

RESOLUTION 04-07-2020

Resolution Authorizing the Adoption of Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster

WHEREAS, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel coronavirus (COVID-19) pandemic; and

WHEREAS, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

WHEREAS, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments and authorization to executive branch agencies to waive "any state requirements or regulation" as appropriate; and

WHEREAS, on March 23, 2020, President Donald J. Trump declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on April 7, 2020, the Town Council of Hurt, Virginia adopted a Proclamation of Declaration of a Local Emergency as a result of the potential spread of the COVID-19 virus among the population of the Town; and

WHEREAS, Virginia Code § 15.2-1413 provided that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

WHEREAS, on April 7, 2020, the Town Council of the Town of Hurt, pursuant to Virginia Code §15.2-1413, adopted Ordinance 04-07-2020, "Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with the Pandemic Disaster; and

WHEREAS, through Ordinance 04-07-2020 the Town Council specifically found that the COVID-19 virus constitutes a real and substantial threat to public health and safety and constitutes a "disaster" as defined by Virginia Code § 44-146.16 being a "communicable disease of public health threat"; and

WHEREAS, through Ordinance 04-07-2020, the Town Council further found that the COVID-19 pandemic makes it unsafe to assemble in one location, a quorum for local public bodies

including the Town Council and town boards, commissions, committees and authorities created by the Town Council or to which Town Council appoints all or a portion of its members (collectively "Public Entities" and individually "Public Entity"), or for such Public Entities to conduct meetings in accordance with normal practices and procedures; and

WHEREAS, through Ordinance 04-07-2020, the Town Council adopted certain procedures to ensure the continuity of government during the COVID-19 Pandemic Disaster ("Continuity Procedures"), suspended any deadlines applicable to Public Entities and their staff during the COVID-19 disaster, and authorized Public Entities, at their discretion, to postpone non-emergency public hearings and action items during the disaster.

NOW THEREFORE, BE IT RESOVLED by the Town Council of the Town of Hurt, Virginia sitting in regular session this 7th day of April, 2020 does hereby incorporate by reference and adopts the procedures described in Ordinance 04-07-2020, a copy of which is attached hereto;

FURTHER RESOLVED, that the Town Council hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement Ordinance 04-07-2020 and to develop specific procedures as applicable and appropriate for the Town of Hurt, Virginia provided that such specific procedures are consistent with the terms and conditions of Ordinance 04-07-2020;

FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of Ordinance 04-07-2020 including any applicable period upon the re-adoption of Ordinance 04-07-2020 by the Town Council.

This resolution is effective upon adoption and is hereby adopted this 7th day of April, 2020 by the duly recorded vote of the Town Council of the Town of Hurt, Virginia as follows:

Gary Hodnett
Collin Adams
Shirley Barksdale-Hill

Rainy Clay
Steve Watson
Jeff Bowling

THE TOWN OF HURT, VIRGINIA

By: _____
Gary Hodnett, Interim Mayor

ATTEST:

Susan Frazier, Clerk