



RESOLUTION NO. 002-05-2020

A RESOLUTION EXTENDING THE EMERGENCY ORDINANCE PROVIDING FOR ELECTRONIC MEETINGS DURING THE COVI-19 STATE OF EMERGENCY

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus ("**COVID-19**") and declared that a State of Emergency exists in South Carolina; and

WHEREAS, pursuant to Section 25-1-440(a)(1) of the Code of Laws of South Carolina 1976, as amended, when an emergency has been declared, proclamations and regulations issued by the Governor possess the force and effect of law as long as the emergency exists; and

WHEREAS, on March 17, 2020, Governor Henry McMaster issued Executive Order No. 2020-10 directing local governing bodies to "utilize any available technology or other reasonable procedures to conduct such meeting and accommodate public participation via virtual or other remote or alternate means"; and

WHEREAS, the South Carolina Freedom of Information Act, which is codified at Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, (the "**Act**") defines a "Meeting" as "the convening of a quorum of the constituent membership of a public body, whether corporal *or by means of electronic equipment*, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power" (emphasis added); and

WHEREAS, the Chapin Town Code does not contain provisions to allow for Council Members to participate in Council Meetings by telephone or other electronic means and such a provision is needed during this State of Emergency to facilitate functions of the local government; and

WHEREAS, the outbreak of COVID-19 is a serious threat to the lives, health and welfare to persons in the Town of Chapin such that extraordinary measures need to be taken to minimize person-to-person contact among citizens in order to protect the public health; and

WHEREAS, the Mayor called and properly scheduled a Special Meeting of the Town Council on March 30, 2020 pursuant to Section 2.202(1) in order to adopt Emergency Ordinance # 005-03-2020 providing for Electronic Meetings during the COVID-19 state of emergency.

NOW, THEREFORE, BE IT RESOLVED in this Special Meeting of the Town Council that all of the Procedures for Electronic Meetings and Procedures for Boards, Commissions, and

Committees to remain in effect as originally stated in Emergency Ordinance 005-03-2020, and will then renew with this Resolution which extends the Emergency Ordinance until July 28, 2020.

AND IT IS SO RESOLVED this 28th day of May, 2020.

COUNCIL APPROVED: May 28, 2020