

## BLUFFTON TOWN COUNCIL EMERGENCY MEETING MINUTES

### ELECTRONIC MEETING

March 31, 2020

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Town Clerk Kimberly Chapman, Chief of Police Chris Chapmond, Emergency Manager Captain Scott Chandler and Town Attorney Terry Finger were also present.

Pledge of Allegiance and Invocation were given by Mayor Sulka.

#### Adoption of Agenda:

**Wood made a motion to adopt the agenda as presented. Toomer seconded. Mayor Sulka took roll call and all were in favor – the motion carried unanimously.**

#### Public Comment:

**Carol Weir**, 21 Park Circle, Bluffton - Thank you for your service to our community, especially at this difficult time. I would like to ask you to please implement a shelter in place order and enforce it with the Bluffton Police Department. Teenagers are not respecting the current guidelines for social distancing. They are having sleepovers, pool parties and football games. They are bored because they're out of school and are driving around town in full carloads. I know because I'm the parent of two teenagers who are resentful because they are not allowed to do this but their friends are. Please, for the good of all, shut down this activity with a shelter in place order and enforce it. History will be on your side.

**Karen Bartlett** ([kbartlerr1@gmail.com](mailto:kbartlerr1@gmail.com)), Bluffton

**Iris Carpitella** ([pbgiris@hotmail.com](mailto:pbgiris@hotmail.com)), Bluffton

**Kathy Campbell** ([kcampbell312006@sbcglobal.net](mailto:kcampbell312006@sbcglobal.net)), Bluffton

Please vote for a "shelter in place" order in Bluffton. There are several reasons why this is critical:

- 1) the large percentage of older population in Bluffton.
- 2) the virus is spreading, it has not peaked, and we have the opportunity to slow it down if we act now,
- 3) evidence: look at the northern cities that did not react with stricter guidelines immediately- they are overwhelmed.
- 4) we have limited hospital capacity in Beaufort county
- 5) we still have tourists arriving from out of state

Please vote for “shelter in place,” an inconvenience now to prevent this from becoming a catastrophe in our community.

**Sue Brown, ([susanb0917@gmail.com](mailto:susanb0917@gmail.com)) Bluffton** - I am writing to provide my opinion that a shelter in place should be enforced. My husband and I are in our 60's and moved to Bluffton from NJ three years ago. We have 3 grown children and 4 grandchildren in NJ and MD who are all sheltering in place and it is terrifying for us to watch from afar. They are obviously concerned about us down in SC after seeing the reports of visitors from the Northeast being in our area. We have been at home and only go to the store when absolutely necessary. We walk our dog in the park in our development for fresh air and exercise but move a good distance away from the few people that cross our path.

We have seen what is happening to our family and friends up north and feel helpless. They are also doing the right thing by not coming to SC. They do not want to take the chance of carrying it to us if they are asymptomatic. Unfortunately, I can say we have witnessed many others not social distancing and going about their day as per normal in our own development.

Please don't make this another hot spot by not doing the right thing. The lives of the residents of Bluffton and HHI are more important than the revenue generated by tourism. It is terrifying to worry about catching Corona virus in this area when there are way too many people compared to hospital capacity. Our leaders need to take the bull by the horns and put a shelter in place whether it is local or state.

I am ashamed to say we live here when friends and family ask what is being done to keep us safe. Again, do the right thing.

**Eric Shaw ([ericscotshaw@icloud.com](mailto:ericscotshaw@icloud.com)) Bluffton** - My son and I are proud residents of Bluffton, with my young daughter residing on Hilton Head with her mom. I have visitation at my home 3x a week. I'm an Emmy winning TV writer and former published medical researcher writing with a simple request on behalf of the many single parents: *Should* Governor McMaster or **local leadership** invoke a more rigid safer-at-home/shelter-in-place order in the coming days, please add clear language to an announcement that provides explicit permission to maintain door-to-door child visitation. It's in the child's best interest while not adding medical risk (household-to-household, Mom-to-Dad). I'm unsure, frankly, if such a safer-at-home order would even temporarily modify existing visitation orders, but I can tell you that some parents will use it as an opportunity to cause distance with their exes. Please don't allow this.

