

RESOLUTION OF CENTRAL VIRGINIA PLANNING DISTRICT COMMISSION
AUTHORIZING THE USE OF ELECTRONIC MEETINGS TO DISCUSS TIME SENSITIVE AND CRITICAL BUSINESS RELATED TO 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 the Central Virginia Planning District Commission, being the City of Lynchburg and the Counties of Amherst, Appomattox, Bedford, and Campbell have made individual declarations of a local emergency, 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, 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, failure of the Central Virginia Planning District Commission to act in a timely manner would lead to significant harm to individuals and businesses who use our services and to the region’s response to the COVID-19 crisis, and

WHEREAS, in addition to the above actions, the Virginia General Assembly on April 22, 2020, on the Governor’s recommendation, adopted budget language stating that notwithstanding any other provision of law, any public body, including any state, local, regional or regulatory body may meet by electronic communication means without a quorum present or any member physically assembled when the Governor has declared a state of emergency, provided that the nature of the emergency makes it impracticable or unsafe for the governing body to assemble in a single location, the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue the operations of the public body, the

public body shall make available a recording or transcript of the meeting on its website (the “Budget Amendment).

NOW, THEREFORE, BE IT RESOLVED that the Central Virginia Planning District Commission hereby will conduct electronic meetings giving proper notice through e-mail, websites and other means practical.

BE IT FURTHER RESOLVED that the Central Virginia Planning District Commission hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to develop any specific procedures as applicable and appropriate for the Central Virginia Planning District Commission, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinances and Budget Amendment; 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, or when the state of emergency has ended, whichever is later.

ADOPTED by the _____.

APPROVED

ATTEST:
