

**WEST POINT TOWN COUNCIL
WORK SESSION
MINUTES
April 28th 2020
6:00 P.M.**

I. Work Session at Town Hall, 329 6th Street, West Point, Virginia 23181.

Members Present: Mayor, Jim Hudson; Robert Lawrence; Jack Lawson; James Pruett and John Ragsdale.

Members Present by Electronic WebEx: Deborah Ball, Tina Gulley and Gail Nichols.

The members participating by electronic meeting are doing so from their homes in West Point due to medical reasons because of the COVID-19 pandemic.

A. ITI – Centerra Lease Agreement

Mr. Hudson advised that Centerra had the ITI property appraised, it came back at 394,000. They have indicated in the past that they are going to file for bankruptcy. Yesterday, they advised that they have new investors and are restructuring the company and will not be filing bankruptcy and that they would like to work out an agreement with the Town. The amount left on the lease is a bit more than \$900,000.

Mr. Edwards advised that the land is approximately 400 acres and a large amount of the land is marsh. There is a potential to sell a public access across the marsh to make some money then donate the easement to the Public Access Authority.

Mr. Hudson stated that Centerra are claiming there is a value for the easement of approximately \$170,000. It appears that they are going to offer the land as payment with no monetary funds.

Mr. Edwards stated that they previously offered \$175,000 and the land, now they have taken the offer back.

Mr. Hudson suggested the town negotiated a payment of \$150,000 plus the land.

The consensus of Town Council is that the Town continues to negotiate a lease agreement.

B Ordinance 02-2020

Mr. Edwards advised that a public hearing on Ordinance 02-2020, the Continuity of Government.

Andrea Erard advised that it is a general purpose ordinance so the government can continue to operate if an emergency arises due to COVID-19.

C DMV

Mr. Edwards advised that DMV is reviewing a partial opening on May 11th of service centers. There is going to be a surge of business. There is going to be a limit on service, they are talking about appointment only as they transition into opening. Mr. Edwards stated that plexus glass will be installed temporarily with 6ft spacing for customers. We are working through it for a gradual opening.

Mrs. Ball stated that when the Town opens, there will be a flock of people that will come to West Point because it will be lesser of a hassle than going to a full service DMV.

Mr. Edwards stated that Town Staff will continue to work with plans to open DMV back up without jeopardizing employees.

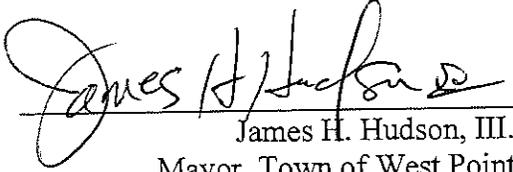
D. Farmers Market

Mr. Hudson advised that he and the Town Manager meet with C & F Bank at 14th Street regarding a temporary location for the Farmers Market while the Pavilion is under construction.

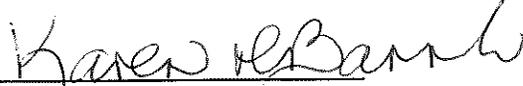
Mr. Edwards stated that the market will be at the corner of the parking lot for curb-side service for pickup of pre-orders. Flags and signs will be put up and social media postings will be done. The first market will be May 9th 2020.

E. Middle Peninsula Alliance (MPA)

Mr. Hudson advised that the Town meet with Travis Moskalski regarding the Town's representative to the MPA. Recently a Staff member of the MPA appointed a town resident as the Town's representative when the town already has a representative. Travis is going to discuss it with Management at the MPPDC.


James H. Hudson, III.
Mayor, Town of West Point

ATTEST:


Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
April 28th, 2020**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on the 28th day of April 2020. The Honorable James H. Hudson, III called the meeting to order at 6:30 p.m.

Members Present: Mayor, Jim Hudson; Robert Lawrence; Jack Lawson; James Pruett and John Ragsdale.

Members Present by Electronic WebEx: Deborah Ball; Tina Gulley and Gail Nichols.

Also Present: John B. Edwards, Jr., Town Manager; Karen Barrow, Town Clerk; Donna Pauley, Human Resource Officer and Holly McGowan, Director of Community Development.

