

AGENDA

ROANOKE VALLEY RESOURCE AUTHORITY

Transfer Station

1020 Hollins Road, N.E.

Roanoke, Virginia, 24012-8011

April 15, 2020

10:00 a.m.

I. OPENING CEREMONIES

- A. Call to Order – April 15, 2020 – Time: _____
- B. **ROLL CALL**
- C. Welcome Guests
- D. Requests to Postpone Add to or Change the Order of Agenda Items

II. NEW BUSINESS

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

III. MEMBER COMMENTS

IV. ADJOURNMENT

**AT A SPECIAL CALLED MEETING OF THE ROANOKE VALLEY RESOURCE
AUTHORITY (RVRA); ROANOKE, VIRGINIA; HELD AT THE RVRA TINKER CREEK
TRANSFER STATION**

MEETING DATE: April 15, 2020

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

SUBMITTED BY: Daniel D. Miles, P.E.
Chief Executive Officer

SUMMARY OF INFORMATION:

On March 12, 2020, Governor Northam issued Executive Order #51 declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) Pandemic. RVRA's Member communities have confirmed the declaration of local emergency, specifically finding the COVID-19 Pandemic constitutes a "disaster", being a "communicable disease of public health threat" and adopted ordinances authorizing electronic meetings for their governing bodies and for the governing bodies of commissions and authorities in accordance with provisions of the Virginia code that provide that 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.

Staff has developed a resolution for the Board's consideration that will enable the Authority's Board to meet remotely to conduct the Authority's business in a safe manner for the protection of the Board's Directors, Staff, and the public.

FISCAL IMPACT:

Adoption of the proposed "Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster Resolution" will have no additional fiscal impact on the Authority.

STAFF RECOMMENDATION:

Staff recommends the Board adopt the attached resolution approving the proposed "Procedures for Electronic Public Meetings and Public Hearings to Ensure the Continuity of Government During the COVID-19 Pandemic Disaster Resolution."

RESOLUTION OF ROANOKE VALLEY RESOURCE AUTHORITY

Adopted this 15th day of April 2020

RA #2020 - ____

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 for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

WHEREAS, on March 13, 2020, the President of the United States 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, the governing bodies of the members of Roanoke Valley Resource Authority, being Roanoke County, Roanoke City, City of Salem and Town of Vinton, confirmed the declarations of local emergency made by their local directors of emergency management,

specifically finding that the COVID-19 Pandemic constitutes a “disaster” as defined in Virginia Code § 44-146.16, being a “communicable disease of public health threat”; and

WHEREAS, Virginia Code § 15.2-1413 provides 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, the each of the governing bodies of the members, pursuant to Virginia Code § 15.2-1413, adopted an 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 Pandemic Disaster (“Emergency Ordinance”); and

WHEREAS, through their Emergency Ordinances, the member jurisdictions specifically found that COVID-19 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 their Emergency Ordinances, the member jurisdictions further found that the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the School Board, the Planning Commission and all local and regional boards, commissions, committees and authorities created by the member jurisdictions or to which the member jurisdictions appoint 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 their Emergency Ordinances, the member jurisdictions 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; and

WHEREAS, the Roanoke Valley Resource Authority, being a public body created pursuant to § 15.2-5102 is a Public Entity included within the scope of the Emergency Ordinances of the members.

NOW, THEREFORE, BE IT RESOLVED that the Roanoke Valley Resource Authority hereby incorporates by reference and adopts the Continuity Procedures prescribed in the members’ Emergency Ordinances; and

BE IT FURTHER RESOLVED that the Roanoke Valley Resource Authority hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for the Roanoke Valley Resource Authority, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinances; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinances including for any applicable period upon the re-adoption of the Emergency Ordinances by the members.

ATTEST: _____

Peggy L. Bishop
RVRA Board Secretary