

MINUTES
EMERGENCY TOWN COUNCIL MEETING
March 25, 2020
10:00 a.m.

Town of Edisto Beach
Town Hall
2414 Murray Street
Edisto Beach, SC 29438

Present: Jane S. Darby, Mayor, Crawford Moore, Mayor Pro Tem, Jerome Kizer and Patti Smyer, Councilmembers. Susan Hornsby, Councilmember, joined via conference call. *Quorum of Council Present.*

Mayor Darby called the meeting to order.

The only agenda item to be considered was Emergency Ordinance No. 2020-09 Regarding COVID-19.

Mayor Darby notified those in attendance that she would be calling roll for each vote. Also, discussion on each item of the Ordinance will be held before the motion.

Mayor Darby read the first part of the Ordinance, which reads in part “Whereas, as a tourist destination, social distancing requests and shelter in place requests from the South Carolina government officials have been less than successful in the Town of Edisto Beach; and Whereas, short term rentals inflate the population of the Town placing additional strain on Town resources, for example the number of citizens in the Town is approximately 700 and during a typical tourism week the population is 10,000; and whereas certain additional measures need to be taken to continue to protect our citizens and guests from this pandemic. Now therefore be it ordained by the Mayor and Council of the Town of Edisto Beach, in Council assembled, that 1) a local state of emergency is hereby declared for the Town of Edisto Beach, South Carolina pursuant to Section 26-33 of the Code of Ordinances of the Town of Edisto Beach.” Councilwoman Smyer moved to approve the local state of emergency section of Ordinance 2020-09, seconded by Councilwoman Hornsby and approved unanimously.

Mayor Darby read part two of the Ordinance: “The state of emergency shall continue for a period of not more than sixty days from the date of this declaration unless continued or renewed by the Council of the Town of Edisto Beach.” Mayor Darby explained that if conditions improved, the state of emergency could be shortened. Councilwoman Smyer stated she agreed with the sixty-day timeline with the provision that it could be changed if Council sees fit. Mayor Darby told those in attendance that the reason for declaring a state of emergency was to be in compliance should federal funds become available. Councilman Moore moved to approve part two of the Ordinance, seconded by Councilwoman Smyer and unanimously approved.

Item 3 of the Ordinance was addressed. “Short-Term Rentals and Other Overnight Accommodations: No new check-ins are permitted beginning 10:00 a.m. Thursday, March 26, 2020 through April 30, 2020. Visitors currently checked in may remain until the end of their existing reservations. Long-term rentals of 30 days or more are still permitted by showing a valid lease agreement.” Councilwoman Hornsby asked if other comparable beach communities were dealing with short term rentals in similar ways. Mayor Darby said currently one community had passed a similar Ordinance and was certain more would follow. Councilman Kizer suggested to be more fair to rental agencies to consider the time frame. Councilman Kizer suggested having the short-term rental restrictions go into effect on Monday, March 30th or Wednesday, April 1st so the agencies have ample time to contact renters. Mr. Kizer also suggested changing

the restrictions on short-term rentals from 30 days to two weeks and monitor the situation after the two-week period. Councilwoman Smyer expressed her concern for fulltime residents that include elderly and immuno-compromised individuals. Councilwoman Smyer stated, "I think we need to stop it right now, as much as we possibly can, and protect these people. They don't have other homes to go to. There's no place where they can escape, this is *their home*, and we need to protect them now." Councilman Moore stated, "I understand the concerns of the realtors, but there are a couple of truths here we are going to face when all is said and done. We're either going to have overreacted, or underreacted. We've all been thinking about this long and hard for the last week. I think we have to use the best information we have right now and not speculate on what's going to happen a week from now, or what's going to happen Easter Sunday. We don't know. The best information we have right now is that we're going into the acceleration time of this disease, this virus... I think if we're going to pull the trigger on this, the sooner... the better, because using the best information we have right now, this is the way we need to go." Councilwoman Hornsby stated, "This is painful... Let's just face it, it's painful... But it's something we need to do." Councilman Moore reiterated the commitment of Council to readdress the situation as necessary. Mayor Darby concurred, as did the rest of Council. Councilwoman Smyer moved that beginning on March 26, 2020 at 10:00 a.m. through April 30, 2020 that no new short-term check-ins or overnight rentals be allowed. Visitors who are currently checked in will be able to complete their existing reservations and long-term rentals of thirty days or longer will be permitted by showing a valid lease agreement. Council will closely monitor the situation and make adjustments as needed. Councilman Kizer seconded the motion, which was approved unanimously.