Also Present by Electronic WebEx: Andrea Erard, Town Attorney; Susan Harlow, Town Treasurer; Walt Feurer, Director of Public Works; Tim Sawyer, Chief of Police and Jon Moore, Building Official.

The members participating by electronic meeting are doing so from their homes in West Point due to medical reasons because of the COVID-19 pandemic.

Mr. Lawrence made a motion for Town Council to allow those members participating by electronic meeting to do so, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye", the motion was approved.

II. CITIZENS ADDRESS TO COUNCIL

A. Ratification of Local Emergency Declaration

Mr. Lawrence made a motion to ratify the attached Local Emergency Declaration, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye", the motion was approved.

B. Public Hearing - Ordinance 02-2020, Continuity of Government

Mr. Hudson read the advertisement for the public hearing then asked the Town Clerk if the Town received any requests to review the ordinance.

The Town Clerk advised that no requests were received.

The Mayor asked the Town Clerk if the Town has received any comments in writing.

The Town Clerk advised that the Town did not receive any written comments.

The Mayor asked the Town Clerk if the Town received any request for assistance to attend the public hearing.

The Town Clerk advised that the Town did not receive any request for assistance to attend the public hearing.

Mayor Hudson opened the floor for the public to comment on Ordinance 02-2020. There being none, the public hearing was closed.

Mrs. Gulley made a motion to adopt Ordinance 02-2020, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye", the motion was approved.

C. Citizens Address to Council

Mr. Hudson opened the floor for citizens to address Town Council on any Town related business. There being none, the Citizens Address was closed.

III. COUNCIL RESPONSE

None was noted.

IV. AGENDA CHANGES

Mr. Lawrence made a motion to adopt the agenda as presented, seconded by Mrs. Ball. Upon a unanimous vote the motion was approved.

V. ADOPTION OF CONSENT AGENDA

Mr. Lawson made a motion to adopt the following consent agenda, seconded by Mrs. Gulley. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye". The motion was approved.

- 1) Minutes of the Town Council Meeting and Work Session of February 25th 2020, March 3rd 2020 Continued Meeting and FY 2020-21 Budget Public Hearing on April 21st 2020.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of March 31, 2020 - \$3,795,209.59
 - b) Water Fund
Cash on hand as of March 31, 2020 - \$1,038,474.01
 - c) CIP
Cash on hand as of March 31, 2020 - \$-138,484.69
 - d) Solid Waste
Cash on hand as of March 31, 2020 - \$215,209.46
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of March 31, 2020 - \$290,080.77
- 5) West Point Monthly Police Activity Report
- 6) Building Official Monthly Report
- 7) Public Works Monthly Permit Report
- 8) Community Development Monthly Permit Report
- 9) Treasurer Monthly Report
- 10) Human Resource Monthly Report

VI. COMMITTEE REPORTS

A. Economic and Community Development – Mr. Lawson reported for the Committee

Mr. Lawson advised there was nothing to report.

B. Education Committee – Mrs. Nichols reported for the Committee

Mrs. Nichols advised there was nothing to report.

C. Finance Committee – Mrs. Ball reported for the Committee

Mrs. Ball advised there was nothing to report.

D. Public Safety – Mrs. Gulley reported for the Committee

Mrs. Gulley advised there was nothing to report.

E. Public Works – Mr. Lawrence reported for the Committee

Mr. Lawrence advised there was nothing to report.

VII. TOWN MANAGER'S ITEMS

A. FY2020-21 Budget Resolution

Mrs. Gulley made a motion to approve the attached FY2020-21 Budget Resolution, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye". The motion was approved.

B. Ordinance 01-2020, Tax Rates

Mrs. Ball made a motion to adopt ordinance 01-2020, Tax Rates, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye". The motion was approved.

C. West Point H.O.P.E. Initiative

Mr. Edwards advised that the initiative has been discussed in Committee and it is due to the COVID-19 pandemic. It will give a \$50.00 booklet of coupons to each household to spend in a business in West Point. Businesses would need to sign up to take part in the program, they would

Mr. Ragsdale made a motion that Town Council approves the West Point H.O.P.E. Initiative, authorize the expenditure of up to \$75,000 from the general fund on the program and direct the Town Manager to take the necessary steps to implement the initiative. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mrs. Gulley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols, Mr. Pruett and Mr. Ragsdale all voted "Aye". The motion was approved.

Mrs. Gulley stated that the Town is able to provide this program because of the excellent management Town Council has given over the recent years and by building up the rainy-day fund.

D Farmers Market

Mr. Edwards stated that work on the Pavilion will begin next week, a temporary location for the Farmers Market will be in the C & F Bank parking lot at the corner of 14th Street and Main Street. The Farmers Market will be curbside pickup for pre-ordered items only. The contact information has been posted on Facebook for the vendors to receive pre-orders.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

IX. NEW BUSINESS

A Planning Commission Report - Mr. Hudson

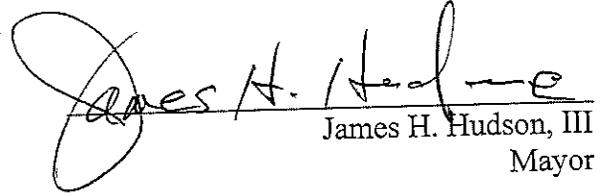
Mr. Hudson advised that there is no Planning Commission report and that there will not be a Planning Commission meeting in May.

X. ADJOURNMENT

Mr. Hudson stated that tonight is a historic night for Town Council. When I was appointed Mayor, our rainy-day fund was extremely low, we relied on one taxpayer for our operating budget. We needed a bigger savings account to fall back on in an emergency. We have been able to save funds with the stewardship of Town Council, as a result we have been able to continue to provide the town with the services needed while we build on a fund balance. We have been planning the tax reduction for the past few years and it comes at a good time for our citizens.

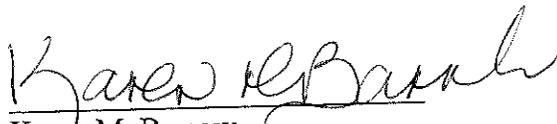
There will not be any cut in services, and we are in the position to make adjustments if a situation arises during the current conditions. Mayor Hudson thanked Town Council for being Good Stewards of Town funds that is allowing for the reduction in taxes to the citizens of West Point.

There being no further business, Mr. Lawrence made a motion to adjourn the meeting at 7:00 P.M. Mayor Hudson adjourned the meeting.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk



**RESOLUTION FOR APPROVAL AND APPROPRIATION FOR TOWN, SCHOOLS,
SOLID WASTE AND WATER UTILITY BUDGET
FY 2020-21**

WHEREAS, the West Point Town Council advertised a public hearing regarding the FY 2020-21 Budget on April 1, 2020 and again on April 8, 2020 in the Tidewater Review, and conducted a public hearing on April 21, 2020 as required by §15.2-2506 of the Code of Virginia.

NOW THEREFORE BE IT RESOLVED by the West Point Town Council that a total of \$11,060,345 is hereby approved for the West Point School Board for FY 2020-21;

BE IT FURTHER RESOLVED by the West Point Town Council, that the Town Budget for FY 2020-21 is approved on this 28th day of April, 2020 in the total amount of \$16,178,448 representing \$11,060,345 for the West Point School Board and \$9,226,249 for the Town (inclusive of the Town's contribution of \$4,377,525 for school operating expenses);

BE IT FURTHER RESOLVED by the West Point Town Council, that the Solid Waste Budget for FY 2020-21, in the amount of \$208,735 is approved this 28th day of April, 2020;

BE IT FURTHER RESOLVED by the West Point Town Council, that the Water Utility Budget for FY 2020-21, in the amount of \$856,876 is approved this 28th day of April, 2020;

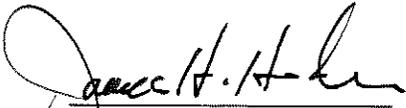
BE IT FURTHER RESOLVED by the West Point Town Council, that local funds in the amount of \$4,377,525 are hereby appropriated to the West Point School Board and an additional appropriation in the amount of \$6,682,820 is hereby made effective July 1, 2020 subject to and contingent upon availability of funding from the Federal government in the amount of \$330,672, from the Commonwealth of Virginia in the amount of \$5,872,473 and from other revenues in the amount of \$479,675 to be expended only on order of the School Board; and

BE IT FINALLY RESOLVED by the West Point Town Council, that \$16,178,448 is appropriated to the Town of West Point effective July 1, 2020, \$208,735 of which is appropriated to the West Point Solid Waste Budget effective July 1, 2020, and \$856,876 of which is appropriated to the West Point Water Utility effective July 1, 2020.

