

TOWN OF SEABROOK ISLAND
Town Council Special Meeting
October 22, 2020, at 1:00 p.m.

MINUTES

The October 22, 2020, Town Council special meeting was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilmembers Crane, Finke, Fox and Goldstein, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

Mayor Gregg stated that members of Council should have received a copy of proposed Emergency Ordinance 2020-06 or be able to access an electronic version. Councilman Crane made a motion to approve Emergency Ordinance 2020-06 and Councilwoman Finke seconded the motion.

The prohibition on issuance of Temporary Use Permits was addressed first since Pat Welch, a representative of the Kiawah-Seabrook Exchange Club, was participating in the video conference. Mr. Welch had applied earlier in the year for a Temporary Use Permit for the Exchange Club's proposed 5K and Half Marathon Run event, which is scheduled for November 21, 2020. The permit has not yet been approved.

The Mayor stated that the application has an extensive description of precautions that will be taken with respect to the conduct of the two races and the only question he had concerning the event was how many people are expected to be present at the start and finish of the race. Mr. Welch responded that there are very few spectators for the race and that 95% of the people that will be present are runners and the remainder are volunteers. About 30% of the participants (80 or 90 runners) will run the 5K and 70% (70 runners) will run in the Half Marathon. Safety protocols will begin at the parking lot where the runners will have their temperature taken.

Councilman Crane asked how many runners Mr. Welch anticipated. Mr. Welch stated that there were 313 last year but the number was expected to be less in November. In response to Councilman Crane's concern with the way refreshments would be handled after the race, Mr. Welch explained that all food will be prewrapped and handed out by volunteers, who will be wearing gloves and face coverings. There will be no congregation in this area. The 5K runners will be gone before the Half Marathon runners get back to the Marina. Councilwoman Finke commented that Mr. Welch has done a good job of planning for safety but questioned whether the runners are going to follow the procedures and have gators/masks on. Mr. Welch responded that they would have volunteers, Bohicket Marina employees, Charleston County Sheriff's deputy and medical personnel working to help enforce protocols. Councilwoman Fox added that Mr. Welch and his group had done an excellent job putting together safety measures in the proposal. Councilman Goldstein said that the protocols were well written, and the group would just need to make sure they had enough volunteers to make sure protocols were followed.

Mr. Welch stated that the SC Department of Commerce and DHEC have approved 21 events between August and December and he feels he has more protocols in place to make sure it is safe than the other 20. In answer to a question from the Town Administrator about businesses being present at the location of the race, Mr. Welch stated that most of the runners would be gone before the businesses open. If there are people lingering, the businesses are all following the mandates about masks and social distancing.

Mayor Gregg commented that there seems to be interest from Council in going forward with the 5K and Half Marathon Run but the emergency ordinance, as prepared, extends the current prohibition of issuance of Temporary Use Permits. After considerable discussion, it was decided that language should be added to Section 7 that would allow Town Council to approve the issuance of Temporary Use Permits if it determines that reasonable measures can be put in place, when the event is held, to minimize the risk of the spread of

COVID-19 within the Town. A clause would also have to be inserted in Section 5 (a) that would allow groups of more than 10 when they are permitted pursuant to provisions in Section 7 of the ordinance. A vote on the Temporary Use Permit will be held at the Town Council meeting on October 27, 2020.

The Mayor excused Mr. Welch and Council continued its consideration of the proposed Emergency Ordinance. The Mayor noted that the first proposed change in the Emergency Ordinance is an addition at Section 1 (a) (1) to insert a sentence, under the definition of "Business Establishment," that would require a face covering at a polling place. Mayor Gregg added that he did not think it was necessary for the Town to require a face covering at polling places. Town Administrator Cronin stated that the Governor's Order applies to a State building, but the Town's polling place is the Lake House, a private building owned by SIPOA. The Town had sent a request to the SC Attorney General's office to verify if the Town could require face coverings at a private polling place. The opinion indicated that the Town could but the wording concerning enforcement was questionable. When Council was polled to see if they were in favor of mandating that individuals wear a face covering at a polling place, Councilmembers Crane, Finke and Goldstein were in favor of the insertion and Councilmember Fox and Mayor Gregg were against. The majority supported the insertion.

