

The Pearisburg Town Council met in Regular Session on May 12, 2020 at 6:30 pm via electronic meeting using Zoom technology hosted by Assistant Town Clerk Williams. Present for the meeting was Mayor Dickerson; Vice-Mayor Eaton; Council Members Williams, Harrell, Clark, Ballard and Journell; Town Attorney Hartley; Town Manager Meredith; Town Clerk Harless; Police Chief Martin; Public Works Director Wilson; Town Treasurer Harrell; Recreation Director Collins and Library Director Long. Also present was Amelia Whittaker, Virginian Leader.

Williams made a motion to approve the minutes of the Regular April 14, 2020 Council Meeting as written. Journell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Eaton, Ballard and Journell. The motion carried by a vote of 7 to 0.

Journell reported on the Public Safety Committee. The new Fire Department brush truck is expected to be delivered within the next month. Mayor Dickerson thanked Chief Martin and Fire Chief Stevers on working together to get the truck for the department.

Ballard reported on the Property and Recreation Committee. The Committee discussed new projects underway for Troy Williams and Appalachian Eye Care. They also discussed options for painting the pool building.

Eaton reported on the Finance Committee. The Committee discussed the outstanding water list and the state restrictions that have prevented the Town from sending out second notices due to the COVID-19 pandemic. Staff plans to send out gentle reminders. Staff informed the Committee about upcoming expenses to prepare the Town Hall for reopening and social distancing.

The Committee recommends that the Council approve and adopt Budget Amendment FY 2020-04. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Eaton, Ballard and Journell. The recommendation was approved by a vote of 7 to 0.

BUDGET AMENDMENT FY 2020-04

EXPENDITURES	Current Budget	New Amount	Difference
10.1100.9200 Computers Software	\$ 41,136.00	\$ 48,136.00	\$ 7,000.00
21.3000.9200 Computer Software Maintenance	\$ 20,568.00	\$ 24,068.00	\$ 3,500.00
10.2900.8900 General	\$ 15,000.00	\$ 40,000.00	\$ 25,000.00

Total \$ 35,500.00
%Change 0.73%

REVENUE

\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
Total	\$ -	\$ -

Current Amended Total	Revenue	Expenditures	Difference
Current	\$ 4,785,671.00	\$ 4,831,539.00	(45,868.00)
Amended	\$ -	\$ 35,500.00	(35,500.00)
Total	\$ 4,785,671.00	\$ 4,867,039.00	(81,368.00)

For Council Action on May 12, 2020

Eaton reported on the Public Works Committee. The water loss for March was 41.41%. The Committee discussed leak detection and reminded the committee to keep in mind Public Works has a split staff. They repaired 8 leaks in March with a loss of 1.6 million gallons. Meredith stated that the Henson Avenue slip line work began today. The subcontractor planned to finish up this evening. The Committee reviewed the Sanitary Survey conducted by the Office of Drinking Water. The report commended the Town for repairs that were made to the system after 2017.

Eaton reported on the Beautification Advisory Committee. She stated that the Committee had a great kick-off meeting and discussed the mission and goals. They designated and prioritized areas of the Town for future beautification projects. The Committee met and considered paint colors and designs for the Town pool building. This item is on the agenda for full Council to choose the color and designs. Clark reported on the Library Advisory Board. She recommended Council review the last quarters meeting notes and Librarians Report in the packet. The reports contain a significant amount of information on what's happening at the Library. The Pearisburg Junior Woman's Club donated blueberry bushes. Library staff has been planting them around the property. Clark informed Council that Tom Miller no longer wants to Chair the Board. The board is hoping to persuade John Steenken. Director Long will work on recognizing Miller for his years of volunteer service in the fall during National Library Week.

Hartley updated Council on the Continuity of Operations During a Pandemic Ordinance. He stated that the previously past ordinance was only for 2 months. He recommends Council approve the new ordinance that last 6 months that covers the new laws in place.

Ballard made a motion that Council approve and adopt Ordinance 20-03 Continuity of Operations During Pandemic. Williams seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Eaton, Ballard and Journell. The motion was approved by a vote of 7 to 0.

ADOPTED: MAY 12, 2020

ORDINANCE NO: 20-03

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.

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, on March 31, 2020, the Town Council of the Town of Pearisburg confirmed the declaration of local emergency made by the local director of emergency management on March 31, 2020; and

WHEREAS, the Town Council finds 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, 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, Virginia Code § 44-146.21(C) further provides that a local director of emergency management or any member of a governing body in his absence may upon the declaration of a local emergency “proceed without regard to time-consuming procedures and formalities prescribed by law (except mandatory constitutional requirements) pertaining to performance of public work;” and

WHEREAS, Virginia Code § 2.2-3708.2(A)(3) allows, under certain procedural requirements including public notice and access, that members of the Town Council may convene solely by electronic means “to address the emergency;” and

WHEREAS, the open public meeting requirements of the Virginia Freedom of Information Act (“FOIA”) are limited only by a properly claimed exemption provided under that Act or “any other statute;” and

WHEREAS, the Governor and Health Commissioner of the Commonwealth of Virginia and the President of the United States have recommended suspension of public gatherings of more than ten attendees; and

WHEREAS, The Attorney General of Virginia issued an opinion dated March 20, 2020 stating that localities have the authority during disasters to adopt ordinances to ensure the continuity of government; and

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

NOW, THEREFORE, BE IT ORDAINED by the Town Council of The Town of Pearisburg, Virginia:

1. That the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Town Council, the Planning Commission, Board of Zoning Appeals, and all local boards, commissions, committees and authorities created by the Town Council or to which the

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.

2. That in accordance with Virginia Code § 15.2-1413, and notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure the continuity of government during this emergency and disaster:
 - a. Any meeting or activities which require the physical presence of members of the Public Entities may be held through real time electronic means (including audio, telephonic, video or other practical electronic medium) without a quorum physically present in one location; and
 - b. Prior to holding any such electronic meeting, the Public Entity shall provide public notice of at least 3 days in advance of the electronic meeting identifying how the public may participate or otherwise offer comment; and
 - c. Any such electronic meeting of Public Entities shall state on its agenda and at the beginning of such meeting that it is being held pursuant to and in compliance with this Ordinance; identify Public Entity members physically and/or electronically present; identify the persons responsible for receiving public comment; and identify notice of the opportunities for the public to access and participate in such electronic meeting; and
 - d. Any such electronic meeting of the Public Entities shall be open to electronic participation by the public and closed to in-person participation by the public; and
 - e. For any matters requiring a public hearing, public comment may be solicited by electronic means in advance and shall also be solicited through telephonic or other electronic means during the electronic meeting. All such public comments will be provided to members of the Public Entity at or before the electronic meeting and made part of the record for such meeting; and
 - f. The minutes of all electronic meeting shall conform to the requirements of law, identify how the meeting was conducted, members participating, and specify what actions were taken at the meeting. The Public Entities may approve minutes of an electronic meeting at a subsequent electronic meeting and shall later approve all such minutes at a regular or special meeting after the emergency and disaster has ended.

IT IS FURTHER ORDAINED that notwithstanding any provision of law, regulation or policy to the contrary, any deadlines requiring action by a Public Entity, its officers and employees of its organization shall be suspended during this emergency and disaster, however, the Public Entities, officers and employees thereof are encouraged to take such action as is practical and appropriate to meet those deadlines. Failure to meet any such deadlines shall not constitute a default, violation, approval, recommendation or otherwise.

IT IS FURTHER ORDAINED, that non-emergency public hearings and action items of Public Entities may be postponed to a date certain provided that public notice is given so that the public are aware of how and when to present their views.

IT IS FURTHER ORDAINED, that the provisions of this Emergency Ordinance shall remain in full force and effect for a period of six months, unless amended, rescinded or readopted by the Town Council in conformity with the provisions set forth in Virginia Code §15.2-1427. Upon rescission by the Town Council or automatic expiration as described herein, this emergency ordinance shall terminate, and normal practices and procedures of government shall resume.

Nothing in this Emergency Ordinance shall prohibit Public Entities from holding in-person public meetings provided that public health and safety measures as well as social distancing are taken into consideration.

An emergency is deemed to exist, and this ordinance shall be effective upon its adoption.

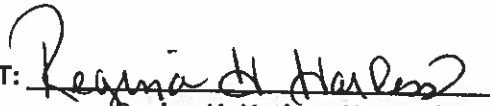
This 12th day of May, 2020.

APPROVED:



Robert L. Dickerson, Mayor

ATTEST:



Regina H. Harless, Town Clerk

Meredith updated Council on the RD UV/Sewer Project and the use of project funds to make the spot repair across Main Street near Henson Avenue. Mendon Pipeline will be putting in a slip line and performing all necessary work at the original contract rate for Henson Avenue. Meredith recommends that Council approve Change Order No. 3 for Mendon Pipeline and authorize him to sign.

Eaton made a motion that Council approve the RD UV/Sewer Project Change Order No. 3 Division I for Mendon Pipeline on the Henson Avenue repairs and authorize the Town Manager to sign. Harrell seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Eaton, Ballard and Journell. The motion was approved by a vote of 7 to 0.

Meredith discussed plans for Covid-19 Operations and Re-Opening of Town facilities. He stated that plans to re-open are guided by principles to protect residents in the community and Town staff. Staff are developing plans that are aligned with the governor's guidelines. There are several factors to address before re-opening. These include retro fitting our town buildings, implementing social distancing practices, installing service window barriers, placing directional signage to move foot traffic effectively, increasing the PPE inventory, increasing disinfection supplies along with training for PPE and disinfection practices. Staff is working on gathering a larger supply of masks and gloves. Meredith is reviewing policies for use of disinfectants and masks. The drive to re-open will also be based on the conditions on the ground in our community and how quickly the cases are being isolated. He stated that he believed that a localized approach is appropriate. The Town will be re-opening in an environment where COVID-19 is going to continue to exist. We need to develop a plan to continue to operate and provide services long-term. We also need to ensure that staff is protected from the virus to preserve the Town's operational capacity. He stated that Department Heads have done a great

job developing plans to ensure uninterrupted service to the Town's residents. He hopes to have a finalized product by the June meeting for Council to review for re-opening.

Williams stated that he admires what the Town staff is doing and trying to accomplish. Walmart is currently implementing new policies to disinfect workstations and customer service areas. They are disinfecting door handles and high traffic items that are handled every 2 hours. They are encouraging their employees to wear a face mask. He hopes it goes smoothly for Town Staff. He stated that it is a challenge to stay on top of. He explained that it is challenging to get customers to be compliant. He stated that Town staff may find it difficult to convince residents to be compliant.

Treasurer Harrell addressed Council concerning the Annual Festival. She stated that the Committee has met and discussed the possibility of holding the festival in August when they may be able to get the amusement rides scheduled. The Committee is agreeable with cancelling the event or holding it in August. Meredith stated that at this time it's difficult to know what the conditions will be like in August with regards to COVID-19 in our area. Williams was in favor of cancelling due to concerns with outside visitors attending. He didn't think the Town should take a chance. The Town is also not sure what lies ahead with guidelines issued by the Governor of Virginia. Council agreed that the festival should be cancelled.

Williams made a motion to cancel the June Festival for 2020. Clark seconded the motion. Voting yes: Mayor Dickerson; Council Members Williams, Harrell, Clark, Eaton, Ballard and Journell. The motion was approved by a vote of 7 to 0.

Meredith asked Council how they wished to conduct the regular June Council meeting to hold the public hearing for the FY2021 Budget. Hartley stated that the hearing could be held in person or via electronic means. Meredith stated that Council could set up in chambers and the public in the lobby. Staff will reach out to other localities to see how they plan to hold their budget hearings.

Eaton stated that Rhonda Colavecchio had taken pictures of the pool building and used software to show possible color schemes and designs. Staff is in the process of power washing and getting the paint off. The Committee recommends that Council pick the base color of blue or grey and leave the water splash designs up to the Recreation Director Collins and

Colavecchio. Council's consensus was that grey should be used as the base color and Collins and Colavecchio design the water splashes. The Committee suggested replacing the bench outside the entrance, painting the bike rack and painting Home of the Giles Jets on the side of the doors.

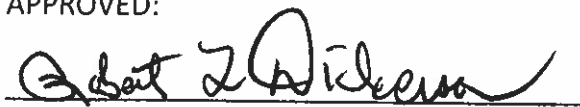
On a motion by Williams, seconded by Ballard, passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark, yes; and Harrell, yes; Council went into Executive Session as permitted by Virginia Code § 2.2-3711 (A) (7) for consultation with legal counsel, and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the Town; and consultation with legal counsel employed or retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel.

On a motion by Williams, seconded by Eaton, passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council returned to regular session.

On a motion by Journell seconded by Clark, and passed by the following recorded vote, Mayor Dickerson, yes; Council Members Williams, yes; Eaton, yes; Ballard, yes; Journell, yes; Clark yes; and Harrell, yes; Council certified that the subject discussed in this Executive Session was the subject identified in the motion to go into Executive Session and only that subject, and that Council discussed no other subject while in Executive Session.

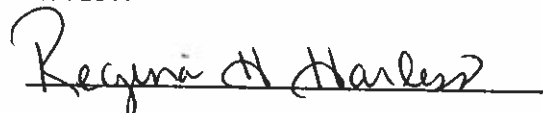
There being no further business the meeting was adjourned.

APPROVED:



Mayor Robert L. Dickerson

ATTEST:



Regina H. Harless, Town Clerk