Certified to be a true copy of the Resolution adopted by the Town Council of the Town of West Point on April 28th, 2020, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson	<u>N/A</u>
Deborah Ball	<u>yes</u>
Tina Gulley	<u>yes</u>
Robert Lawrence	<u>yes</u>
Joshua Lawson	<u>yes</u>
Gail Nichols	<u>yes</u>
James Pruett	<u>yes</u>
John Ragsdale	<u>yes</u>


James H. Hudson, III
Mayor, Town of West Point

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held April 30, 2020 at which meeting a quorum was present and voted throughout.

ATTEST:

Adopted this 28th day of April, 2020


Karen M. Barrow
Town Clerk

ORDINANCE NO. 01-2020

ORDINANCE NO. 01-2020 AMENDS THE WEST POINT TOWN CODE, CHAPTER 58, "TAXATION," ARTICLE I, "IN GENERAL" TO DECREASE THE MACHINERY & TOOLS TAX FROM \$2.40 PER \$100 OF ASSESSED VALUE TO \$2.24 PER \$100 OF ASSESSED VALUE; TO DECREASE THE REAL ESTATE TAX RATE FROM 72 CENTS PER \$100 OF ASSESSED VALUE TO 67 CENTS PER \$100 OF ASSESSED VALUE; AND TO REDUCE THE PERSONAL PROPERTY TAX RATE FROM \$3.52 PER \$100 OF ASSESSED VALUE TO \$3.29 PER \$100 OF ASSESSED VALUE. ORDINANCE NO. 01-2020 WOULD TAKE EFFECT UPON ADOPTION; THE NEW TAX RATES CONTAINED IN ORDINANCE NO. 01-2020 ARE RETROACTIVE TO JANUARY 1, 2020.

BE IT ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 58, "Taxation," Article I, "In General," Section 58-11, "Tax Rate for Machinery & Tools" be amended to read as follows:

"Sec. 58-11. - Tax rate for machinery and tools.

Machinery and tools shall be assessed in accordance with the provisions of Code of Virginia, title 58.1, as amended, at a rate of \$ 2.24 per \$100.00 of assessed value. Taxes so assessed shall be based upon all such machinery and tools owned as of the first day of the tax year. Every taxpayer owning any property subject to taxation under this section, and every fiduciary shall file a personal property tax return with the commissioner of the revenue on or before May 1st for all machinery and tools employed in a trade or business. Machinery and tools shall be valued on the basis of a percentage of original cost. Except for leased manufactured equipment, the term "cost" is defined as original cost or the original capitalized cost if so established on the taxpayer's records. In the case of leased manufactured equipment, the cost shall be the commercial retail sales price for which the item would have been sold if it had been available for sale.

Tax bills under \$15.00. If any taxpayer owns tangible personal property of such small value that the levies thereon for the year result in a tax of less than \$15.00, such property shall be omitted from the personal property book and no assessment made thereon.

The tax rate for machinery and tools shall be effective for the calendar year 2020 and shall be retroactive to January 1, 2020."

BE IT FURTHER ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 58, "Taxation," Article I, "In General," Section 58-12, "Amount of Real Estate Tax" be amended to read as follows:

"Sec. 58-12. - Amount of real estate tax.

All real estate within the territorial boundaries of the Town of West Point subject to taxation under the Constitution and laws of the Commonwealth of Virginia shall be taxed at a rate of \$0.67 per \$100.00 of assessed value.

The tax rate for real estate shall be effective for the calendar year 2020 and shall be retroactive to January 1, 2020."