The Mayor noted the next insertion in the draft ordinance is Section 1(b) (4) which would require groups of two or more unrelated individuals, when sharing certain modes of transportation provided by a Business Establishment for use on the premises of the Business Establishment, to wear a face covering when separation of at least six feet between individuals cannot be maintained. Town Administrator Cronin stated that this was included primarily because of golf carts. After the members of Council were polled, Councilmembers Crane, Finke and Goldstein voted for the insertion and Councilmembers Fox and Gregg voted against. The majority supported the insertion.

Councilwoman Fox made a motion to move Section 1 (b) (5) into Section 2 so that wearing a face covering on Boardwalks 1-9 and associated wash stations would be encouraged and not required. Mayor Gregg seconded the motion. Councilwoman Finke asked to amend Councilwoman Fox's motion to also include moving Section 2 (a) (1) into Section 1 (b) where face coverings would be required in groups of 10 or fewer when social distancing cannot be practiced. Councilwoman Fox rejected the amendment to her motion. Councilwoman Finke's substitute motion had to be addressed before addressing Councilwoman Fox's motion. Councilman Goldstein seconded Councilwoman Finke's motion. Councilmembers Crane, Fox, Goldstein and Mayor Gregg voted against Councilwoman Finke's motion. Councilwoman Finke voted to approve. The proposed amendment failed. Council then voted on Councilwoman Fox's original motion to move Section 1 (b) (5) into Section 2. Councilmembers Crane, Finke, Goldstein voted against the motion. Councilwoman Fox and Mayor Gregg voted for the motion. The motion was defeated, and masks will continue to be required on SIPOA Boardwalks.

Councilwoman Finke made a motion to add wording in Section 1 (b) that would require persons in attendance at allowed gatherings of more than ten people which are permitted by approval of a temporary use permit as required in Section 7 of the ordinance. Councilman Crane seconded the motion and the vote to approve was unanimous.

Mayor Gregg stated that changes in Section 3 relate to the Governor's latest Executive Order 2020-63. A significant change is that the capacity limitation of restaurants and bars results in Section 3 (a) (4) being deleted. Also, some mandates in the previous Governor's Order are no longer mandates. In Section 3 (a) the renumbered items (4) through (7) and (18), the word "shall" has been changed to "should". The Mayor pointed out that the Governor's latest Executive Order 2020-63 and the date has been updated in Section 5 (c) and a new (f) has been added which reads as follows:

"This section does not apply to the conduct of official business by, or meetings of, any agency or department of the State of South Carolina or any political subdivision thereof, to include the operations of public schools and higher education institutions and the conduct of elections and election related activities."

Town Administrator Cronin stated, since the motion passed that would require wearing face coverings in polling places, that language should be deleted. Councilwoman Finke made a motion to strike “and the conduct of elections and election related activities” from Section 5 (f). Councilman Crane seconded the motion and the vote to approve was unanimous.

Town Administrator Cronin added that in the last sentence of Section 5 (a) he recommended adding “This requirement shall not apply to individuals while engaged in the performance of their work or while participating in a gathering related to a permitted temporary use or event authorized pursuant to Section 7 of this ordinance.” Councilman Crane made a motion to add the wording suggested by the Town Administrator. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

Councilwoman Fox made a motion to amend Section 7 (b) to indicate that Town Council may consider requests for temporary use permits for events or activities, taking place between October 22 and December 22, 2020, if Council determines that the organizers or sponsors of the event will undertake reasonable measures to minimize the risk of spread of COVID-19 within the Town. Such gatherings will be subject to all applicable provisions contained in Section 5. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

Ordinance 2020-06, with amendments approved during discussion, was approved unanimously.

The Budget Workshop portion of the meeting was postponed until Thursday, October 29, and additional Budget Workshop was scheduled for Thursday, November 5, 2020. The meeting was adjourned at 3:30 p.m.

Date: November 17, 2020



Town Clerk