

Mount Jackson
Town Council Special Meeting

April 2, 2020

-1-

Special Meeting

A special meeting of the Mount Jackson Town Council was held April 2, 2020 at 5:00 PM in the council chambers at 5901 Main Street. Roll call was taken with the following in attendance; Mayor Donnie Pifer; Councilmembers Rod Shepherd, Judy Fultz, Whitney Miller, Dennis Andrick, and Roger Rudy. Councilmember Bonnie Good was absent. Also, in attendance, Neil Showalter, Town Manager; Joseph S. Paxton, Consultant; Matt Akers, Town Attorney; Debbie Stover, Town Clerk; and Keith Cowart, Police Sergeant. There were no visitors.

Agenda Additions/Deletions/Changes: None

New Business:

1. Ordinance O-04-2020 – An emergency ordinance to effectuate the continuity of government of the Town of Mount Jackson, Virginia, in accordance with Virginia Code Section 15.2-1413; Consideration for Adoption.

Mayor Pifer stated the purpose of this meeting is to consider approval of an emergency ordinance for continuity of government operations under Virginia Code Sections 15.2-1413. In accordance with state law, with not all members in attendance, only the ordinance advertised may be discussed or considered by Council at this meeting. Yesterday, staff provided members of Council with a copy of ordinance O-04-2020, which is an emergency ordinance related to continuity of government related to the COVID-19 crisis. A similar ordinance is expected to be considered by the other towns in Shenandoah County and by the County.

Consultant Joseph Paxton stated there are a number of things in this ordinance but he would highlight the key points, and advised Council to start with Section 2.1 at the bottom of page 3, if they would like to follow along.

1. Any process, procedure or matter is suspended that requires members of the public to be physically present in a town-owned facility that is closed. This doesn't mean that a person who needs a zoning permit, business license, or to pay utility bills or taxes can't transact business with the Town. That will be possible by phone, mail or on-line as much as we can. The drop-box is located at the front entrance and staff will meet someone at the door to drop-off or pick-up items. Staff continues to be here during normal working hours to serve the public.

2. Allows council meeting to be held using electronic means without a quorum, provided that notice is given of the meeting. Therefore starting with the next regular meeting, any member of Council that doesn't feel comfortable coming to the meeting will be able to attend the meeting electronically. We intend to use Zoom, which should also allow members of the public to sign in and give input to Council as necessary.

3. Such meetings may also be held without allowing the public but the Town has to make provision for how persons will be allowed to give their input. Staff is working with Cornerstone Technologies on the technology to make this happen. We are meeting with them here next week to work through this and finalize how it will be done. As soon as we determine how the system will work, we will notify Council and also the public.

4. For public hearings, like the one on April 20, the Town will advertise on the website, Facebook and in the newspaper how the public can send comments – either in writing, by mail or email, by phone or through the electronic media being used for the meeting.

Mount Jackson
Town Council Special Meeting
April 2, 2020
-2-

5. Deadlines for Council and the Planning Commission under state law or local ordinances for responding on zoning requests, etc. are suspended for the duration of the emergency, but staff is going to do everything we can to make sure we keep to those deadlines.

6. The last section allows Council, by majority vote, to cancel any regular meeting.

These items are effective at least through September 17, 2020 or 6 months “after the disaster”, as determined by the President or Governor, or Council can repeal the ordinance prior to those dates. After that time, Council will have to rescind this ordinance, or it stays in place.

Mr. Paxton stated also included in the ordinance is a provision to allow the Mayor to postpone meetings if conditions warrant. The provision says, the meeting is automatically set for one week after the original meeting and he can further postpone the meeting up to the date of the next regular meeting. Nothing prohibits Council or any other Town body (the Planning Commission, BZA or EDA) from meeting in person provided “social distancing” measures similar as we are doing today are taken. Staff is working hard to enforce the ten-person limit in all that is done, even though there is an allowance for not counting staff in those numbers.

Mr. Paxton deferred to the Town Attorney to talk about the procedures related to the emergency ordinance the state legislation that allows for Council to take this action.

Mr. Akers stated the Town falls under Shenandoah County’s umbrella when the County issues an emergency proclamation. As this ordinance states in the first action statement Council ratifies, affirms and incorporates the actions taken by the Board of Supervisors on March 24th. Council “joins” the Board in declaring the emergency. He stated Virginia Code 15.2-1413 allows town to adopt ordinances to provide a method to ensure continuity in its government in the event of a disaster. This action is good for 60 days until adopted through the Towns normal process for the Town ordinances. Section 1-10 of the Town Code requires notices of Ordinances to be published once a week for 2 successive weeks before adoptions – we are publishing the notices on April 4th and April 11th and then having a special meeting on April 20 when you can ratify this Ordinance.

Mayor Pifer asked if any Councilmember had any questions regarding this ordinance. Hearing none, he asked if someone would have a motion to adopt Ordinance O-04-2020, which is the Emergency Ordinance for the Continuity of Government Operations.

Councilmember Shepherd MOVED, seconded by Councilmember Andrick to adopt Ordinance O-04-2020:

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
Councilmember Andrick			
Councilmember Shepherd			
Councilmember Rudy			

Councilmember Good

5 AYES, 1 ABSENT, motion carried

Mount Jackson
Town Council Special Meeting
April 2, 2020

-3-

Motion made by Councilmember Shepherd, seconded by Councilmember Fultz to adjourn the meeting at 5:10 PM.

Debbie A. Stover, Clerk

Donald I. "Donnie" Pifer, Mayor