



***Town of Summerville Council Meeting***  
**Council Chambers – 200 South Main Street, Summerville**  
**Thursday, September 10, 2020 - 6:00 p.m.**

## AGENDA

1. **Call to Order**
2. **Invocation and Pledge of Allegiance - Councilmember Kima Garten-Schmidt**
3. **Approval of Minutes of Previous Meetings**
  - a. Town Council Meeting – August 13, 2020
  - b. Standing Committee Meetings – August 13, 2020
  - c. Special Called Meeting (Wayfinding) – September 2, 2020
  - d. Standing Committee Meetings – September 8, 2020
4. **Public Comment – *For items on the September 10, 2020 Town Council meeting agenda only***

Those wishing to speak must sign up on the third floor prior to entering Council Chambers. Due to limited seating, public comments can be sent to [publiccomments@summervillesc.gov](mailto:publiccomments@summervillesc.gov) before 4:30pm on Thursday, September 10, 2020.
5. **Petitions**
  - a. Petition by Marymeade Associates, LP to annex Berkeley County TMS# 232-00-02-179 and Dorchester County TMS# 138-00-00-036 (approximately 4.70 acres total) located on Berlin G. Myers Pkwy.; currently zoned GC, General Commercial, in Berkeley County and CG, General Commercial, in Dorchester County, and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1) *Planning Commission held a public hearing and made a recommendation for approval at their meeting on August 17, 2020. Planning and Development Committee voted to move the item to full Council with a recommendation for approval at their meeting on September 8, 2020.*
6. **Pending Bills and Resolutions:**
  - a. Second reading of an ordinance to rezone TMS# 144-04-13-013, located at 411 Golf Road, approximately 0.88 acres, and owned by Melissa & Clinton Avery from GR-2, General Residential, to N-R, Neighborhood Residential (Council District 1)
  - b. Second and final reading of an ordinance to annex Berkeley County TMS# 208-00-02-013 (approximately 973 acres) located off of the Nexton Parkway Interchange and Linda Way,

currently zoned HI, Heavy Industrial, and Flex1, Agricultural, in Berkeley County and will be zoned PUD, Planned Development District, upon annexation into the Town of Summerville's municipal limits. (Council District 2)

- c. Second and final reading of an ordinance approving a Proposed Development Agreement for HIC LAND, LLC (Whitfield Tract) or its successor in title and authorizing the execution and delivery of a Development Agreement and other instruments including the implementation of a Planned Unit Development document relating thereto by and between the Town of Summerville and HIC LAND, LLC– Berkeley County TMS# 208-00-02-013 for a total of 973 acres.

**7. Introduction of Bills and Resolutions:**

- a. First reading of an ordinance to adopt the Comprehensive Plan Update, "Summerville: Our Town, Our Future." *Planning Commission held a public hearing and adopted a resolution recommending approval at their meeting on August 17, 2020. Planning and Development Committee voted to move the item to full Council with a recommendation for approval at their meeting on September 8, 2020.*
- b. First reading of amendments to the Summerville Unified Development Ordinance, Chapter 8, Section 8.7.4, Maintenance. *Planning Commission held a public hearing and made a recommendation for approval at their meeting on August 17, 2020. Planning and Development Committee voted to move the item to full Council with a recommendation for approval at their meeting on September 8, 2020.*

**8. Miscellaneous**

- a. Consideration of a lease with Summerville Commissioners of Public Works
- b. Approval to create new position of Traffic Engineer in the Public Works Department
- c. Resolution to amend the Town of Summerville Organizational Chart
- d. Consideration of Emergency Ordinance regarding electronic meetings for Council, committees, boards, and commissions
- e. Consideration of Emergency Ordinance regarding face mask coverings

**9. Public Comment (*Open to all subjects*)**

Those wishing to speak must sign up on the third floor prior to entering Council Chambers. Due to limited seating, public comments can be sent to [publiccomments@summervillesc.gov](mailto:publiccomments@summervillesc.gov) before 4:30pm on Thursday, September 10, 2020.

**10. Executive Session: N/A**

**11. Adjourn**

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Walter Bailey  
Aaron Brown  
Christine Czarnik  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## **Town of Summerville**

### **COUNCIL MEETING MINUTES August 13, 2020**

#### **ATTENDANCE**

Present: Mayor Ricky Waring, Councilmembers Kima Garten-Schmidt, Terry Jenkins, Walter Bailey, Aaron Brown, Bob Jackson and Bill McIntosh. A quorum was met. Several staff members were on the Zoom meeting. Public and press were duly notified. The meeting was held virtually and live streamed on the Town's web site.

#### **CALL TO ORDER**

The regular monthly meeting of Summerville Town Council was called to order at 6:10pm on Thursday, August 13, 2020 by Mayor Waring. The meeting was opened with prayer led by Councilmember Bob Jackson, followed by the Pledge of Allegiance.

#### **APPROVAL OF MINUTES**

Mr. Jenkins made a motion, seconded by Mr. Jackson, to approve the combined minutes of the Town Council Meeting on July 9, 2020, the Standing Committee Meetings on July 9, 2020, the Special Called Meeting on July 16, 2020, and the Special Called Meeting on August 6, 2020. The motion carried unanimously, and the minutes were accepted into record.

#### **SPECIAL RECOGNITION**

Town Clerk Beth Messervy read two letters addressed to Mayor and Council, recognizing the positive actions of several departments.

**PUBLIC COMMENT** (Items on the August 13, 2020 agenda only)

Public comments for the virtual meeting were accepted via email, and the public had a chance to call in their comments as well. Ms. Messervy read the public comments received via email. There were no call-in comments.

**PETITIONS:**

Mr. Brown made a motion, seconded by Mr. McIntosh, to approve first reading of an ordinance to rezone TMS #144-04-13-013, located at 411 Golf Road, approximately .88 acres, and owned by Melissa and Clinton Avery from GR-2 General Residential, to N-R Neighborhood Residential. The motion carried unanimously.

**PENDING BILLS AND RESOLUTIONS**

Mr. McIntosh made a motion, seconded by Mr. Bailey, to approve second and final reading of an ordinance to amend the Summerville Unified Development Ordinance, Chapter 5, Section 5.6.9, Alley; Chapter 10, Section 10.2.1A, Applicability, Section 10.4.2A, Monument signs, Section 10.7.2C Temporary Banners, Maximum Area; and Section 10.8, Signs that do not require a permit. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to postpone the second and final reading of the following ordinance until the September 10, 2020 Council meeting or to an earlier scheduled Special Called meeting:

- 1) Ordinance to annex Berkeley County TMS# 208-00-02-013 (approximately 973 acres) located off of the Nexton Parkway Interchange and Linda Way, currently zoned HI, Heavy Industrial, and Flex1, Agricultural, in Berkeley County and will be zoned PUD, Planned Development District, upon annexation into the Town of Summerville's municipal limits

The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to postpone the second and final reading of the following ordinance until the September 10, 2020 Council meeting or to an earlier scheduled Special Called meeting:

- 1) To approve a Proposed Development Agreement for HIC LAND, LLC (Whitfield Tract) or its successor in title and authorizing the execution and delivery of a Development Agreement and other instruments including the implementation of a Planned Unit Development document relating thereto by and between the Town of Summerville and HIC LAND, LLC– Berkeley County TMS# 208-00-02-013 for a total of 973 acres.

The motion carried unanimously.

**INTRODUCTION OF BILLS AND RESOLUTIONS: N/A**

## **MISCELLANEOUS**

Mayor Waring asked that Item 9a under Miscellaneous be removed from the agenda.

Mr. Jenkins made a motion, seconded by Mr. Brown, to enact an Emergency Ordinance to extend Ordinance #20-0703 regarding the requirements to wear face coverings. Some discussion followed. The motion carried 5-2, with Ms. Garten-Schmidt and Mr. McIntosh voting in opposition.

Mr. Brown made a motion, seconded by Mr. Bailey, to enact an Emergency Ordinance to extend Ordinance #20-0701 regarding the approval of electronic meetings for Council, committees, boards and commissions. Some discussion followed. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to approve \$18,000 be distributed to the Summerville-Dorchester Museum as recommended by the 2020 State Accommodations Tax Advisory Committee. Some discussion followed. The motion carried unanimously.

Mr. Jenkins made a motion, seconded by Mr. Jackson, to authorize the Town Attorney to draw up an agreement to extend the lease of the Saul Alexander playground to the Summerville Miracle League for five years. Some discussion followed. The motion carried unanimously.

Mr. McIntosh made a motion, seconded by Mr. Jenkins, to approve and authorize the Mayor to sign an Intergovernmental Agreement with Dorchester District 2 Schools and Dorchester County, along with any minor revision that the Town Attorney deems appropriate, for Phase I improvements to Memorial Stadium/McKissick Field. The motion carried unanimously.

## **PUBLIC COMMENT (OPEN)**

Public comments for the virtual meeting were accepted via email, and the public had a chance to call in their comments as well. Ms. Messervy read the public comments received via email. There were no call-in comments.

## **EXECUTIVE SESSION**

Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, for Council to enter into Executive Session for the following:

- a. Contractual matter related to arrangement for downtown development services
  - b. Contractual matter regarding lease with Summerville-Dorchester Museum
  - c. Contractual matter regarding the condemnation of Tract 55, TMS #130-10-00-069 for the Maple Street project.
  - d. Personnel matter regarding a wellness audit of the Summerville Police Department
- The motion carried, and Council entered into Executive Session at 6:50pm.

**OTHER BUSINESS**

Council returned from Executive Session at 8:15pm. Town Attorney GW Parker reported that no action was taken on:

- a. Contractual matter related to arrangement for downtown development services
- b. Contractual matter regarding lease with Summerville-Dorchester Museum
- c. Contractual matter regarding the condemnation of Tract 55, TMS #130-10-00-069 for the Maple Street project.
- d. Personnel matter regarding a wellness audit of the Summerville Police Department

Mr. Jenkins made a motion, seconded by Mr. McIntosh, to authorize the Town Attorney to file condemnation papers on Tract 55, TMS #130-10-00-069 for the Maple Street project. The motion carried unanimously.