BE IT FINALLY ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 58, "Taxation," Article I, "In General," Section 58-13, "Amount of Personal Property Tax" be amended to read as follows:

procedures, and practices to assure the continuity of government operations; and

WHEREAS, government operations include the work of the Town Council and other local public bodies, and the personnel who work for or on behalf of local public bodies; and

WHEREAS, this Ordinance in response to the disaster caused by the COVID-19 pandemic promotes the public health, safety, and welfare, and its adoption is consistent with the law of the Commonwealth of Virginia, the Virginia Constitution and the United States Constitution.

NOW, THEREFORE, BE IT ORDAINED, that this Ordinance is hereby enacted as follows:

**An Ordinance Allowing for the Continuity of Government Operations
During the COVID-19 Pandemic**

Sec. 1. Purpose; Effective Date; Expiration

This Ordinance allows for variances from state laws and Town ordinances in order to protect the health, safety, and welfare of residents and employees from the spread of COVID-19 while still providing for essential government operations to continue during this state of emergency.

The operation of government includes management of all Town facilities, and the work of all local boards, including the Town Council, the planning commission, the board of zoning appeals, and any other local or regional board, commission, committee, or authority created by the Town Council or to which the Town Council appoints or recommends for appointment all or a portion of its members (collectively "Public Bodies" and individually "Public Body"), including employees who work for or on behalf of any Public Body.

At this time, public health experts recommend against assembling groups of people in confined spaces. Accordingly, this Ordinance contains modifications for public meetings which should be followed while it is deemed unwise or unsafe to gather in one location a quorum for any Public Bodies, or to invite members of the public to physically gather together for public meetings.

Moreover, the spread of COVID-19 may make it impossible or impractical for government operations to meet all normally imposed deadlines, regulations, and time frames, or to comport, in some instances, with lengthy procedures and processes such as procurement or employment processes.

This Ordinance is effective immediately; however, in no event will the Ordinance be effective for more than six months from the conclusion of the declared disaster. Upon repeal or expiration of this Ordinance, normal government operations will resume.

Sec. 2. Public Meetings and Public Hearings

A. Any regularly scheduled or regular meeting of any Public Body may be canceled by the Mayor, or in his absence or disability, the Vice-Mayor if there is no essential business that needs to occur or if conditions otherwise make it impractical to meet. Notice of the cancellation must be provided to the Public Body members and the public as soon as practicable.

B. In the alternative, any regularly scheduled or regular meeting of any Public Body may be held by solely electronic or telephonic means without a quorum of members physically present and without members of the public physically present, in order "to make decisions that must be

ORDINANCE NO. 02-2020

Ordinance No. 20-2020 Allows for the Continuity of Government Operations During the Pandemic, including Altering the Process for Conducting Public Meetings; Restricting the Use of Public Buildings or Facilities; Providing Additional Powers to the Town Manager to Incur Costs, Waive Procedures, and Take Other Temporary Actions; and Suspending Deadlines and Procedures

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency in response to the spread of the novel coronavirus (COVID-19); and

WHEREAS, on March 12, 2020, the Governor, in Executive Order 51, declared a state of emergency in the Commonwealth of Virginia, acknowledging the spread of COVID-19 as a disaster as defined in Virginia Code § 44-146.16; and

WHEREAS, Executive Order 51 authorized local governments to render appropriate assistance and to alleviate conditions, as appropriate, to prepare for and mitigate the effects of the virus; and

WHEREAS, on March 13, 2020, the President of the United States found and declared the outbreak of COVID-19 to constitute a national emergency, beginning March 1, 2020; and

WHEREAS, on April 28, 2020, in accordance with Virginia Code § 44-146.21, the Town of West Point declared a local state of emergency; and

WHEREAS, on March 17 and 23, 2020 the Governor requested and then directed Virginians to avoid non-essential gatherings of more than 10 people; and

WHEREAS on March 30, 2020 the Governor issued that all Virginians stay home through his issuance of Executive Order 55; and

WHEREAS, on April 28, 2020 the West Point Town Council confirmed, pursuant to Virginia Code § 44-146.21, the declaration of emergency; and

WHEREAS, the Town Council has determined that COVID-19 constitutes a communicable disease of public health threat which has caused a disaster as those terms are defined in Virginia Code § 44-146.16; and