Item 4 of the Ordinance is as follows: Physical businesses (except essential businesses, listed below) may not allow patrons indoors or to shop on-premises and must follow Centers for Disease Control (CDC) guidelines. However, business employees may come to work with a pass as determined appropriate by the Police Chief from their employer confirming their work status, and businesses may continue to serve clients virtually, by delivery, or at a service window. The grocery store and gas station are deemed essential by the CDC and may continue to allow customers inside. Restaurants can continue with take out and delivery services. Private Boat charters are not allowed as they cannot practice social distancing. This item was approved by unanimous consent.

Item 5 of the Ordinance deals with construction and service businesses. Construction and service businesses may continue, but the crew is limited to the job site premise only, with the exception that the crew may patronize food establishments and gas stations in the Town. Employees must have a copy of the permit (if applicable) and the 2020 business license vehicle sticker or copy of current business license. Please expect substantial delays in processing new building permit and business license applications. Councilwoman Smyer asked if the officers at the checkpoint would be the ones checking permits. Mayor Darby said that the responsibility would fall on the business owner to make sure employees had the correct paperwork. Police Chief George Brothers pointed out that he and his staff were trying to avoid keeping lists at the checkpoint, as this slows down the process significantly. Chief Brothers said he was more than willing to speak with business owners to come up with a way of quickly identifying their employees at the checkpoint. Administrator Hill addressed Council, telling them that the Building Department was designing a procedure for business owners to assist with the checkpoint recognition. Councilman Kizer moved to approve section five of the Ordinance "Construction and service businesses." Councilwoman Smyer seconded the motion, which was approved unanimously.

Section 6 of the Ordinance contains information about checkpoint regulations.

- The checkpoint will be operational 24 hours a day until further notice.

- Residents and property owners: Please bring one form of identification showing residency or ownership (driver's license, utility bill, deed, tax bill, lease, etc.) If the property is owned by an LLC or other group, documentation must be provided showing owners.
- Edisto Island residents will continue to be allowed to access essential businesses (BiLo and gas station) and restaurants as long as they have proof of Edisto Island residency.
- Relatives and family members: Immediate family members (defined as spouse, children, parents, grandparents) are allowed as long as accompanied by an owner.
- Guest passes are not permitted.
- Delivery persons who can demonstrate business on the beach at the checkpoint (including pharmacy, FedEx, UPS, Amazon, building supply and food delivery) by showing delivery order, address and goods at the checkpoint.
- Caretakers: Professional caretakers are limited to caretakers with professional medical service credentials.
- Essential Business Employees: Essential business employees will still be allowed past the checkpoint.
- Media personnel with media credentials presented.
- Town parks, playgrounds and facilities will be closed.

Councilwoman Hornsby asked who would be helping the Town maintain the regulations stated above. Police Chief George Brothers told Council he would be requesting additional personnel from various law enforcement agencies. This section of the Ordinance was approved by unanimous consent.

Mayor Darby clarified that "the Town" as the municipality of Edisto Beach and "the beach" is the sandy portion that fronts the ocean. The Ordinance considered today does not place any restrictions on the beach.