**ADJOURN**

There being no further business, the meeting adjourned at 8:16pm on motion of Mr. Brown, seconded by Mr. Jenkins.

Respectfully Submitted,

APPROVED:

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Beth Messervy, Town Clerk

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Ricky Waring, Mayor



**TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT**

*"Creating Sense of Place Through Parks & Play"*

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**TO:** Beth Messervy, Town Clerk  
**CC:** Rebecca Vance, Town Administrator  
**FROM:** Amy Evans, Parks & Recreation Director  
**DATE:** August 17, 2020  
**RE:** August 2020 Parks & Recreation Committee Meeting Minutes

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The Parks & Recreation Committee met virtually on Thursday August 13<sup>th</sup>, 2020 using Zoom. The meeting was streamed live on the Town's website. Committee members Kima Garten-Schmidt, Aaron Brown, and Chairman Bob Jackson participated in the meeting. Chairman Bob Jackson called the meeting to order at 5:35PM.

- 1) Outdoor Rental Pavilions Proposal
  - a. Ms. Evans proposed to rent two pavilions at Gahagan Park as outdoor rental spaces. When not rented, these pavilions will remain first come, first serve.
  - b. Ms. Garten-Schmidt made a motion (seconded by Mr. Brown) to approve the outdoor pavilion proposal with a change to the proposed fees of \$50 (instead of \$75) for residents and \$125 (instead of \$150) for non-residents. The motion passed unanimously.
- 2) With no other business to discuss, Mr. Brown made a motion (seconded by Ms. Garten-Schmidt) to adjourn. Motion passed unanimously and the meeting adjourned at 5:40 PM.

Sincerely,

Amy Evans  
Parks & Recreation Director  
Town of Summerville

**PLANNING AND DEVELOPMENT COMMITTEE**

**REPORT for  
August 13, 2020  
5:30 PM  
Virtual Meeting**

The Planning and Development Committee of Town Council met on August 13, 2020 immediately following the Parks and Recreation Committee Meeting at 5:30 PM. The meeting was held virtually. Committee members present included Bill McIntosh, Council District 4, Bob Jackson, Council District 6, and Terry Jenkins, Council District 2. Staff members present included Jessi Shuler, AICP, Director of Planning; and other Town staff.

The meeting was called to order at 5:34 PM by Mr. McIntosh.

**Rezoning:**

Ms. Shuler introduced the request to rezone TMS# 144-04-13-013, located at 411 Golf Road, approximately 0.88 acres, and owned by Melissa & Clinton Avery from GR-2, General Residential to N-R, Neighborhood Residential (Council District 1). She stated that Planning Commission held a public hearing and made a recommendation for approval at their meeting on July 20, 2020. Mr. Brown detailed that he had met with the owners on the site, and he believed that fixing up this property and providing a pool and small event space for the neighborhood would be a positive thing. Mr. McIntosh asked for clarification on why this use would be nonconforming under the current zoning district. Ms. Shuler explained that under the current zoning regulations this use as an outdoor recreational facility is only allowed as a Special Exception in the GR-2 zoning district, and one of the conditions of the Special Exception is that no buildings be within 100 feet of an adjacent property. The existing building on this site does not meet that condition. Following the discussion, Mr. Jackson made a motion to move the rezoning forward for first reading with a recommendation for approval, and Mr. Jenkins made the second. Mr. McIntosh called for the vote, and the motion passed unanimously.

**BPAC 2020 Priority List:**

Ms. Shuler then introduced the Bicycle Pedestrian Advisory Committee (BPAC) 2020 Improvement Priority List, and stated that the Planning Commission made a recommendation for approval of the list at their meeting on July 20, 2020. Ms. Shuler explained that this list was not binding, but provided staff and Council a list of priority projects for consideration based on available funding. After a short discussion of how the Committee should take action on this agenda item, Mr. Jenkins made a motion to accept the recommendations of the BPAC, and Mr. Jackson made the second. Mr. McIntosh called for the vote, and the motion passed unanimously.

Following no additional business or discussion, the meeting was adjourned at 5:40 PM on a motion by Mr. Jenkins, and a second by Mr. Jackson.

Respectfully submitted,



Jessi Shuler, AICP  
Director of Planning

August 14, 2020

**TOWN OF SUMMERVILLE**  
**PUBLIC SAFETY COMMITTEE MEETING**  
**MINUTES – AUGUST 13, 2020**

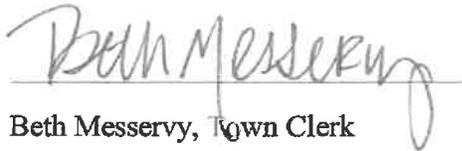
The Public Safety Committee of Council met on Thursday, August 13, 2020 electronically via Zoom, and the meeting was livestreamed from the Town's web site. Present were Councilmembers Terry Jenkins and Walter Bailey, along with Chairman Aaron Brown, Police Chief Jon Rogers, and Fire Chief Richard Waring. Members of the press and public were duly notified. The meeting was called to order at 5:41pm by Chairman Aaron Brown.

Chief Rogers presented the effects of Covid-19 on the Police Department, including how the pandemic has affected staffing and calls for service. He also went through the different grants that the Department has applied for. He also highlighted some of the projects that are going on within the community.

Chief Waring presented the effects of Covid-19 on the Fire-Rescue Department, including how the pandemic has affected personnel and calls for service. He also reviewed the grants that the Fire Department has applied for.

Mr. Bailey made a motion, seconded by Mr. Jenkins, to adjourn. The motion carried unanimously, and the meeting adjourned at 5:53pm.

Respectfully submitted,

  
Beth Messervy, Town Clerk

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Walter Bailey  
Aaron Brown  
Terry Jenkins  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## Town of Summerville

### MINUTES – PUBLIC WORKS COMMITTEE MEETING August 13, 2020

The meeting was called to order at 5:57pm by Chair Kima Garten-Schmidt. Committee members Terry Jenkins and Walter Bailey were also present. Also in attendance was Director of Public Works Russ Cornette. Press and public were duly notified of the meeting. The meeting was held via Zoom Meetings and broadcast live on YouTube.

Mr. Cornette presented updates on the following projects:

- a. **Bear Island Road.** All permits for the project have been acquired. The Finance Committee approved a requisition for \$6,395,786.33 for Banks Construction in June 2019. Banks Construction mobilized and began clearing operations on July 8, 2019. Construction is 77.8% completed and expected to be completed in September 2020.
- b. **Maple Street.** Michael Baker, Inc is currently conducting right-of-way acquisition for Maple Street. Right-of-way acquisition is expected to be completed Summer 2020. Final construction documents are being prepared and was submitted to SCDOT for review by early April. There is one property on the council executive session agenda for consideration for condemnation. Project is expected to be ready to bid in fall of 2020.
- c. **Cedar Street Extension.** Cedar Street Extension is in the preliminary design and permitting phase. Survey, environmental and preliminary design work is currently underway. The wetland Jurisdictional Determination was signed and submitted to the Army Corps of Engineers this week.
- d. **Central Avenue Sidewalk Project.** J. Bragg Consulting, Inc was selected to design and permit the sidewalk project. Final plans for Phase 1 are currently being worked on and are expected to be completed in the next 60 days.
- e. **West 5th South St Sidewalk.** The Town recently went into a design contract with a consultant to begin design on this sidewalk project. Survey work has been completed, and design work has begun.
- f. **Lee Street Sidewalk Project.** The Town recently went into a design contract with a consultant to begin design on this sidewalk project. Survey work has been completed and design work has begun.
- g. **North Hickory Street Sidewalk.** Design is completed and has been submitted for permitting and railroad coordination.
- h. **Shepard Park Drainage.** Final design work is completed and the pond portion of the project is nearly fully permitted. The Peters Street diversion portion of the project has secured permitting with SCDOT. Staff has begun working on the State Rural

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Infrastructure Grant to be submitted in September 2020 to fund the construction of the project.

- i. **US-78 North Summerville Drainage Study.** Survey is completed and modelling work just began with preliminary results expected in September.
- j. **Springview Lane Oakbrook Drainage Study.** Survey was completed and submitted for this project in June. Preliminary report was received June 19. Recommendations are to acquire property and construct a detention pond behind the SCDHEC mental health facility on Springview Lane. Also, to dredge the canal behind the theater on Ladson Road, which will be completed by Stormwater Department. Final report will be submitted in late August.
- k. **Oolong Lane.** The Shepard Place HOA agreed to transfer the Right-of-way of Oolong Lane to the Town. The survey has been completed and being reviewed. Knight Law Firm is working on the deed document. The quitclaim will be ready for first reading n September.

There was discussion on the possibility of building the new traffic signal at the intersection of North Main Street and Cedar Street and opening the new intersection of Cedar Street and Berkeley Circle with the signal operating prior to the rest of the project being completed. Staff indicated there was a possibility this could be achieved.

There being no further business, the meeting was adjourned at 6:05pm.

Respectfully submitted,

  
Beth Messervy, Town Clerk

**TOWN OF SUMMERSVILLE**  
**FINANCE COMMITTEE REPORT**  
**August 13, 2020**

The Finance Committee met on Thursday, August 13, 2020. Present were Mayor Waring and Committee members Bob Jackson, Aaron Brown, Walter Bailey, Kima Garten-Schmidt, Terry Jenkins and Bill McIntosh. Also present were Town Clerk Beth Messervy and Town Attorney G.W. Parker. Other staff members, members of the press and members of the public were duly notified. The meeting was held virtually by Zoom and livestreamed on the Town's website.

<b>Welcome</b>	Mayor Waring welcomed everyone and called the meeting to order at 6:06pm
<b>Presentation of Financial Report</b>	Andrew Shelton presented the July 2020 financial report. The report was accepted as information.
<b>Authorizations</b>	Mr. Bailey made a motion, seconded by Mr. Jenkins, to approve an additional \$100,000 for improvements to Memorial Stadium / McKissick Field. The motion carried unanimously.
<b>Surplus Vehicles</b>	Mr. Brown made a motion, seconded by Mr. Jackson, to surplus the following vehicles from Code Enforcement: 2006 Chevy Silverado, 2006 Chevy Equinox, 2004 Chevy Impala, and 2000 Chevy Silverado. The motion carried unanimously.
<b>Adjourn</b>	Mr. Jackson made a motion, seconded by Mr. Jenkins, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:09pm.

Respectfully submitted,

  
Beth Messervy  
Town Clerk

Ricky Waring, Mayor

*Council Members:*

Bob Jackson

Walter Bailey

Aaron Brown

Terry Jenkins

Kima Garten-Schmidt

William McIntosh



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

**Town of Summerville**  
**SPECIAL CALLED COUNCIL MEETING MINUTES**  
**September 2, 2020**

**ATTENDANCE**

Present: Mayor Waring, Councilmembers Terry Jenkins, Walter Bailey, Aaron Brown, Bob Jackson, Kima Garten-Schmidt, and Bill McIntosh. A quorum was present online. Staff was also present online. Public and press were duly notified. The meeting was held electronically via Zoom and livestreamed on the Town's web site.

**CALL TO ORDER**

Mayor Ricky Waring called the Special Called Council meeting to order at 5:00pm on Wednesday, September 2, 2020.

**PRESENTATION:**

John Borio with Merje gave a presentation on the current status of the wayfinding signage project. He gave a summary of the wayfinding program, an analysis of the current wayfinding signage, and design options. Council asked questions and gave their input on the proposed design options. Mr. Borio stated that he would take Council's suggestions and develop more designs for the wayfinding signage.

**EXECUTIVE SESSION:**

Mr. Brown made a motion, seconded by Ms. Garten-Schmidt, to enter into Executive Session to discuss a legal matter related to the condemnation of a drainage easement on the property of Kenneth Reed (TMS #137-13-08-002). The motion carried, and Council went into Executive Session at 5:42pm.

**OTHER BUSINESS:**

Council returned from Executive Session at 5:51pm. Town Attorney GW Parker stated that no action was taken in Executive Session on the legal matter related to the condemnation of a drainage easement on the property of Kenneth Reed.

Mr. Jenkins made a motion, seconded by Mr. Bailey, to authorize the Town Attorney to begin the condemnation process for a drainage easement on the property of Kenneth Reed (TMS# 137-13-08-002). The motion carried unanimously.

September 2, 2020  
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**ADJOURN:**

There being no further business, Mayor Waring adjourned the meeting at 5:52pm.

Respectfully submitted:

APPROVED:

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Beth Messervy, Town Clerk

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Ricky Waring, Mayor



TOWN OF SUMMERVILLE PARKS & RECREATION DEPARTMENT

*"Creating Sense of Place Through Parks & Play"*

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**TO:** Beth Messervy, Town Clerk

**CC:** Rebecca Vance, Town Administrator

**FROM:** Amy Evans, Parks & Recreation Director

**DATE:** September 8, 2020

**RE:** September 2020 Parks & Recreation Committee Minutes

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The Parks & Recreation Committee met virtually on Tuesday, September 8<sup>th</sup>, 2020 using Zoom. The meeting was streamed live on the Town's website. Committee members Kima Garten-Schmidt, Aaron Brown, and Chairman Bob Jackson participated in the meeting. Chairman Bob Jackson called the meeting to order at 5:30PM.

- 1) Purchase of amenities for Short Central
  - a. Ms. Evans shared that DREAM and business owners along Short Central reached out to the Town to request seating and additional trash cans for that street. It was proposed that the Town would provide the tables, DREAM would supply and maintain the umbrellas, and the business owners would be responsible for the daily cleaning of the tables.
  - b. The tables will be spread along Short Central and would be available to the public. They will match the tables that are currently at Town Hall.
  - c. Council agreed to the purchase of eight tables, two ADA tables, and four trash cans for a total cost of \$9,738.
- 2) Skate Park Expansion
  - a. Ms. Evans shared that Dorchester County is interested in possibly partnering with the Town to expand the skatepark.
  - b. Estimates are currently being gathered. The project would consist of expanding the concrete to 10,000 square feet and adding features, possible lighting, and a shaded seating area. It was noted that the fencing was put in place for security reasons. Ms. Evans stated she would apply for a PARD Grant, and the balance could be split between the Town and Dorchester.

- c. Council members voiced potential concerns about lighting and stated additional conversations with neighbors needed to take place. They also asked about any known ongoing issues. Mr. Jon Rogers nor Ms. Evans were aware of any. Council also stated that Dorchester County could potentially fund the expansion since the Town paid for the original park.
- 3) Update on the Oakbrook Ashley River Preserve
- a. Ms. Evans shared that the proposed final master plan was on the website and has been shared on social media for feedback. Any feedback regarding the plans would be appreciated. Larger scale renderings will be put at Town Hall and the Rollins Edwards Community Center.
  - b. Next Council Meeting is anticipated to be held in October. ESP Associates is working on architectural models and renderings and a preliminary opinion of probable cost to share at this meeting.
- 4) Discussion of a tennis pro backboard
- a. Ms. Evans shared the cost associated with purchasing a backboard. It would be placed at the tennis courts on Laurel St. It was also noted that there are not dedicated funds for this purchase.
  - b. Ms. Garten-Schmidt shared the need for one within the community, and other Council members agreed.
  - c. Council agreed to have Ms. Evans purchase one for the Parks Department.
- 5) Other business
- a. Mr. Jackson asked Mr. Parker if construction documents for the Oakbrook Ashley River Preserve needed to go through the RFP process. Mr. Parker and Ms. Evans stated that because it falls under professional services, it is not required. Mr. Jackson asked Council if they agreed with Ms. Evans asking ESP Associates for a proposal of costs since they are familiar with this project. Mr. Bailey asked if the intent was to complete the park in phases and inquired about the building. Mr. Jackson said phasing and estimated costs would be a part of the discussion at the October Council meeting, but he noted that the building would likely not be in the first phase. Everyone was in agreement for Ms. Evans to request a proposal of costs for construction documents from ESP Associates.

With no other business to discuss, Ms. Garten-Schmidt made a motion (seconded by Mr. Brown) to adjourn. Motion passed unanimously and the meeting adjourned at 5:44 PM.

Sincerely,

Amy Evans  
Parks & Recreation Director  
Town of Summerville

**PLANNING AND DEVELOPMENT COMMITTEE**

**REPORT** for  
September 8, 2020  
5:30 PM  
Virtual Meeting

The Planning and Development Committee of Town Council met on September 8, 2020 immediately following the Parks and Recreation Committee Meeting at 5:30 PM. The meeting was held virtually. Committee members present included Bill McIntosh, Council District 4, Bob Jackson, Council District 6, and Terry Jenkins, Council District 2. Staff members present included Jessi Shuler, AICP, Director of Planning; and other Town staff.

The meeting was called to order at 5:44 PM by Mr. McIntosh.

**Comprehensive Plan:**

Ms. Shuler introduced the consideration of an ordinance to adopt the Comprehensive Plan Update, "Summerville: Our Town, Our Future." She stated that Planning Commission held a public hearing and adopted a resolution recommending approval at their meeting on August 17, 2020. Mr. Jackson made a motion to forward this to full Council with a recommendation of approval, and Mr. Jenkins made the second. Mr. Jenkins noted that a workshop with full Council is scheduled between first and second reading to discuss any concerns with the plan. Mr. McIntosh asked if this would go before Council for first reading on Thursday night, and Ms. Shuler confirmed that it would. He expressed his concern about needing to maximize flexibility in the plan, and asked Mr. Jenkins, who served on the Advisory Committee, if he felt that the plan maximized flexibility. Mr. Jenkins responded that he felt some wording modifications were made that provide greater flexibility or match the language already in the UDO. He noted that there were more sections than the N. Charleston plan, but he is comfortable because the plan can be amended, so he doesn't think Council's hands are tied. Mr. Brown expressed that he had some concerns, particularly regarding diversity in housing, but he would wait to discuss those at the workshop. Mr. McIntosh again expressed his concerns about having flexibility in the future, particularly regarding the Future Land Use Plan. Mr. Jackson stated that he was also on the Advisory Committee, and he was one of the people that fought to get the shalls and wills in the document, and thinks that the public should be involved if changes are required, but he will explain his stance more at the workshop. Following the discussion, Mr. McIntosh called for the vote, and the motion passed unanimously.

**Annexation:**

Ms. Shuler then introduced the Petition by Marymeade Associates, LP to annex Berkeley County TMS# 232-00-02179 and Dorchester County TMS# 138-00-00-036 (approximately 4.70 acres total) located on Berlin G. Myers Pkwy.; currently zoned GC, General Commercial, in Berkeley County and CG, General Commercial, in Dorchester County, and will be zoned G-B, General Business, upon annexation into the Town of Summerville's municipal limits. (Council District 1), and she stated that the Planning Commission held a public hearing and made a recommendation for approval at their meeting on August 17, 2020. Ms. Shuler explained that these properties previously requested annexation a couple of years ago; however, the applicant withdrew prior to second reading because the developer decided not to move forward with the development. She stated that these properties would be combined with the adjacent properties for a ten acre development, which is planned to be an apartment complex. Mr. Jenkins made a motion to send to full Council for approval, and Mr. Jackson made the second. Mr. McIntosh called for the vote, and the motion passed unanimously.

**UDO Amendment:**

Ms. Shuler introduced the last item on the agenda for the proposed amendments to the Summerville Unified Development Ordinance, Chapter 8, Section 8.7.4, Maintenance. She stated that Planning Commission held a public hearing and made a recommendation for approval at their meeting on August 17, 2020. Ms. Shuler then provided a brief explanation of the need for the language in the amendment even though it is used infrequently. Mr. Jackson made a motion to recommend approval to full Council, and Mr. Jenkins made the second. Mr. McIntosh called for the vote, and the motion passed unanimously.

Following no additional business or discussion, the meeting was adjourned at 5:57 PM on a motion by Mr. Jenkins, and a second by Mr. Jackson.

Respectfully submitted,



Jessi Shuler, AICP  
Director of Planning

September 9, 2020

*Mayor*  
Ricky Waring

*Council Members:*  
Bob Jackson  
Walter Bailey  
Aaron Brown  
Terry Jenkins  
Kima Garten-Schmidt  
William McIntosh



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

# Town of Summerville

## MINUTES -- PUBLIC WORKS COMMITTEE MEETING September 8, 2020

The meeting was called to order at 5:58pm by Chair Kima Garten-Schmidt. Committee members Terry Jenkins and Walter Bailey were also present. Also in attendance was Director of Public Works Russ Cornette. Press and public were duly notified of the meeting. The meeting was held via Zoom Meetings and broadcast live on YouTube.

Mr. Cornette presented updates on the following projects:

1. Bear Island Road. All permits for the project have been acquired. The Finance Committee approved a requisition for \$6,395,786.33 for Banks Construction in June 2019. Banks Construction mobilized and began clearing operations on July 8, 2019. Construction is rapidly nearing substantial completion and a ribbon cutting ceremony is scheduled for Tuesday, September 29, 2020.
2. Maple Street. Michael Baker, Inc is currently conducting right-of-way acquisition for Maple Street. Right-of-way acquisition is expected to be completed Summer 2020. Final construction documents are being prepared and was submitted to SCDOT for review by early April. Project is expected to be ready to bid in fall of 2020.
3. Cedar Street Extension. Cedar Street Extension is in the preliminary design and permitting phase. Survey, environmental and preliminary design work is currently underway. The wetland Jurisdictional Determination was signed and submitted to the Army Corps of Engineers in August.
4. Central Avenue Sidewalk Project. J. Bragg Consulting, Inc was selected to design and permit the sidewalk project. Final plans for Phase 1 are currently being worked on and are expected to be completed in the next 60 days.
5. West 5th South St Sidewalk. The Town recently went into a design contract with a consultant to begin design on this sidewalk project. Survey work has been completed, and preliminary design work is completed and will be presented.
6. Lee Street Sidewalk Project. The Town recently went into a design contract with a consultant to begin design on this sidewalk project. Survey work has been completed and design work has begun.
7. North Hickory Street Sidewalk. Design is completed and has been submitted for permitting and railroad coordination.
8. Shepard Park Drainage. Final design work is completed and the pond portion of the project is nearly fully permitted. The Peters Street diversion portion of the project has secured permitting with SCDOT. Staff has completed and submitted the grant

200 South Main Street, Summerville, SC 29483-6000 \* 843.871.6000, Fax: 843.871.6954

[www.SummervilleSC.gov](http://www.SummervilleSC.gov)

application for the State Rural Infrastructure Grant for \$1,409,482 and has been submitted. The grant requires a 25% match, which is \$469,827 if the grant is successful.

9. US-78 North Summerville Drainage Study. Survey is completed and modelling work just began with preliminary results expected in late September or early October.
10. Springview Lane Oakbrook Drainage Study. Survey was completed and submitted for this project in June. The Preliminary report was received in June 19. Recommendations are to acquire property and construct a detention pond behind the SCDHEC mental health facility on Springview Lane. Also, to dredge the canal behind the theater on Ladson Road, which was completed by Stormwater Department. Final report was submitted in late August.

LED Street Lighting Pilot Program. Dominion Energy approached staff about entering into an incentive program to convert existing street lights into LED street lights. Staff identified an area of Town encompassed by Cedar Street, West Richardson Avenue, Maple Street, and US-78 to convert to LED Street lights. The incentive program is over a five-year span, and will save the Town 6% of the existing costs over that time. This will convert 140 lights to LED. Dominion will be sending the contract documents for the Town Administrator's signature in the coming weeks.

There being no further business, the meeting was adjourned at 6:05pm.

Respectfully submitted,

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Beth Messervy, Town Clerk

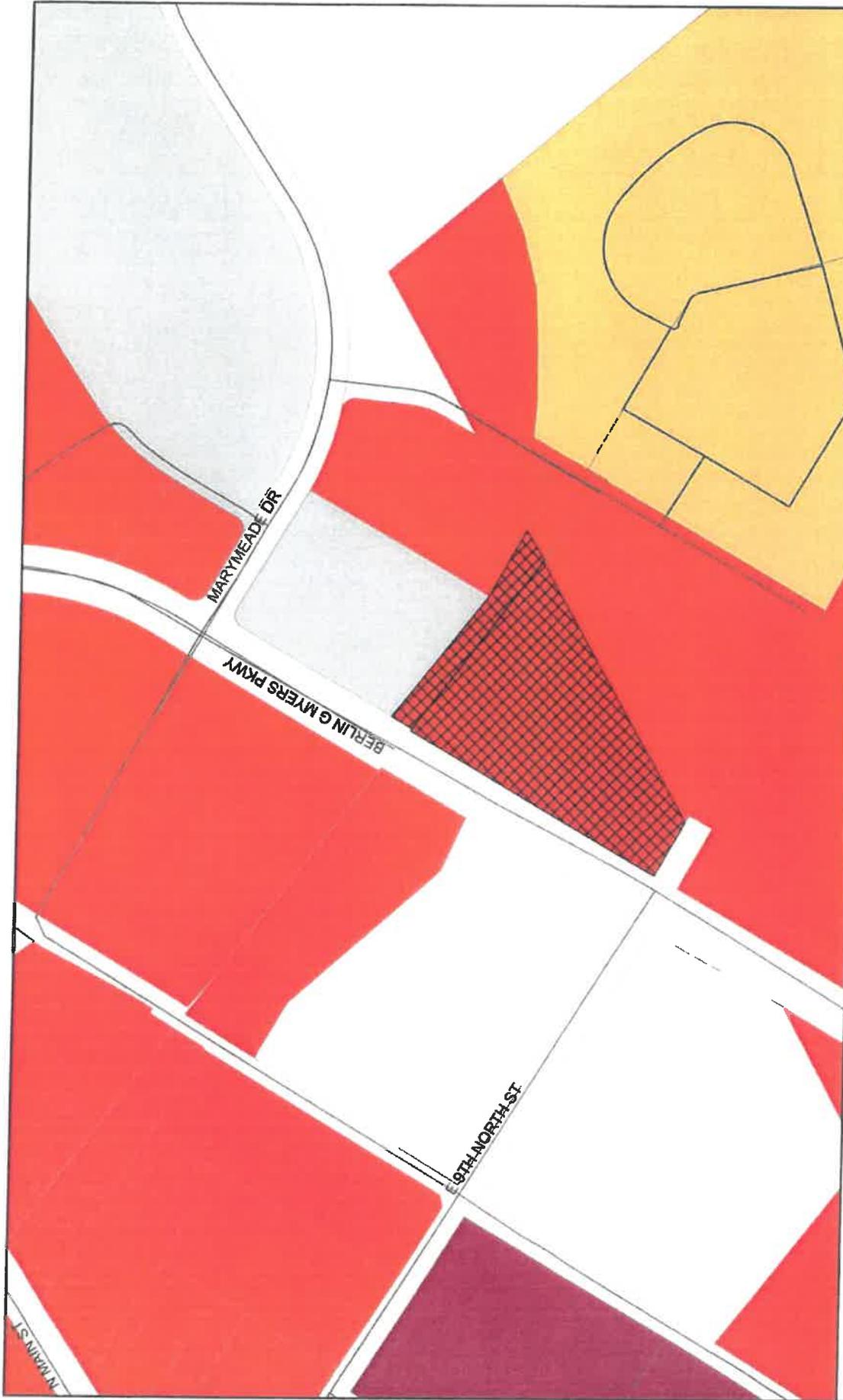
**TOWN OF SUMMERVILLE  
FINANCE COMMITTEE REPORT  
September 8, 2020**

The Finance Committee met on Tuesday, September 8, 2020. Present were Mayor Waring and Committee members Bob Jackson, Aaron Brown, Walter Bailey, Kima Garten-Schmidt, Terry Jenkins and Bill McIntosh. Also present were Town Clerk Beth Messervy and Town Attorney G.W. Parker. Other staff members, members of the press and members of the public were duly notified. The meeting was held virtually by Zoom and livestreamed on the Town's website.

<b>Welcome</b>	Mayor Waring welcomed everyone and called the meeting to order at 6:06pm
<b>Presentation of Financial Report</b>	Andrew Shelton presented the August 2020 financial report. The report was accepted as information.
<b>Authorizations</b>	<p>Mr. Jenkins made a motion, seconded by Ms. Garten-Schmidt, to authorize the Town to approve funding for DREAM's Summerville Skates event, so that DREAM and Council work together to decide if event will go forward before the drop dead date The motion carried unanimously.</p> <p>Mr. Jackson made a motion, seconded by Mr. Jenkins, to authorize the Town to add a new section and amend the personnel section of the Employee Handbook. The motion carried unanimously.</p> <p>Mr. McIntosh made a motion, seconded by Mr. Jackson, to keep the 2021 millage rates as they were for 2020 for Dorchester, Berkeley, and Charleston counties and to affirm the millage rate with letters to the County Auditors. The motion carried unanimously.</p>
<b>Financial Requisition</b>	Mr. Brown made a motion, seconded by Mr. Bailey, to issue a purchase order to Motorola Solutions in the amount of \$47,272.26 for 6 APX All Band Consolettes for the Police Department. The motion carried unanimously.
<b>Surplus Vehicles</b>	Mr. Jackson made a motion, seconded by Mr. Brown, to authorize the surplus of the following Police Department vehicles: P34, P217, P228, P290, and P297. The motion carried unanimously.
<b>Adjourn</b>	Mr. Jackson made a motion, seconded by Mr. Brown, to adjourn. The motion carried unanimously, and the meeting adjourned at 6:20 pm.

Respectfully submitted,

\_\_\_\_\_  
Beth Messervy  
Town Clerk



- Zoning**
- G-B
  - L
  - MF-R
  - UC-MX
  - Annexation Request

**Annexation - TMS# 232-00-02-179  
and 138-00-00-036**

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.

**2020**



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE PARCELS OWNED BY MARYMEADE ASSOCIATES, LP., ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEEDS AND RECORDED PLATS ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owners of the real estate designated as Berkeley County TMS # 232-00-02-179 and Dorchester County TMS# 138-00-00-036, located on Berlin G. Myers Parkway (approximately 4.70 acres total in two parcels), has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deeds and recorded plats, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway(s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel;

SECTION II. That the properties above described and hereby annexed shall be Zoned G-B "General Business" and be classified as G-B "General Business" under the Zoning Ordinance of the Town of Summerville.

Ratified this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

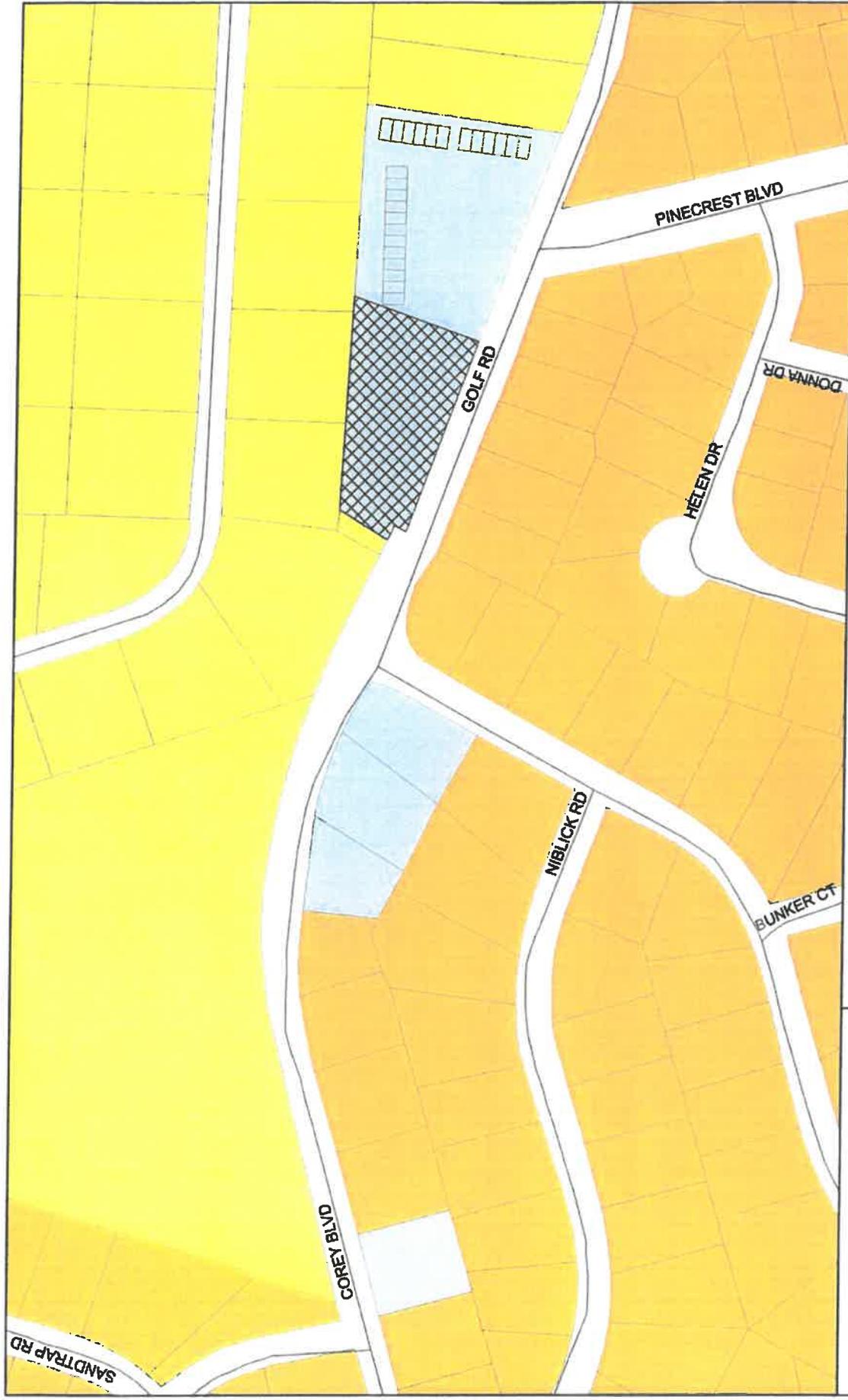
\_\_\_\_\_  
Ricky Waring, Mayor

\_\_\_\_\_  
Beth Messervy, Town Clerk

PUBLIC HEARING: August 17, 2020

FIRST READING: September 10, 2020

SECOND READING: \_\_\_\_\_



- Zoning**
- GR-2
  - GR-5
  - N-R
  - Rezoning Request

# Rezoning - TMS# 144-04-13-013

## 411 Golf Road

Disclaimer: This map is a graphic representation of data obtained from various sources. All efforts have been made to warrant the accuracy of this map; however, the Town of Summerville disclaims all representation and liability for the use of this map.

2020



Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

ORDINANCE

To Amend the Zoning Map of the Town of Summerville

BE IT ORDAINED, by the Mayor and Town Council of the Town of Summerville in Council assembled that the approximately 0.88 acres owned by Melissa and Clinton Avery located 411 Golf Road and known as Dorchester TMS# 144-04-13-013 be rezoned to the classification of N-R, "Neighborhood Residential" from the classification of GR-2 "General Residential."

The Zoning Map of the Town of Summerville is hereby amended so as to incorporate this change.

Ratified this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Ricky Waring, Mayor

\_\_\_\_\_  
Beth Messervy, Town Clerk

PUBLIC HEARING: July 20, 2020

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

ORDINANCE

TO ANNEX TO, AND INCORPORATE WITHIN THE CORPORATE LIMITS OF THE TOWN OF SUMMERVILLE, THE PARCEL OWNED BY THE WHITFIELD COMPANY, ADJACENT TO THE BOUNDARY LINE OF THE TOWN, AS DESCRIBED ON THE DEEDS AND PREPARED PLATS ATTACHED HERETO AND INCORPORATED BY REFERENCE:

WHEREAS, the owner of the real estate designated as Berkeley County TMS# 208-00-02-013, Nexton Parkway Interchange, Linda Way, and Drop Off Drive, described as approximately 973 acres, has petitioned the Town Council of the Town of Summerville to annex into the Town of Summerville.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Members of Town Council duly assembled;

SECTION I. That the described land on the attached deed and prepared plat, contiguous to the boundary of the Town of Summerville is hereby annexed to, taken into and made a part of the Town of Summerville and including the public roadway (s) immediately adjacent to the property lines of the parcel for the purposes of providing public service to the parcel.

SECTION II. That the property above described and hereby annexed shall be Zoned PUD Planned Development District" and be classified as PUD "Planned Development District" under the Zoning Ordinance of the Town of Summerville.

Ratified this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

\_\_\_\_\_  
Ricky Waring, Mayor

\_\_\_\_\_  
Beth Messervy, Town Clerk

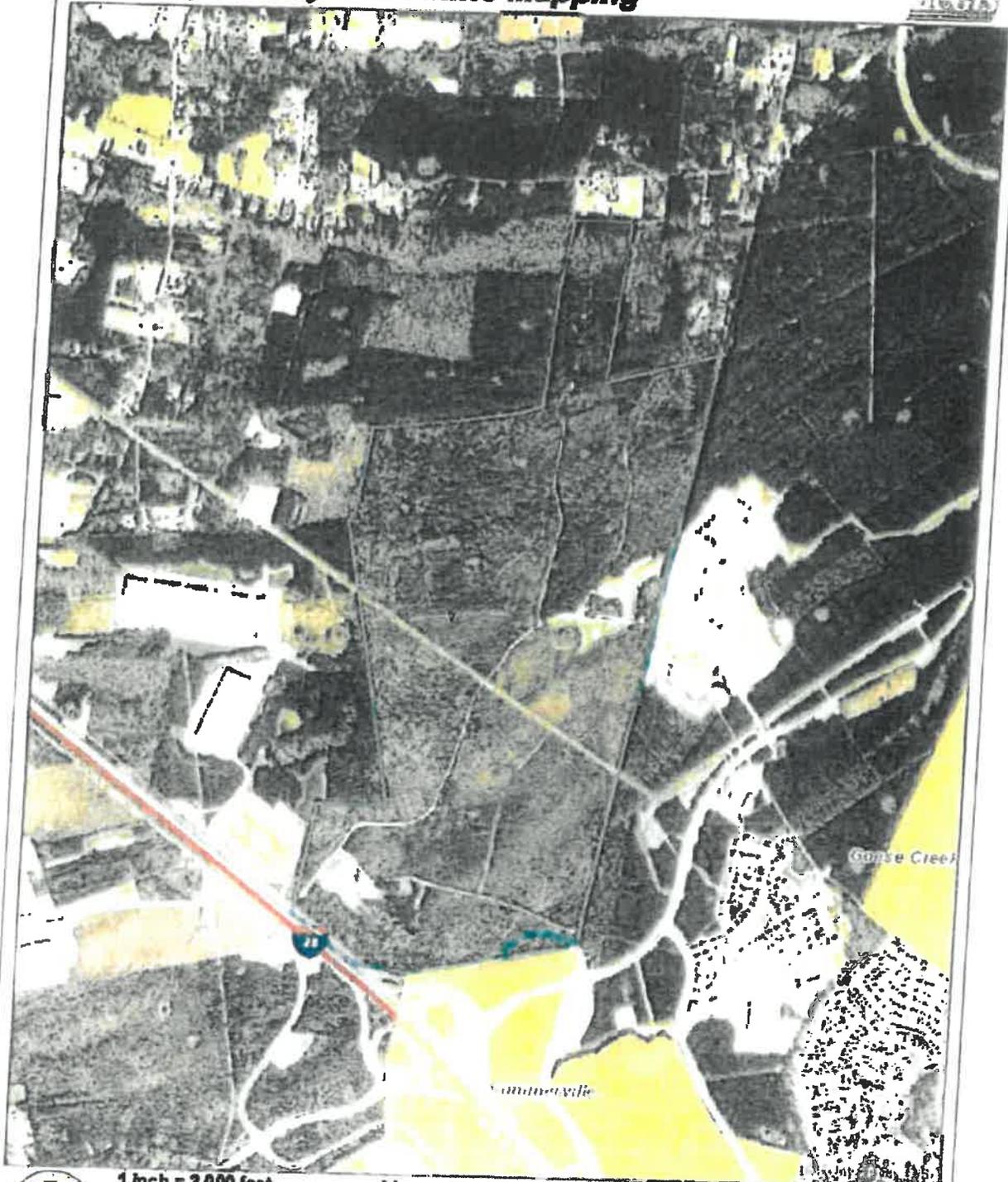
PUBLIC HEARING: May 20, 2019

FIRST READING: June 13, 2019

SECOND READING:

# Berkeley County GIS Online Mapping

216 of 15



1 inch = 2,000 feet  
1 in  
Date: 4/30/2018  
Berkeley County GIS



The county of Berkeley and its GIS Department declines accountability for this product and makes no warranty express or implied concerning the accuracy thereof. Responsibility for interpretation and application of this product lies with the user.

**ORDINANCE**

**AN ORDINANCE APPROVING A PROPOSED DEVELOPMENT AGREEMENT FOR HIC LAND, LLC (WHITFIELD TRACT) OR ITS SUCCESSOR IN TITLE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT AND OTHER INSTRUMENTS INCLUDING THE IMPLEMENTATION OF A PLANNED UNIT DEVELOPMENT DOCUMENT RELATING THERETO BY AND BETWEEN THE TOWN OF SUMMERVILLE AND HIC LAND, LLC – BERKELEY COUNTY TMS# 208-00-02-013 for a total of 973 acres.**

**WHEREAS**, the South Carolina Local Government Development Agreement Act, South Carolina Code of Laws, Title 6, Chapter 31 (1976, as amended) (the “Act”), authorizes local governments to enter into development agreements with a developer as therein defined; and

**WHEREAS**, Summerville Town Council, the governing body of the Town of Summerville, South Carolina had adopted Ordinance No. 06-1002 (a amended) establishing the provisions for Development Agreements; and

**WHEREAS**, HIC LAND, LLC (the “Developer”) has applied for and prepared a Development Agreement and PUD document on behalf of the seller, The Whitfield Company, who owns certain land suitable for residential, commercial, light industrial, civic, recreational and open space, and;

**WHEREAS**, pursuant to the Act, the Town of Summerville is authorized to enter into binding development agreements with certain persons having legal or equitable interests in real property, and;

**WHEREAS**, the Town of Summerville and the Developer have not concluded their negotiations with respect to the terms of the development agreement for the property owned by the Developer or its successor in title.

**NOW THEREFORE, BE IT ORDAINED** by the Summerville Town Council, in a meeting duly assembled, that the development agreement, in substantially the form attached hereto as Exhibit A, with such changes as Summerville Town Council shall approve, the execution of a definitive development agreement to be conclusive evidence of such approval, is hereby approved.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Ricky Waring  
Mayor  
Town of Summerville, SC

**ATTEST:**

\_\_\_\_\_  
Beth Messervy, Town Clerk  
Town of Summerville, SC

Public Hearing: May 14, 2020  
First Reading: May 14., 2020 Second Reading \_\_\_\_\_, 2020

**AN ORDINANCE**

**TO ADOPT A COMPREHENSIVE PLAN FOR THE TOWN OF SUMMERVILLE, IN ACCORDANCE WITH, THE SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994, S.C. CODE OF LAWS ANN. § 6-29-510, et seq**

**WHEREAS**, the 1994 State of South Carolina Comprehensive Planning Enabling Act (S.C. Code section 6-29-510. et. seq.) requires the development and adoption of a Local Comprehensive Plan that is reviewed and updated as mandated and designed to promote public health, safety, morals, convenience, prosperity of the general welfare as well as the efficiency and economy of the Town, and the Plan must be comprised of certain defined elements, and

**WHEREAS**, said Act requires the Local Comprehensive Plan be updated no less than every ten (10) years, and

**WHEREAS**, the Town of Summerville last updated its Comprehensive Plan in the year 2011, and

**WHEREAS**, the members of the Town’s Planning Commission have unanimously recommended to Town Council the adoption as its Comprehensive Plan the document entitled “Summerville: Our Town, Our Future” dated August 18, 2020, and

**WHEREAS**, it appears to Council that the Plan is comprised of all required elements, is proper in all other material respects, and that the adoption of the Plan is in the best interest of the Town,

**THEREFORE**,

**BE IT ORDAINED**, by the Mayor and Council of the Town of Summerville, in Council assembled as follows:

1. Pursuant to Section 6-29-510, South Carolina Code of Laws (1976) et. seq., as amended, Council does hereby adopt, approve and ratify as the Town of Summerville Comprehensive, the document entitled “Summerville: Our Town, Our Future” dated August \_\_, 2020.
2. That should any part of this Comprehensive Plan adopted by this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.
3. The above recitals above are hereby incorporated into this Ordainment to the same extent as if set out verbatim.

**IT IS SO ORDAINED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020**

\_\_\_\_\_  
Ricky Waring, Mayor

Attest:

\_\_\_\_\_  
Beth Messervy, Town Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**AN ORDINANCE**

**TO AMEND THE SUMMERVILLE UNIFIED DEVELOPMENT ORDINANCE SECTION 8.7.4 MAINTENANCE, TO ADD SUBSECTION (D) ENTITLED DEAD OR DISEASED TREE REMOVAL**

**WHEREAS**, it is the desire of the Town Council of Summerville for the Unified Development Ordinance to promote the health, safety, and general welfare of the town and to maintain and/or improve aesthetic values; and,

**WHEREAS**, the Unified Development Ordinance in its current form does not contain a provision for the protection of the public from the dangers of dead or diseased trees,

**NOW THEREFORE:**

**BE IT ORDAINED**, by the Mayor and Council Members of the Town of Summerville, in Council assembled that the Unified Development Ordinance Section 8.7.4 Maintenance be amended to add the following Subsection (D) entitled Dead of Diseased Tree Removal:

- D. **Dead or Diseased Tree Removal:** The town shall have the right to cause the removal of any dead or diseased trees on private property within the town, when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the town. Town staff shall notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice.

It is so Ordained this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Ricky Waring, Mayor

ATTEST:

\_\_\_\_\_  
Beth Messervy, Clerk to Council

Public Hearing: August 17, 2020

First Reading: September 10, 2020

Second Reading: \_\_\_\_\_

*Mayor*  
Ricky Waring

*Councilmembers:*  
Bill McIntosh, Mayor Pro Tem  
Walter Bailey  
Aaron Brown  
Kima Garten-Schmidt  
Bob Jackson  
Terry Jenkins



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## Town of Summerville

# Memorandum

**To:** Mayor Waring and Town Council  
**From:** Russ Cornette, Director of Public Works  
**Date:** September 9, 2020  
**Subject:** Storm Debris Property Lease Agreement

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### ISSUE

The Town is in need of a piece of property to store storm debris should the Lowcountry experience a major hurricane or winter storm that generates large amounts of debris. Summerville CPW owns a piece of property in wester Dorchester County that suits this need, and have agreed in concept to lease the property to the Town for the purpose of storing storm debris.

### BACKGROUND/DISCUSSION

Summerville CPW requested the Town pass an ordinance allowing Summerville CPW to issue bonds for water and sewer system improvements. Town of Summerville agreed to pass the bond ordinance with the condition that CPW would agree to lease the debris property to the Town for specific terms. Those terms were agreed on verbally. Once Town council passed the CPW bond ordinance, CPW changed the lease terms to less than what was previously agreed too.

The previous agreed terms were as follows.

The initial term of this Lease shall be for Three (3) years to commence on July 1, 2020 with the option of three (3) five (5) year renewal terms such terms and conditions may agree. If at any time subsequent to the initial term CPW receives a bona fide offer, Town will be given the right of first refusal and option to purchase the tract. Should the Town not elect to exercise its right of first refusal and option to purchase, this lease may be terminated with ninety (90) days written notice.

The revised terms of the lease are as follows.

The initial term of this Lease shall be for Three (3) years to commence on July 1, 2021 with the option of five (5) one (1) year renewal terms such terms and conditions may agree. If at any time subsequent to the initial term CPW receives a bona fide purchase

offer, Town will be given the option to purchase the entire 213.417-acre tract for the purchase offer. Should the Town not elect to purchase the tract, this lease may be terminated with ninety (90) days written notice. Similarly, if a CPW operational need arises after the initial term, this lease may be terminated with ninety (90) days written notice.

The issue is the Town must invest in removing stumps from the property after the timber is harvested. The Town must also construct a new access to the site and build a rock road through the site. This will be a significant investment in personnel, time, and material costs. The Town would benefit greater with the original lease terms for the investment in the property.

### **RECOMMENDATION**

Staff recommends approaching Summerville CPW commissioners and negotiating returning to the original lease agreement, or something similar so the Town of Summerville realizes a return on the investment of the property.

STATE OF SOUTH CAROLINA )  
 ) LEASE  
COUNTY OF DORCHESTER )

This lease is given by the Summerville Commissioners of Public Works (lessor - CPW) to the Town of Summerville (lessee – Town) for a portions of a tract of land dated as the date affixed by the last party to sign.