WHEREAS, while the Town Council values transparency in government and public engagement, it also finds that emergency measures are necessary to mitigate the spread of COVID-19 and to protect the health, safety, and welfare of residents and employees, while still providing for government operations to continue during this state of emergency; and

WHEREAS, Virginia Code § 15.2-1413 provides that the Town Council, notwithstanding any contrary provision of law, may adopt an ordinance to assure the continuity of government operations during this disaster and for up to six months; and

WHEREAS, Virginia Code § 44-146.21 further provides that the locality, during a declared local emergency, may proceed without regard to time-consuming procedures and formalities prescribed by law, except for mandatory constitutional requirements; and

WHEREAS, Virginia Code § 15.2-1200 provides the Town with authority to adopt necessary regulations to prevent the spread of contagious diseases among its residents; and

WHEREAS, the Town Council also has the inherent authority to vary the Town's policies,

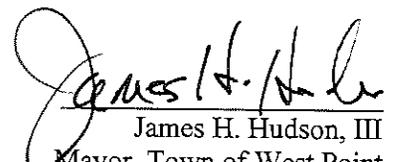
“Sec. 58-13. - Amount of personal property tax.

All personal property within the territorial boundaries of the Town of West Point subject to taxation under the Constitution and laws of the Commonwealth of Virginia shall be taxed at a rate of \$3.29 per \$100.00 of assessed value.

The tax rate for personal property shall be effective for the calendar year 2020 and shall be retroactive to January 1, 2020.”

Those members voting:

James H. Hudson	<u>RYA</u>
Deborah Ball	<u>YES</u>
Tina Gulley	<u>YES</u>
Robert Lawrence	<u>YES</u>
Joshua Lawson	<u>YES</u>
Gail Nichols	<u>YES</u>
James Pruett	<u>YES</u>
John Ragsdale	<u>YES</u>


James H. Hudson, III
Mayor, Town of West Point

ATTEST:


Karen M. Barrow
Town Clerk

Adopted this 28th day of April, 2020

made immediately and where failure to do so could result in irrevocable public harm,”¹ provided the following occurs:

1) The meeting is accessible to the public through live audio or video on the Town’s or Public Body’s website, a dial-in telephone number, or a social media platform.

2) The agenda and public notice for the meeting must:

- a) include a statement that the meeting is being held using electronic means under this Ordinance;
- b) contain specific information about how members of the public can access the meeting; and
- c) if there are any public hearing or public comment items, specifically identify how members of the public can provide comment, including one or more of the following: by e-mail, in writing, by telephone, through a social media platform, or via other electronic means.

3) The agenda is posted on the Town’s or Public Body’s website. Other materials associated with the meeting, if any, must be made available to the public at the same time they are provided to the Public Body members.

4) For public hearings and any items for which public comment is permitted, the following rules apply:

- a) Normal rules of order apply with respect to requiring the name and home address of the commenter, that comments relate to the hearing or comment topic, that appropriate limits on the number of comments per person per item apply, and that comments be of reasonable length.
- b) Public Bodies may allow public comments to be submitted via phone call, e-mail, or in writing, up until a reasonable time before the start of the meeting so long as those comments are provided to the Public Body members prior to any decision on an item.
- c) If available, members of the public may provide comments through leaving a voicemail on a dedicated phone number up until a reasonable time before the start of the meeting so long as those comments are then provided to the Public Body members prior to any decision on an item.
- d) If available, members of the public may provide comments through telephonic or interactive electronic means (call-in meeting access, social media platform) during the meeting so long as those comments are received by or provided to the Public Body members prior to any decision on an item.
- e) The Public Body may choose to receive additional comments through any means for a period of time after the public hearing or public meeting, so long as it announces and publicizes that opportunity and those comments are provided to the Public Body members prior to any decision on an item.
- f) All public comments must be made a part of the record of the Public Body either by being summarized in or included with the meeting minutes.
- g) At least three business days’ notice must be provided of the date and time of the meeting as well as how the public may access the meeting electronically.

5) Any votes taken during the meeting must be taken by roll call, individually recording each member’s name and vote.