I have shared this concern with local Mayors and Councilmembers but share with this you to ask that language be inserted, and the issue be raised. I attach a nicely written order as an example from a Weston, Florida family member - how easy would it be to add a lone bullet point (or clarify their “care for or support” a family member wording to “care for, support, or continue door-to-door child visitation”) to anything created in Bluffton or Beaufort County?

In short, if you can go to Publix for necessities, I shouldn't have a new issue in seeing my daughter for door-to-door visitation.

*Please Note: The attachment sent is included below.*

### "Safer at Home" Order to Take Effect Tonight

The City of Weston has issued [Emergency Order 2020-05 \("Safer at Home" Order\)](#) effective at 12:01 a.m. on March 26, 2020.

The "Safer at Home" Order calls for residents to restrict outings to essential business only and allows for other specific essential tasks. Some examples of what you can and cannot do under this new order:

#### YOU CAN:

- Go to the grocery, convenience or hardware store
- Go to the pharmacy
- Visiting a health care professional for medical services that cannot be provided virtually (call first)
- Go to a restaurant for take-out or drive-thru
- Care for or support a family member or friend
- Take a walk, ride your bike, jog and be outdoors for exercise — with at least six feet between you and others
- Walk your pets and take them to the veterinarian
- Help someone to get necessary supplies
- Receive deliveries from any business which delivers

#### YOU SHOULD NOT:

- Go to work unless you are providing essential services as defined by the Order
- Visit friends and family if there is not an urgent need
- Maintain less than 6 feet of distance from others when you go out
- Visit loved ones in the hospital, nursing home, skilled nursery facility or other residential care facility, except for limited exceptions listed on the facility websites
- Travel except for activities related to medically necessary or essential services

Exceptions include driving to a job that's considered essential -- such as repair work, restaurant help or staffing a supermarket. First responders, government and emergency and/or medical personnel are also exempt.

This order defines the observance of social distancing practices and measures that any business exempt from closing will need to follow. Businesses are also responsible for prohibiting sick employees to enter the workplace.

**Janice Robinson, ([janicerobinson187@gmail.com](mailto:janicerobinson187@gmail.com)), Cypress Ridge, Bluffton** –The town of Bluffton needs to stop the building in the Reserve At Cypress Ridge. There are dozens of people building homes right next to each other with no social distancing occurring and it is not an essential service.

**Kristina Hacker ([krissyeiualum@icloud.com](mailto:krissyeiualum@icloud.com)), Bluffton** - As a nurse on the frontlines I want to assure you that all we healthcare workers are tirelessly working to prevent the spread of the Corona Virus and save lives. It is definitely a frightening time on the frontlines, but we are pushing through. As you may have already heard the Mayors of Savannah and Charleston have issued the "Stay Home" order to further prevent the spread of virus from being passed person

to person in their communities. As a responsible resident I feel the need to ask our Mayors, “How come our towns are not activating the “Stay Home” order? Do we not have confirmed cases? Are you doing the most you can to help protect us from this invisible enemy? If we already know that such an order would further protect us, why is it not being implemented in our cities? The known consequences of the Coronavirus have already devastated many families, communities, and countries across the globe. Isn’t it our ethical responsibility to make sure we do our part in the fight? As residents and citizens of the beautiful land of the free, I am urging each and every one of you to help me reach our elected officials to request that the “Stay Home” order be put in place to protect us NOW! We need to do the right thing in order to get ahead of this.

### Communication and Updates:

#### Mayor and Council Update:

Wood stated that citizens are doing a fabulous job at heeding the Governor's word; police department is doing a great job at looking out for elderly; if anyone needs anything, he asked that they please reach out to Town Council. Wood stated that he knows that Bluffton will get through this challenging time.

Hamilton stated he agreed with Wood's statements about how the citizens of Bluffton are being progressive thinkers and taking care of each other; Hamilton offered his contact information to citizens via email and mobile phone number; stated that daycare centers should not remain open.

Toomer stated that this is a time of uncharted waters and there will be decisions that must be made that everyone will not be happy about, but we must do all we can for our families and community to keep everyone safe and healthy. Toomer asked for patience and understanding during this time. Toomer stated that the staff in hospitals are working hard and facing challenges and that understanding, and an open mind are needed.

Frazier thanked citizens for patience; asked that everyone continue to adhere to the Governor's guidelines and not give into hysteria. Frazier asked that citizens only share information from credible sources and to not discriminate against out of state tags and be respectful; use the time to come together and not distance ourselves from each other.

Sulka shared two phrases that reflects what all of Council has shared; “Benefit Over Burden” and “Stay Home, Stay Safe”; stated that we all have to be unified in what we do and will enforce the orders of the Governor so that our police department and sheriff's office can enforce; pleased with the Governor's list of businesses that should be closed and that the information was very clear; thanked the local businesses for following what has been asked and stated that the Town is looking at resources and ways to thank and help local businesses.

## Town Manager Update – Marc Orlando:

Orlando began by stating that the Town of Bluffton has a well prepared and dedicated team and that his top priority is the health and safety of the staff and community.

Orlando stated:

- The extension of the tax compliant deadline has been moved to June 1<sup>st</sup> per the Governors Executive Order 2020.11. This extension affects state income tax, accommodations tax, hospitality tax, and in addition the Town of Bluffton put in place an extension of business license payments at this time. Local taxes or property taxes have not been addressed by the South Carolina Department of Revenue or the Governor at this time.
- Social Distancing Order is in place per Executive Order 2020.12.
- Required self-quarantine for individuals traveling to South Carolina from high risk areas consisting of New York, New Jersey, Connecticut, New Orleans and other hot spots (Executive Order 2020.14).
- The Town has contacted all short-term rental business license holders by sending letters and making phone calls and commercial lodging businesses with a copy of the State flier addressing the 14-day quarantine requirement.
- Palmetto Bluff is not accepting any reservations from the hot spot areas in their home rental program. Montage Palmetto Bluff is closed.
- Closure of State Waterways (Executive Order 2020.16) – The Oyster Factory Park, dock and boat ramp are all closed. Calhoun Street dock is closed. All other County ramps and docks are closed.
- Closure of non-essential business and facilities as defined by the order, including the closure of recreational and athletic facilities including activities on commercial or public playground equipment (Executive Order 2020.17); a list is provided on the Town of Bluffton Government social media page. If a business is not explicitly listed in the Governors order, then the business should continue normal operation until clarification is obtained via the contact number in the executive order for questions.
- The Town of Bluffton Council passed an Emergency Ordinance Suspending the Normal Operating Procedures of Town Council Meetings and Other Public Meetings and to Authorize the Town Manager to Develop and Enact Such Plans and Policies Needed to Ensure Continuity in the Delivery of Government Services in Light of the COVID-19 Outbreak and to Temporarily Suspend the Operation Deadlines Imposed upon the Town and to Extend Tax Compliance Deadlines on March 17, 2020.
- The Town of Bluffton Council passed a Proclamation Imploring all Residents and Visitors of the Town to Strictly Comply with the Governors Executive Order 2020.13 to Follow all Social Distancing Requirements to Minimize the Spread of COVID-19 on March 27, 2020.
- The Town of Bluffton Council passed a Proclamation Calling upon Governor Henry McMaster to Issue a Mandatory Stay at Home Order for the State of South Carolina for

Such a Period of Time as May be Deemed Necessary and Appropriately by the State of South Carolina Department of Health and Environmental Control on March 27, 2020.

- There will be an April Town Council on April 14<sup>th</sup> and a Planning Commission Meeting on April 22<sup>nd</sup>; all other Town of Bluffton public meetings have been cancelled through April 30<sup>th</sup>.
- Operationally we are aligned with Beaufort County and their Emergency Management Department.
- All Town of Bluffton general business is open except for municipal court. Access to the public has been discontinued for the time being, however, there are drop boxes located outside of Town Hall that are being monitored several times daily.
- Don Ryan Center for Innovation staff is helping navigate small businesses during this time and working with Beaufort County Economic Development Corporation.
- Public Works is continuing to monitor Town facilities.
- 50% of the Town of Bluffton workforce is working remotely and several more are working mobile (such as business inspectors).
- All Town facilities and park are wrapped with blue ribbons to recognize first responders and medical staff.
- All Town parks will be closed to the public beginning at 7 a.m. on April 1<sup>st</sup>.
- Suggested the Facebook Resiliency Tool Kit to connect with chambers, bankers and each other.
- Stated that staff has instituted a culture of infection control.
- Stated he and Staff are currently working on FY21 Budget.