WHEREAS, the Town of Summerville (the “Town”) and the Summerville Commissioners of Public Works (the “CPW”) are both duly organized and existing under the constitution and laws of South Carolina, and are capable of entering into this Agreement; and

WHEREAS, the Town is desirous of securing property for the purpose of temporary storage of storm debris in the event of a hurricane and/or other natural disaster; and

WHEREAS, the CPW is seized of a 213.417-acre tract of land, more fully described in Exhibit A attached hereto and incorporated herein, 36 acres of which is suitable for the Town’s purpose; and

WHEREAS, the CPW is agreeable to lease to the Town the said 36-acre parcel, which is more fully described in Exhibit B A attached hereto and incorporated herein, for the purpose set forth above; and

WHEREAS, the parties desire to set forth their respective rights and obligations regarding the Town’s use, improvement, maintenance and repair of said 36-acre tract for the above stated purpose.

NOW, THEREFORE, for and in consideration of the ~~monthly~~ annual lease payment set forth hereinbelow and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The above recitals are hereby fully incorporated into this lease to the same extent as if set out verbatim.

2. The initial term of this Lease shall be for Three (3) years to commence on July 1, 2020 2021 with the option of ~~three (3) five (5)~~ five (5) one (1) year renewal terms upon such terms and conditions as the parties may agree. ~~If at any time subsequent to the initial term CPW receives a bona fide offer, Town will be given the right of first refusal and option to purchase the tract. Should the Town not elect to exercise its right of first refusal and option to purchase,~~

~~this lease may be terminated with ninety (90) days written notice.~~ If at any time subsequent to the initial term CPW receives a bona fide purchase offer, Town will be given the option to purchase the entire 213.417-acre tract for the purchase offer. Should the Town not elect to purchase the tract, this lease may be terminated with ninety (90) days written notice. Similarly, if a CPW operational need arises after the initial term, this lease may be terminated with ninety (90) days written notice. Notwithstanding the foregoing right of termination with ninety days notice, any termination notice **shall not be effective until the Official end of the active hurricane season** and the Town shall have ninety (90) days from that point to remove any debris which may be remaining on the leased premises.

3. The initial lease payment for the initial and each renewal term shall be One (1) dollar and no/100 (\$1.00) per annum.

4. In accordance with the purpose, terms and conditions set forth herein, the CPW shall permit the Town to access the site for permitting, site preparation, debris placement, debris removal and debris monitoring in the leased areas only.

5. As further consideration for the granting of this lease, the Town shall construct an all-purpose road with access gate, the location of which is reflected on Exhibit B. Prior to beginning construction of this road, the plans and specifications shall be submitted to CPW for its approval.

6. At or prior to the termination of this lease, all debris shall be removed from the property. Should the Town fail to remove the debris, it will be liable to the CPW for the actual cost of removal.

7. The Town shall furnish general liability insurance covering CPW as a named insured through the South Carolina Municipal Insurance Risk Fund, said policy limits being One million and no/100 dollars (\$1,000,000.00) per occurrence.

8. The Town shall be responsible for preparing the site in a manner consistent with the proposed use of temporary debris storage.

9. Notice given under this lease shall be effective when delivered to:

If to the Town:  
Mayor Richard G. Waring  
200 South Main Street

If to the CPW:  
Summerville Commissioners of Public Works  
PO Box 100

Summerville, SC 29483

Summerville, SC 29483

cc: Town Attorney  
200 South Main Street  
Summerville, SC 29483

**WHEREFORE**, the Duly Authorized Officials of the Town and the CPW have hereunto placed their signatures and duly attested their seals to this legally binding lease on \_\_\_\_\_, \_\_\_\_\_, 2020.

Attest:

\_\_\_\_\_  
Beth Messervy  
Clerk of Council

Witness:

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Ricky Waring, Mayor  
**TOWN OF SUMMERVILLE**

By: \_\_\_\_\_  
Stephen W. Mueller, Chairman  
**SUMMERVILLE COMMISSIONERS OF  
PUBLIC WORKS**

Witness

\_\_\_\_\_  
\_\_\_\_\_



*Mayor*  
Ricky Waring

*Councilmembers:*  
Bill McIntosh, Mayor Pro Tem  
Walter Bailey  
Aaron Brown  
Kima Garten-Schmidt  
Bob Jackson  
Terry Jenkins



*Town Administrator*  
Rebecca Vance

*Town Clerk*  
Beth Messervy

*Town Attorney*  
G.W. Parker

## Town of Summerville

# Memorandum

**To:** Mayor Waring and Town Council  
**From:** Russ Cornette, Director of Public Works  
**Date:** September 9, 2020  
**Subject:** Traffic Engineer Justification

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### **ISSUE**

The creation of the new staff Traffic Engineer

### **BACKGROUND/DISCUSSION**

The Town implemented an ordinance that requires traffic impact studies for new developments in 2019. This ordinance requires much more staff time to manage and review than originally anticipated. This has justified the need for a staff traffic engineer to take on this extra work load. A traffic engineer is better suited and trained to conduct more thorough reviews to better serve the Town's interest in item relating to traffic. The Traffic Engineer would also be involved with all items related to traffic for the Town of Summerville including representing the Town with other agencies on traffic related issues, managing traffic calming issues, and studying and recommending solutions to traffic issues in Summerville.

### **RECOMMENDATION**

Staff recommends approving the new position of Traffic Engineer to work in the Engineering Department, and allowing staff to advertise for the position immediately.

# A Resolution

WHEREAS, Summerville Town Council, by Resolution, may amend the Organizational Chart to represent the various supervisory relationships of key employees; and

WHEREAS, Summerville Town Council desires reflect on the organizational chart the role of Traffic Engineer in the Public Works Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Organizational Chart attached hereto is designated as the official Organizational Chart of the Town of Summerville, to remain in full force and effect until changed by Resolution of Town Council; and

BE IT FURTHER, RESOLVED, that all previous Organizational Charts for the Town are hereby rescinded.

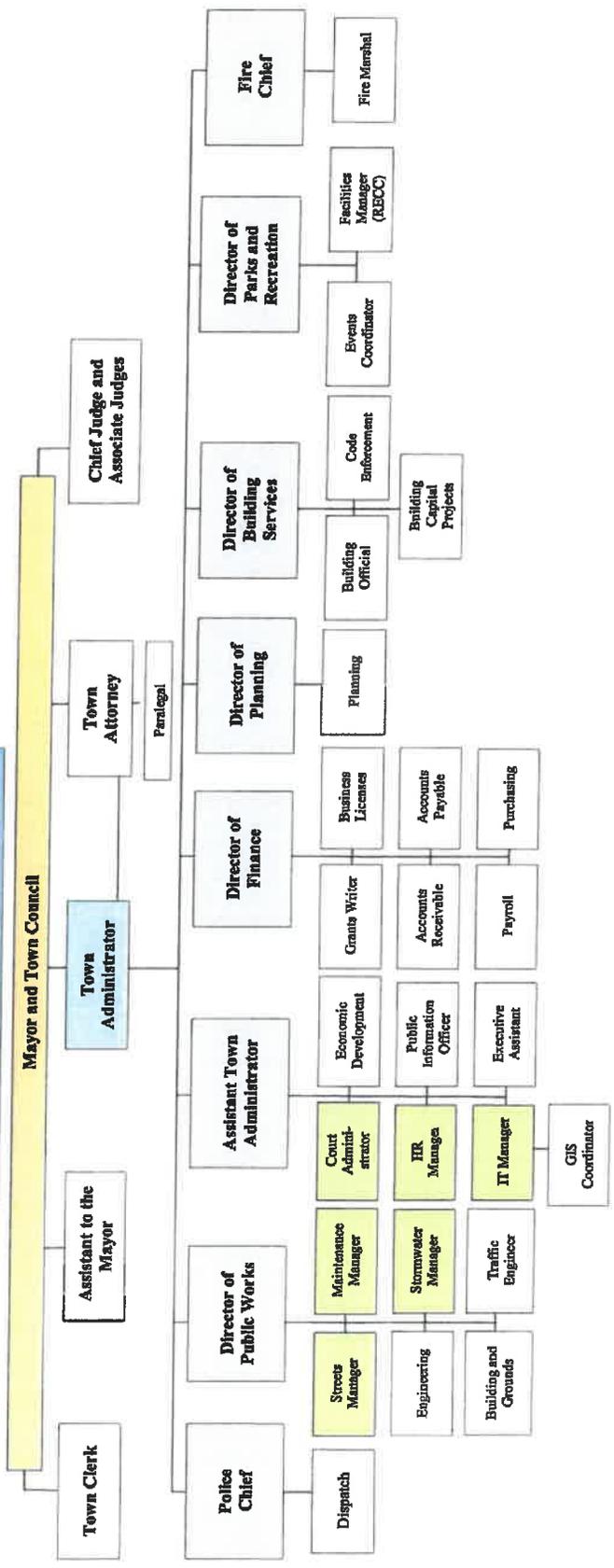
DONE AT SUMMERVILLE, SC this \_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Ricky Waring, Mayor

ATTEST:

\_\_\_\_\_  
Beth Messervy, Town Clerk

# Town of Summerville Organizational Chart



Division Director Level

Department Head Level

Proposed 9/10/20

## **AN EMERGENCY ORDINANCE**

### **A TEMPORARY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES IN THE TOWN OF SUMMERVILLE TO REDUCE RISK OF EXPOSURE TO COVID-19 DURING THE PUBLIC HEALTH EMERGENCY AND RECOVERY**

**WHEREAS**, the dangerous and unsafe conditions created by the 2019 Novel Coronavirus (COVID-19) continue to affect the safety and wellbeing of the Town of Summerville (Town) residents: and

**WHEREAS**, on July 9, 2020 Town Council enacted Emergency Ordinance 20-0703 requiring the wearing of face mask to assist in combatting the deadly disease known as COVID-19 renewed on August 13, 2020 to expire at 11:59pm on September 10, 2020; and

**WHEREAS**, the State and Town continue to experience a dramatic increase in the number of identified new COVID-19 cases, and as of September 6, 2020, the South Carolina Department of Health and Environmental Control (“DHEC”) is reporting that there have been 125,607 confirmed COVID-19 cases and 2,907 confirmed COVID-19 deaths in the State. In Dorchester County there are 3,728 reported cases and 84 deaths; and

