

MINUTES
EMERGENCY TOWN COUNCIL MEETING
March 27, 2020
6:00 p.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 for the purpose of the following: Executive Session, Receipt of legal advice covered by the attorney-client privilege related to Attorney General opinion issued March 27, 2020, reconsideration of the Town Emergency Ordinance issued March 25, 2020 and consideration of Emergency Ordinance to rescind Ordinance of March 25, 2020.

Mayor Pro Tem Moore moved to go into Executive Session, seconded by Councilwoman Smyer and approved unanimously.

Mayor Pro Tem Moore moved to exit Executive Session, seconded by Councilman Kizer and unanimously approved.

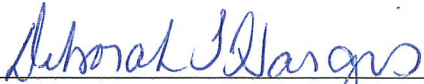
Each Councilmember expressed their concern for the citizens of Edisto Beach and encouraged citizens to abide by CDC regulations and use good judgement in dealing with the COVID-19 virus.

Councilwomen Hornsby moved to approve Emergency Ordinance No. 2020-10 which is attached to these minutes. Councilman Moore seconded the motion, which was unanimously approved.

Mayor Pro Tem Moore moved to adjourn the meeting, seconded by Councilman Kizer and approved unanimously.

The public/media was notified of the location, date and time of the emergency meeting on Friday, March 27, 2020.

APPROVED BY TOWN COUNCIL



Deborah Hargis, Municipal Clerk
April 9, 2020

TOWN OF EDISTO BEACH
EMERGENCY ORDINANCE 2020-10

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, the Town of Edisto Beach adopted an Emergency Ordinance 2020-09 on March 25, 2020; and

WHEREAS, on March 27, 2020 the Office of the Honorable Alan Wilson, Attorney General for the State of South Carolina issued a written letter opinion which stated in part:

...local government cannot exercise the emergency powers delegated to the Governor by the General Assembly...Therefore, counties and municipalities should be aware that any unauthorized exercise of such emergency powers could subject these political subdivisions to liability at the behest of a private citizen with requisite legal standing...the extraordinary powers delegated to the Governor during these extraordinary times... are exclusive and may be only exercised by the Chief Executive of the State.

WHEREAS, the Town Council of the Town of Edisto Beach are extremely concerned about the harmful effects of the COVID-19 virus, however, given the opinion of the Attorney General, without any further guidance or action from the Attorney General or the Governor, the Town Council is constrained to not act upon the precautionary measures set forth in Emergency Ordinance 2020-09 adopted on March 25, 2020.

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

1. Emergency Ordinance 2020-09 is hereby immediately rescinded, revoked, and repealed.
2. Town parks, playgrounds, and facilities will be closed until further notice.
3. The Town Council strongly encourages its citizens and visitors to maintain the practice of social distancing at all times and comply with all precautionary measures promulgated by DHEC, the CDC, and the Governor.

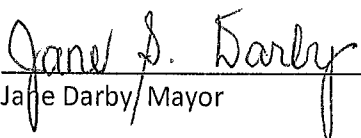
Enacted this 27th day of March 2020, by Town Council of the Town of Edisto Beach, South Carolina.

This ordinance shall take effect immediately.

Attest:



Iris Hill, Town Administrator



Jane Darby, Mayor