Orlando expressed sincere thanks to the Emergency Management and the Police Department, to Town Council.

Finger addressed the question of why the Town of Bluffton has not issued a local “Shelter in Place Order” with local enforcement. Finger stated that only the Governor can issue such an order and even though other jurisdictions have issued such orders in our area, it remains the Town of Bluffton’s legal teams’ opinion that these are not enforceable. The Attorney General’s recent opinions in the past week indicate that the sole and exclusive power for such orders are with the Governor. It is at the opinion of legal, that the Town of Bluffton not embark upon a course of action to invoke such an ordinance which is clearly unconstitutional and could potentially lead to significant liability when we may or may not have insurance under the insurance reserve fund.

#### Chief of Police Update – Chris Chapmond:

Chapmond stated that he was thankful for Council’s leadership during this crisis. Stated that we have a great team and that they are working very hard to guide the Town through the COVID-19 situation. Chapmond stated that the Bluffton Police Department is working side by side with Beaufort County Emergency Management Department.

Chapmond also stated:

- The Bluffton Police Department is using best practices and is in touch with local law enforcement partners daily.
- He is speaking with other Chiefs in “hot spot” areas regarding best practices.
- Ensuring that the Police Department is safe and supplying them with proper medical equipment.
- Additional medical/safety equipment is expected to be delivered to the Police Department.
- The Town is monitoring Staff’s health by temperature and symptom checks.
- The Police Department is staying in touch with community through the “Care Program” and reading books to the kids daily through social media, checking in on local businesses, assisting Beaufort County School District in the feeding program by handing out meals.
- Urged citizens to stay at home and only get their information from credible sources.
- The non-emergency number for those with non-emergency concerns is 843.524.2777.
- Bluffton Police Department is seeking guidance from the Town of Bluffton’s legal team and the Attorney General daily regarding the Governors Executive Orders.
  - Social Distancing - Officers are monitoring activity and if they see issues while out in the community, they are explaining what “social distancing” means and citizens are complying. Officers are also monitoring local businesses and helping to educate the staff and management of those businesses.
  - Quarantine of Visitors from Out of State – 3 step protocol has been put into place and is consistent with other local law enforcement agencies; if an officer encounters and out of state resident and they meet the criteria of the Governors Executive Order, that individual(s) will be issued a quarantine notice and request that they quarantine in place for 14 days. This information is input into the computer and if those individuals and they are in violation of the quarantine, then the officer is given the discretion to issue a citation at the point if needed.
  - Closure of Waterways Through Access of Docks and Beaches – Officers are using discretion and the ramps and docks are being monitored; signage has been placed and the Bluffton Police Department will continue to educate citizens along the way.
  - Non-essential Business Closures – Police Department will make contact with businesses listed in the Executive Order and send out information via social media and will also provide information on how to contact the Commerce Department with specific questions.

#### Emergency Manager Update – Captain Scott Chandler

- Joint Information Center Report is a cumulative gathering of information of the day and is released through social media platforms.

- Daily contact with State partners such as law enforcement, chambers of commerce, hospitals, and utility companies.
- Town of Bluffton and Bluffton Police Department has dedicated staff and the main goal is to keep the community safe and informed.

Town Council Discussion:

Sulka asked that a list of non-essential businesses be listed online.

Comments from the meeting on Facebook will be addressed and answered.

Adjournment:

**Hamilton made a motion to adjourn. Frazier seconded. The meeting adjourned at 7:13 p.m.**

---

Lisa Sulka, Mayor

---

Kimberly Chapman, Town Clerk

DRAFT