolina are experiencing moderate or high levels of community transmission, with Horry County reporting "high" levels; and

**WHEREAS**, in the Spring and Summer of 2020, the Mayor and Council of the Town of Surfside Beach passed and extended emergency ordinances addressing local matters related to the COVID-19 pandemic, all of which have expired; and

WHEREAS, among the local matters Town Council addressed by emergency ordinance were the authorization for Town Council to conduct remote telephonic meetings and vote (suspending certain provisions of § 2-42 of the Surfside Beach Code), and the authorization for the Town Clerk to read public comments upon request sent by email on behalf of individuals not in physical attendance (suspending certain provisions of §2-54, Surfside Beach Code); and

WHEREAS, Town Council resumed in-person meetings in Town Hall in July 2020; and

**WHEREAS**, Town Hall is open to the public and, while public seating is limited, Council chambers is an enclosed space and Horry County's mask ordinance has expired; and

**WHEREAS**, it is imperative for the Town Council to conduct the Town's business during this State of Emergency, while taking steps to protect public health and the safety of local officials and staff; and

**WHEREAS**, due to the continuing public health risk of COVID-19, its airborne transmission by asymptomatic individuals, and the unpredictability of personal illness or quarantine requirements, the Town Council desires to suspend such sections in the Surfside Beach Town Code requiring physical presence of council members for a vote, physical presence of board or commission members for a vote, or physical presence of individuals wishing to make public comment, during the declared State of Emergency, so that members may participate as elected or appointed; and

**WHEREAS**, South Carolina law permits the Town to enact emergency ordinances to meet public emergencies affecting life, health, and safety upon a single reading, provided it shall expire automatically on the sixty-first day following enactment;

**NOW, THEREFORE**, be it hereby ordained by the Town Council of the Town of Surfside Beach:

**I. Remote Attendance.** The Mayor, members of Town Council, and members of town boards and commissions are authorized to attend meetings via telephone or electronic audio/video link during the Effective period of this Emergency Ordinance, provided:

- a. A quorum of the members is physically present at Town Hall, and remains present throughout the meeting. Members attending remotely shall not be counted toward the quorum required to conduct town business. ("It shall be necessary that four (4) councilmembers be present to constitute a quorum." §2-38, Surfside Beach Code.)
- b. The Mayor or presiding officer is physically present.
- c. The Clerk shall poll members to confirm attendance by way of electronic media. Members who attend remotely during this Emergency shall be considered present at the meeting and shall have all of powers regularly held, with the exception of being counted toward quorum.
- d. The member(s) attending by telephone can hear all comments made by the public, staff, and other members.
- e. Each of the members and staff can hear the comments, motions and vote(s) of the member(s) attending such meeting telephonically, and such shall be capable of being recorded for preparation of minutes.
- II. Emailed Public Comment. For those public meetings held at Town Hall for which the meeting agenda contains a period of public comment, any citizen, business proprietor, or property owner in the Town may offer public comment, pursuant to the requirements and limitations under Chapter Two of the Surfside Beach Code, by emailing the comment to the Town Clerk, clearly marked for public comment at a designated meeting, per instructions placed on <a href="https://www.surfsidebeach.org">www.surfsidebeach.org</a>.
- **III.** Suspension of Local Provisions. During the period of effectiveness of this Emergency Ordinance, any ordinance, resolution, policy, or bylaw that conflicts with it is temporarily suspended to the limited extent necessary to implement the terms of this Emergency Ordinance. Specifically suspended are:
- a. "all actions of council shall be by a majority of members present... and "No member of council...shall vote by...telephone...electronic, or absentee vote." §2-42(a) and (f); and
- b. "The speaker must identify himself or herself, speak from the podium" and "speakers shall not...speak or read letters on behalf of another person." §2-54 and 2-54(c)
- **IV. Effective Date; Expiration.** The provisions hereof shall be effective upon a single hearing and shall expire on the sixty-first day following passage.

**DONE AS AN EMERGENCY ORDINANCE**, and approved by Town Council duly assembled by no less than an affirmative vote of two-thirds of the members of the governing body present.

**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 9th day of February, 2021.

	Bob Hell	Bob Hellyer, Mayor	
Debbie Scoles, Mayor Pro Tempore	_	Bruce Dietrich, Town Council	
David Pellegrino, Town Council	_	Paul Holder, Town Council	
Cindy Keating, Town Council	_	Michael Drake, Town Council	
	Attest:	Sheri Medina, Town Clerk	