Administrator Hill relayed questions from those watching the meeting. "Facebook wants to know if the state park and Botany Bay will be accessible." Mayor Darby stated that DNR would be the correct entity to contact for information concerning the State Park since it is not within the Town limits. "If the home is in the name of one person for tax purposes, how will the other spouse get to the home if their name is not on a utility bill or tax statement?" Mayor Darby stated if the non-named spouse has something showing they are related, the Ordinance states relatives and family members when accompanied by the homeowner may access the property. "What about children delivering medicine, if they are not professional caregivers?" Mayor Darby responded that they are listed under family members. "If a parent owns a property and their adult children have plans to come, is that possible?" Mayor Darby stated that the owner must accompany anyone to the property. "What about people who are golfing? They have a membership with Stono... and Plantation and they can operate outside their office, separate their people with golf carts, not having more than one person on a golf cart. They can prove that that's where they're going because they'll have a tee time certificate, are they allowed to come on so they can continue their business?" Chief Brothers commented that the golf course has not been declared an essential business. Mayor Darby said that if you have a Plantation and Stono membership, and no Edisto address, "you may want to play at Stono." "What are the rental guidelines? Please reiterate the stipulations on rentals. Mayor Darby replied, "That is contained in (Ordinance section) three: 'No new check-ins are permitted beginning at 10:00 a.m. on Thursday, March 26, 2020 through April 30, 2020. Visitors currently checked in may remain until the end of their existing reservations. Long-term rentals of 30 days or more are still permitted by showing a valid lease agreement.' And this Council made a commitment that if conditions allow, that we immediately make a recommendation on the situation."

Mayor Pro Tem Moore stated, "I know this is difficult and it's hard for everyone to fathom what we're having to deal with. I think we need to realize this is real and it's happening right in front of us, and my biggest concern is the acceleration that we're getting ready to go into immediately...Our best information

is the CDC and other organizations. I just hope everybody uses good common sense, which I know you will, and hunker down, stay home and be safe. Wash your hands, clean your surfaces, all the stuff we're being told to do. This is serious stuff, y'all... and we need to make sure we treat it that way, because it is not a game.

Councilman Kizer said, "I just want to say that...like Councilman Moore said, it's really a tough time for Edisto. We're all going to be hurting here. I think we all have to work together to get through this. I think that we need to follow all the guidelines that are put out there... by the CDC. If you're worried, if you have existing problems you're worried about, try to get someone to go to the BiLo for you... Don't go yourself. Keep yourself inside until this passes. I think with everyone doing that we'll get through this.

Mayor Darby notified everyone that if a resident has a compromised immunity and no one to shop for you, or you are running out of medicine or some other critical issue, please contact the Edisto Beach Fire Department and they will help.

Councilwoman Hornsby stated, "I'm usually the one trying to get around regulations. The fact that I chose not to be there today but to access (the meeting) by phone shows you I'm taking this seriously."

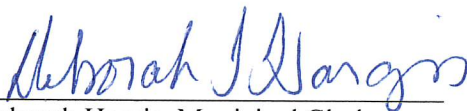
Councilwoman Smyer said, "I understand that this impacts us all in different ways and that it impacts a lot of us financially. I've experienced this personally because three of my family members have lost their jobs and are struggling to make it on limited income. I understand that this is tough, it's hard. We are charged to keep our Town safe and we thank each of you who are working to help us try to do that."

Mayor Darby concluded by stating, "We're all anxious. We're nervous, and that's a human response to not knowing for certain where we're going or what's going to happen or what we need to do. We...like security we like certainty. However, to beat this, we are going to have to transition from 'I' to 'we/us.' As we have proven in the past on this beach, and I have nothing but admiration for the people of this Town, we are strong as a community. We care about our brothers and sisters. And we, as a team, can meet any challenge. We want to stay strong, stay safe, and we will prevail, and we will still be friends, and a community when this is all over, with no loss in our population."

Councilwoman Smyer moved to adjourn the meeting, seconded by Mayor Pro Tem seconded the motion, which was approved unanimously.

