

BLUFFTON TOWN COUNCIL SPECIAL MEETING MINUTES

ELECTRONIC MEETING

April 28, 2020

Mayor Sulka called the meeting to order at 11:00 A.M. Council members present were Mayor Pro Tempore Fred Hamilton, Larry Toomer, Bridgette Frazier, and Dan Wood. Town Manager Marc Orlando, Deputy Town Manager Scott Marshall, Town Clerk Kimberly Chapman, Chris Forster Director of Finance and Administration, Chief of Police Chris Chapmond and Town Attorney Terry Finger were also present.

Pledge of Allegiance and Invocation were given by Mayor Pro Tempore Fred Hamilton.

Adoption of Agenda:

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

Public Comment:

Public comment was received until two hours before the meeting start time through the website and via email to the Town Clerk and read aloud for the record:

Leah McCarthy, 51 Spartina Crescent, Bluffton - I urge Town Council and Mayor Sulka to recognize the need for the entire county to get on board with such an ordinance, otherwise this will not be as effective as needed. I also urge the town to provide the signage and sanitation products necessary to be sure the sanitation products are compliant with CDC recommendations for killing bacteria and viruses, signage needed for businesses so the message is continuous across the board, and face masks. Majority of the sanitizer on the market and available is below the 60% alcohol content as recommended by the CDC. Many people are using gloves which is spreading germs more than hand washing and they are not properly disposing of those gloves. I also encourage council to look at the residents inside the gates of Palmetto Bluff. There are many events happening that do not follow any of these guidelines as well as many residents not following any recommendations for social distancing, protective face masks, etc. It is "business as usual" inside the gates. If there is any financial burden to be imposed on businesses for these recommendations, I suggest the Town of Bluffton provides the necessary items. Furthermore, keep in mind, many who live in "Bluffton" do not understand the lines between the town and the county. Many business owners and their employees do not even understand the difference. This is not going to be anywhere near as effective unless Beaufort County Council is implementing the same requirements.

Mike Raymond, 5827 Ginkgo Lane, Bluffton – Honorable Mayor and Members of Town Council, Note: A copy of the proposed ordinance could not be located on the Town's website. The following comments are made in speculation of possible measures under consideration.

Essential businesses have been operating just fine for over six weeks without a guiding ordinance from the Town. Why, now, would it be necessary for local government to attempt regulation? Will regulations apply equally to both essential businesses, that have been open, and those that are about to reopen? Can mandates for operating policies be put into place fairly and equally across all markets, industries, building sizes, sales volumes as well as for essential and non-essential businesses? Can Kroger be regulated the same as Bluffton General Store? Can personal behavior of individual shopping adults be mandated and enforced? Concern for public health is appreciated, but a local government ordinance that attempts to regulate either commercial or personal behavior at this point is neither necessary nor justified. Thank you

Tina Toomer, Bluffton - Good morning, as the owner of the Bluffton Oyster Company and Toomer Seafood Restaurant with my husband I would like to express my concern in regard to the ordinance being considered today about retail/restaurant employees wearing a face mask. Personally, over the last 7 weeks we have experienced hardships on both of our businesses. we have followed strict guidelines even before being required to for the health and safety for our employees and staff- we have implemented measures of one customer at a time in our market, 6 ft distance, using gloves at all times, aprons and washing our hands constantly-we only have one employee other than ourselves working during the week on the inside and two on the outside. We are exhausted with keeping our business open with very limited staff- I feel my intelligence is being questioned about not going to all measures about protecting people. You are asking that we wear masks, have proper signage, provide sanitation stations; what is the rest of Beaufort County doing? The big box stores are not requiring this. I have researched WHO and also talked to my daughter who is on the front line and all statistics show that a mask should be worn if you are taking care of someone with COVID or you are sick. I would expect that these 2 categories of people would be staying home. Our retail market is wide open for ventilation and we are cooking on the outside in open air. I think that this is a personal decision and should be left up to the individual businesses because we are all in different categories. IF THE ENTIRE COUNTY was requiring this, I might would change my mind.

Formal Items:

Consideration of an Emergency Ordinance to Decrease the Risk of Exposure to COVID-19 when Shopping or Visiting Retail Stores- Scott Marshall, Deputy Town Manager

Marshall stated that the City of Charleston, South Carolina, in response to Executive Order 2020-28 adopted an Emergency Ordinance on April 20, 2020, titled "Decreasing Risk of Exposure to COVID in Retail Businesses." The ordinance specifies certain requirements for retailers about maximum occupancy signage, social distancing practices, sanitation/cleaning standards and monitoring of employees.

The Town of Hilton Head Island adopted a Resolution on April 21, 2020 "Urging All Citizens to

Wear Protective Face Masks When Shopping or Visiting Retail Stores.”

The ordinance presented for Town Council consideration captures elements of both the City of Charleston Emergency Ordinance as well as the Town of Hilton Head Island Resolution.

After Council discussion, the item died due to lack of a motion.

Staff was tasked with working with the Town Attorney to craft a Resolution rather than an Ordinance that will “urge the use of masks” rather than to “require.”

Consideration of an Ordinance to Authorize the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7, 2020 and to Waive All Late Fees Assessed on Renewals Due but not Paid between April 30, 2020 and August 7, 2020 – First Reading – Chris Forster, Director of Finance and Administration

Forster stated that on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the outbreak of respiratory illness due to a novel coronavirus (COVID-10). On March 15, 2020, the Honorable Henry McMaster, Governor of South Carolina, issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (COVID-19) and declared that a State of Emergency exists in South Carolina. On March 16, 2020, Mayor Lisa Sulka and the Town of Bluffton declared a local state of emergency in the Town of Bluffton. On April 14, 2020 the Council passed an ordinance to extend the deadline for Hospitality Tax remittance, Local Accommodations tax remittance and the Business License renewal deadline until June 14, 2020.

Forster stated that the deferral of outstanding Business License renewal fees will delay the collection of an estimated \$1.0 million until August 7, 2020. The Town currently has sufficient cash balances in the corresponding funds to sustain us until the revised tax due date of August 7, 2020.

Hamilton made a motion to approve the First Reading of an Ordinance Authorizing the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7, 2020 and to Waive all Late Fees that May Have Been Assessed on Renewals Due but not Paid between April 30, 2020 and August 7, 2020. Frazier seconded. Roll call was taken and the motion was approved unanimously.

Communication from Mayor and Council:

Wood stated that he wanted to thank the local non-profit organizations such as God’s Heart, Volunteers in Medicine, the Bluffton Soup Kitchen and others for all of the help that they are providing to residents.

Frazier encouraged all residents wear masks and follow the CDC guidelines to stay safe. Sulka stated that there is a map on the Town of Bluffton website that shows links to non-profit agencies that are helping people through the pandemic. Sulka encouraged residents to follow CDC guidelines.

Hamilton made a motion to adjourn at 11:59 a.m. Frazier seconded. The motion carried unanimously.

Lisa Sulka, Mayor

Kimberly Chapman, Town Clerk

DRAFT