6) The minutes of any meeting under this Ordinance must conform to the requirements of law, including identifying the forms of electronic communication used, the members participating and the means by which they participated, the opportunities for public access or participation, a summary of the public comments, if any, and the actions taken at the meeting.

¹ Virginia Attorney General’s Opinion dated March 20, 2020 to the Honorable Richard C. (Rip) Sullivan, Jr.

Nothing in this Ordinance shall prohibit Public Entities from holding in-person public meetings to conduct other business on behalf of the Town that is not necessarily essential, provided that public health and safety measures as well as social distancing are taken into consideration.

C. Public Bodies may hold special meetings consistent with the provisions in (B) except that notice of the special meeting need only be provided at least three working days prior to the meeting, and the agenda and associated materials, if any, need to be made available to the public at the same time as they are made available to the Public Body members.

D. Public Bodies may hold emergency meetings consistent with Virginia Code § 2.2-3708.

E. Any item on an agenda for a regularly scheduled, regular, special, or emergency meeting held hereunder may be continued to a later date or time for the purpose of reviewing and considering comments from the public.

Sec. 3. Public Buildings, Facilities, Real Property and Events

The Town Manager and/or the Mayor are empowered to restrict members of the public from entering or congregating around Town-owned buildings, facilities, and real property as is reasonably necessary to ensure the health, safety, and welfare of the public or Town staff. Moreover, the Town Manager and/or the Mayor cancel, postpone, or reschedule any events scheduled for any Town-owned building, facility or property as necessary to ensure the health, safety, and welfare of the public or Town staff.

Sec. 4. Additional powers of the Town Manager

A. *Funding and Contracts.* To the extent of unobligated funds available in excess of appropriations in the approved budget, the Town Manager and/or the Mayor may enter into contracts and incur obligations necessary to protect the health and safety of persons and property, and to provide emergency assistance to persons affected by this disaster.

B. *Procedures.* The Town Manager and/or the Mayor may proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, incurring obligations, employing workers, renting equipment, purchasing supplies and materials, and other expenditures of public funds.

C. *Other Temporary Actions.* The Town Manager and/or the Mayor may temporarily take any of the following actions: waive or reduce fees imposed by Town ordinance; waive enforcement, in whole or in part, of any Town ordinance; and modify, limit, waive, suspend, or amend any Town program, service, function, process, or procedure. The Town Manager and/or the Mayor must apply the action uniformly for similar situations and not on a case-by-case basis. The Town Manager's and/or the Mayor's actions will only be effective until the next regular meeting of the Town Council. The Town Council may ratify and extend the time for which the Town Manager's and/or the Mayor's action remains in effect.

Sec. 5. Suspension of Deadlines, Time Frames, and Procedures

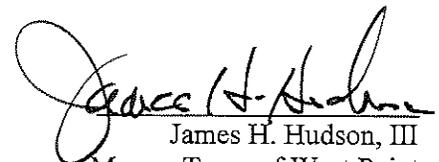
Town personnel are encouraged to take action as is practical and appropriate to meet deadlines or time frames established under state law or Town ordinances, however, notwithstanding any provision of law, regulation, or policy to the contrary, any deadlines requiring action by the Town, any Public Body, or Town employees are suspended. Time frames for review or expedited reviews are also suspended. Failure to meet any deadline or time frame will not constitute a default, violation, approval, ratification, or recommendation. Any policies or procedures inconsistent with this Ordinance are hereby suspended.

Sec. 6. Effective Date

This Ordinance shall take effect upon adoption, but in no event shall such Ordinance be effective for more than 6 months. Upon rescission by the West Point Town Council or automatic expiration as described herein, this Ordinance shall terminate, and normal practices and procedures of government shall resume.

Those members voting:

James H. Hudson	N/A
Deborah Ball	Yes
Tina Gulley	Yes
Robert Lawrence	Yes
Joshua Lawson	Yes
Gail Nichols	Yes
James Pruett	Yes
John Ragsdale	Yes


James H. Hudson, III
Mayor, Town of West Point

ATTEST:


Karen M. Barrow
Town Clerk

Adopted this 28th day of April, 2020