The media/public was informed of the date, time and location of the emergency meeting on Tuesday, March 25, 2020.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk

April 9, 2020

TOWN OF EDISTO BEACH
EMERGENCY ORDINANCE 2020-09

WHEREAS, the United States of America, the State of South Carolina, and the Town of Edisto Beach have declared emergencies related to the spread of COVID-19 virus; and

WHEREAS, in order to lessen the intensity and duration of the crisis, reduce the stress on our first responders and healthcare system, and to prevent unnecessary deaths, all citizens must prepare to make sacrifices; and

WHEREAS, as a tourist destination, social distancing requests and shelter in place requests from the South Carolina government officials have been less than successful in the Town of Edisto Beach; and

WHEREAS, short term rentals inflate the population of the Town placing additional strain on Town resources, for example the number of citizens in the Town is approximately 700 and during a typical tourism week, the population is 10,000; and

WHEREAS, the population change increases the risk of virus transmission; and

WHEREAS, certain additional measures need to be taken to continue to protect our citizens and guests from this pandemic.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, in Council assembled, that:

1. That a local state of emergency is hereby declared for the Town of Edisto Beach, South Carolina pursuant to Section 26-33 of the Code of Ordinances of the Town of Edisto Beach.
2. The state of emergency shall continue for a period of not more than sixty days from the date of this declaration unless continued or renewed by the Council of the Town of Edisto Beach.
3. **Short-Term Rentals and Other Overnight Accommodations:** No new check ins are permitted beginning 10 a.m. Thursday, March 26, 2020 through April 30, 2020. Visitors currently checked in may remain until the end of their existing reservations. Long-term rentals of 30 days or more are still permitted by showing a valid lease agreement.
4. **Physical businesses** (except essential businesses, listed below) may not allow patrons indoors or to shop on-premises and must follow Centers for Disease Control (CDC) guidelines. However, business employees may come to work with a pass as determined appropriate by the Police Chief from their employer confirming their work status, and businesses may continue to serve clients virtually, by delivery, or at a service window. The grocery store and gas station are deemed essential by the CDC and may continue to allow customers inside. Restaurants can continue with take out and delivery services. Private Boat charters are not allowed as they cannot practice social distancing.

5. **Construction and service businesses** may continue, but the crew is limited to the job site premise only, with the exception that the crew may patronize food establishments and gas stations in the Town. Employees must have a copy of the permit (if applicable) and the 2020 business license vehicle sticker or copy of current business license. Please expect substantial delays in processing new building permit and business license applications.
6. **All Other Checkpoint Regulations:**
- Checkpoint will be operational 24 hours a day until further notice.
 - Residents and property owners: Please bring one form of identification showing residency or ownership (driver's license, utility bill, deed, tax bill, lease, etc.) If the property is owned by a LLC or other group, documentation must be provided showing owners.
 - Edisto Island residents: will continue to be allowed to access essential businesses (BiLo and Gas station) and restaurants as long as they have proof of Edisto Island residency.
 - Relatives and family members: Immediate family members (defined as spouse, children, parents, grandparents) are allowed as long as accompanied by an owner.
 - Guest passes are not permitted.
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 - Caretakers: Professional caretakers are limited to caretakers with professional medical service credentials.
 - Essential Business Employees Essential business employees will still be allowed past the checkpoint.
 - Media personnel with media credentials presented.
 - Town Parks, playgrounds and facilities will be closed.

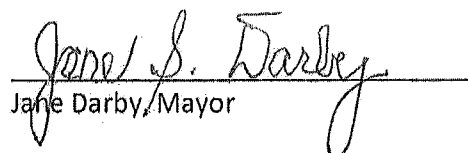
Enacted this 25th day of March, 2020, by Town Council of the Town of Edisto Beach, South Carolina.

This ordinance shall take effect immediately.

Attest:



Iris Hill, Town Administrator



Jane Darby, Mayor