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act; and

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020; and

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), and 2020-40 (June 11); and

**WHEREAS**, with increasing cases of COVID-19 cases in the State and in the TOWN of Summerville], the demand for medical, pharmaceutical, personal, and general cleaning supplies

may overwhelm sources of supply; the private and public sector work force may be negatively impacted by absenteeism; and the demand for medical facilities may exceed locally available resources; and

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19; and

**WHEREAS**, S.C. Code § 5-7-250(d) provides that “to meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances ... by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;” and

**WHEREAS**, the Council for the Town of Summerville has determined, based on the recommendations of public health experts and responsive to a serious threat to the public health, safety, and welfare of its citizens, that it would serve the public interest and be within the TOWN’s police powers under Home Rule and S.C. Code § 5-7-60 to require that individuals wear face coverings in certain situations and locations; and

**WHEREAS**, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by State law; and

**WHEREAS**, this Emergency Ordinance must be approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

**WHEREAS**, in light of the foregoing, Town Council deems it proper and necessary to adopt this Temporary Ordinance in order to require (a) patrons of grocery stores, pharmacies, and Town owned or operated buildings to wear face coverings while inside in light of the fact these establishments sell essential goods and provide essential services such that individuals do not have a meaning choice to decide not to utilize these facilities and (b) all employees of restaurants, bars, retail establishments, salons, grocery stores, pharmacies, and the Town to wear face coverings at any time there is face to face interaction with the public.

**NOW, THEREFORE**, be it ordained by the Town Council of Summerville in Council duly assembled that:

1. All persons entering a grocery store, pharmacy or Town owned or operated building in the Town must wear a face covering while inside the establishment or facility. For purposes of this Ordinance, the term grocery store shall mean a retail establishment that primarily sells food, but may also sell other convenience and household goods; the term does not include a convenience store. The business shall not have responsibility for enforcing this

requirement, but shall post conspicuous signage at all entrances informing its patrons of the requirements of this section.

2. All restaurants, retail stores, salons, barber shops, grocery stores, pharmacies and Town buildings and indoor facilities in the Town must require their employees to wear a face covering at all times while having face to face interaction with the public or other employees.
3. Exemptions: a) Any person who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance. Further, no person shall be required to disclose the nature of any health condition in order to qualify for this exemption; b) All persons twelve years of age or under; c) Any person in a private or individual office and for employees where they are separated from customers by a plexiglass/glass shield or from other employees where social distancing of at least six (6) feet may be observed; e) In settings where it is not feasible to wear a face covering including persons receiving oral health services, persons swimming or engaging in athletic activities; e) Police officers, fire fighters and other first responders when not practical or engaged in a public safety matter of an emergency nature.
4. Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not less than \$25 NOT TO EXCEED \$100. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
5. Any Responsible Person violating the provisions of this Ordinance by failing to require employees of the Establishment to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not less than \$100 NOT TO EXCEED \$500. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
6. A person who fails to comply with Section 1 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$25.00.
7. A person who fails to comply with Section 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense. In addition to the fines established by this section, repeated violations of this Ordinance by a person who owns, manages, operates or otherwise controls a business subject to this Ordinance may, subject to all procedural protections set forth in the Town Code, result in the suspension or revocation of any occupancy permit or business license issued to business where the repeated violations occurred. Repeated violations of this Ordinance are additionally hereby declared to be a public nuisance, which may be abated by the Town by restraining order, preliminary and permanent injunction, or other means provided for

by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of Section 2 of this Ordinance, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the requirements of the Ordinance within the business, such as an owner, manager or supervisor. "Person" may also include an employee or other designee that is present at the business but does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

8. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
9. This Temporary Ordinance shall automatically expire on October 8<sup>th</sup>, 2020 at 11:59pm if not amended or revoked prior to that time.

**IT IS SO ORDAINED!**

\_\_\_\_\_  
Ricky Waring, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Beth Messervy, Town Clerk

## **AN EMERGENCY ORDINANCE**

### **TO RENEW ORDINANCE 20-0801 REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN RETAIL AND FOODSERVICE ESTABLISHMENTS, AND MATTERS RELATED THERETO**

**WHEREAS**, the dangerous and unsafe conditions created by the 2019 Novel Coronavirus (COVID-19) continue to affect the safety and wellbeing of the Town residents: and

**WHEREAS**, on July 9, 2020 Town Council enacted Emergency Ordinance 20-0703 requiring the wearing of face mask to assist in combatting the deadly disease known as COVID-19 renewed on August 13, 2020 to expire at 11:59pm on September 10, 2020; and

**WHEREAS**, the State and Town continue to experience a dramatic increase in the number of identified new COVID-19 cases, and as of September 10, 2020, the South Carolina Department of Health and Environmental Control (“DHEC”) is reporting that there have been 125,607 confirmed COVID-19 cases and 2,907 confirmed COVID-19 deaths in the State. In Dorchester there are 3,728 reported cases and 84 deaths; and

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act; and

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020; and

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), and 2020-40 (June 11); and

**WHEREAS**, with increasing cases of COVID-19 cases in the State and in the TOWN of Summerville], the demand for medical, pharmaceutical, personal, and general cleaning supplies may overwhelm sources of supply; the private and public sector work force may be negatively

impacted by absenteeism; and the demand for medical facilities may exceed locally available resources; and

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19; and

**WHEREAS**, S.C. Code § 5-7-250(d) provides that “to meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances ... by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;” and

**WHEREAS**, the Council for the Town of Summerville has determined, based on the recommendations of public health experts and responsive to a serious threat to the public health, safety, and welfare of its citizens, that it would serve the public interest and be within the TOWN’s police powers under Home Rule and S.C. Code § 5-7-60 to require that individuals wear face coverings in certain situations and locations; and

**WHEREAS**, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by State law; and

**WHEREAS**, this Emergency Ordinance must be approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

**NOW, THEREFORE**, be it ordained by the Town Council of Summerville in Council duly assembled that:

1. Ordinance 20-0703, including recitals and ordainments, are hereby renewed and incorporated herein to the same extent as if set out verbatim, with the exception of the expiration date.
2. This emergency Ordinance shall take effect at 11:59pm on the 10th day of September, 2020 and shall expire at 11:59 pm on the 8<sup>th</sup> day of October 2020 unless renewed or sooner terminated by Council, and

**IT IS SO ORDAINED!**

Date: \_\_\_\_\_

\_\_\_\_\_  
Ricky Waring, Mayor

Attest \_\_\_\_\_

Beth Messervy, Town Clerk

## EMERGENCY ORDINANCE

To temporarily amend Town Ordinances, Sections 2-94 and 2-95 to provide that Council Meetings, Town Committees, Boards and Commissions be allowed meet electronically/telephonically and obtain a Quorum by counting a member(s) attending by electronic and/or telephonic means.

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARSCoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act; and

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020; and

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), and 2020-40 (June 11); and

**WHEREAS**, the State is experiencing a dramatic increase in the number of identified new COVID-19 cases, and as of September 6, 2020, the South Carolina Department of Health and Environmental Control (“DHEC”) is reporting that there have been 125,607 confirmed COVID-19 cases and 2,907 confirmed COVID-19 deaths in the State; and

**WHEREAS**, if COVID-19 cases continue to increase in the State and in the Town of Summerville, the demand for medical, pharmaceutical, personal, and general cleaning supplies may overwhelm sources of supply; the private and public sector work force may be negatively impacted by absenteeism; and the demand for medical facilities may exceed locally available resources; and

**WHEREAS**, it is necessary to preserve the ability of Town Government to function properly and at the same time, protect the Public, Town Staff and Elected Officials; and

**WHEREAS**, it is recognized the use of alternative methods of conducting meetings is a means of preventing the spread of COVID-19; and

**WHEREAS**, S.C. Code § 5-7-250(d) provides that “to meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances ... by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately

upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;" and

**WHEREAS**, at least one Town Department Head has been infected, one Municipal Court Staff Member and one Council Member have been infected with COVID-19 along with several members of the Fire and Police Departments; and

**WHEREAS**, the Council for the Town of Summerville has determined, based on the recommendations of public health experts and responsive to a serious threat to the public health, safety, and welfare of its citizens, that it would serve the public interest and be within the TOWN's authority based on S.C. Code § 5-7-60 to provide for electronic and/or telephonic Meetings of Council, Boards, Committees and Commissions and, establish a quorum by counting members attending by electronic and/or telephonic means; and

**WHEREAS**, this Emergency Ordinance must be approved by at least two-thirds of the Councilmembers present at the meeting in which it will be considered;

**NOW, THEREFORE**, be it ordained by Town Council, Summerville, SC as follows:

1. During the term of this Ordinance, any ordinance, resolution, policy, or bylaw of the Town that conflicts with the provisions hereof shall be and is hereby suspended and superseded.
2. As provided by S.C. Code § 5-7-250(d), this Ordinance shall expire automatically as of the sixty-first day following the date of enactment (the "Emergency Term"). Notwithstanding the foregoing, however, Council may extend the Emergency Term by emergency ordinance for one or more additional terms, each of no more than sixty days, provided that the total duration of the Emergency Term shall not exceed six months without enacting an ordinance in the ordinary course.
3. Electronic and Telephonic Council meetings and other Town Committees, Boards or Commission meetings may be held electronically and/or telephonically, subject to the provisions as stated above.
4. Said meetings must be live streamed to the public.
5. A quorum of Council and all Town Meetings may be obtained by counting Members attending by telephonic and/or electronic means.
6. This emergency Ordinance shall take effect at 12:00am on the 11th day of September, 2020 and shall expire at 11:59 pm on the 8<sup>th</sup> day of October, 2020 unless renewed or sooner terminated by Council, and

**IT IS SO ORDAINED!**

Attest:

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Beth Messervy, Town Clerk

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Ricky Waring, Mayor