



County of King William, Virginia
Est. 1702

**BOARD OF SUPERVISORS
SPECIAL EMERGENCY MEETING OF MARCH 26, 2020 – 2:30 P.M.
KING WILLIAM COUNTY ADMINISTRATION BUILDING
KING WILLIAM, VIRGINIA**

A G E N D A

- 1. Call to Order**
- 2. Roll Call**
- 3. Emergency Matters:**
 - a. Ordinance 02-20 - An Ordinance Of The Board Of Supervisors Of The County Of King William, Virginia, Instituting Emergency Procedures To Ensure Continuity Of The County Government In Response To Covid-19 Disaster – *Bobbie Tassinari, County Administrator*
 - b. Resolution 20-20 - Resolution To Confirm The County Administrator’s Declaration Of Local Emergency Due To Covid-19 – *Bobbie Tassinari, County Administrator*
 - c. Update on FY2021 Budget Process and Recommendation
- 4. Adjourn or Recess**

ORDINANCE 02-20

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF KING
WILLIAM, VIRGINIA, INSTITUTING EMERGENCY PROCEDURES
TO ENSURE CONTINUITY OF THE COUNTY GOVERNMENT
IN RESPONSE TO COVID-19 DISASTER**

WHEREAS, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the healthcare community in responding to the novel coronavirus or "COVID-19"; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 12, 2020, by Executive Order No. 51, Governor Ralph S. Northam declared a state of emergency in the Commonwealth of Virginia due to the spread of the COVID-19 virus, and declared the anticipated effects of COVID-19 to be a disaster within the meaning of Virginia Code Section 44-146.16; and

WHEREAS, on March 13, 2020, the President of the United States found and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, on March 18, 2020, the County's Director of Emergency Management issued, pursuant to Virginia Code Section 44-146.14, a Declaration of Emergency in the County due to the spread of COVID-19; and

WHEREAS, the Board confirmed or ratified the local Declaration of Emergency on March 26, 2020 and it continues in effect; and

WHEREAS, on March 17, 2020, Governor Northam, jointly with the Virginia State Health Commissioner, declared a continuing public health emergency in Virginia resulting from the spread of COVID-19 virus, and imposed stringent measures to combat the spread of COVID-19, including restricting the number of persons permitted to gather in certain public spaces to 10 persons or less; and

WHEREAS, the Board of Supervisors understands and acknowledges that the public health threat posed by COVID-19 constitutes a real and substantial danger to persons in the County of King William; that the limitations on physical assembly of persons are urgently necessary to protect the public health; and that the Board of Supervisors and other County boards, commissions, committees, authorities and other public bodies must conduct themselves accordingly; and

WHEREAS, compliance with the limitations on physical assembly occasioned by the COVID-19 public health crisis makes it difficult or impossible for the Board and other public bodies to safely physically assemble to conduct meetings and hold public hearings in accordance with ordinarily applicable procedures; and

38 **WHEREAS**, Virginia Code Section 15.2-1413 authorizes any locality, by ordinance, to
39 provide for methods to assure continuity in its government in the event of a disaster such as that
40 created by the spread of COVID-19.

41 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Supervisors of the County of King
42 William, Virginia:

43 1. That, in accordance with Virginia Code Section 15.2-1413, the following emergency
44 procedures are hereby instituted to ensure continuity of government during the pendency
45 of the COVID-19 disaster:

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47 a. Any process, procedure, matter or transaction which typically allows for the physical
48 presence of the public in a county building that has been declared or in the future is
49 declared to be closed to the public during the pendency of the Emergency Declaration
50 is hereby suspended unless conducted in accordance with this ordinance or other
51 provision of law.

52
53 b. The County Administrator is authorized to take actions objectively reasonable and
54 necessary in the public interest to alter schedules, arrange for alternative procedures
55 consistent with this ordinance, provide programming and services, pay bills, engage
56 contractors, hire employees, set and manage a succession plan effective in the event of
57 unavailability of staff, adjust administrative processes and procedures in light of the
58 disaster, all in keeping with the U.S. Centers for Disease Control and Virginia
59 Department of Health guidance/directives, and consistent with State and Local
60 Declarations of Emergency and other directives and law.

61
62 c. Meetings required, and agenda items scheduled or proposed to be considered by the
63 Board of Supervisors and other county boards, commissions, committees, authorities
64 and other public bodies, for the duration of the local COVID-19 emergency but not to
65 exceed six (6) months, are deemed continued and extensions therefor are hereby
66 ordered if the body does not meet as permitted herein or in other applicable law and
67 take action during that time, including those items for which applicable law requires an
68 affirmative action to be taken within a particular time and failure to act is deemed
69 approval.

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71 d. Meetings of the Board of Supervisors and other county boards, commissions,
72 committees, authorities and other public bodies may be held through electronic
73 communication means with a quorum of members participating but without a need for
74 a quorum of members physically present in a single location, in accordance with the
75 provisions of Virginia Code Section 2.2-3708.2(A)(3), including the public notice
76 requirements, and at such a meeting may consider any item of business which the public
77 body deems essential or is appropriate for the continuity of the work of the public body.

78
79 e. Such meetings may be held without permitting members of the public to be physically
80 present in a single location or in the same physical location as any of the public body
81 members, so long as alternative arrangements for public access to such meetings are
82 made. Such alternative public access may be electronic, including but not limited to
83 audio, telephonic, or video broadcast.

84

85 f. For any matter considered by the Board or other county public body during the
86 pendency of the local emergency which typically require open doors, public attendance,
87 or public participation by law, such requirements are hereby altered and may be met by
88 electronic, telephonic, and/or written means by the body, which may meet
89 electronically or in person or in some combination thereof as circumstances may
90 permit.

91

92 g. For any matter so considered also requiring public comment or hearing, such will be
93 allowed, solicited or received by the body by electronic, telephonic, and/or written
94 means prior to the vote on such matter. All such comments will be heard by or provided
95 to the members of the body and made a part of the record of such meeting.

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97 h. Notices of meetings will be provided by email directly to those who have elected in
98 writing in the previous calendar year to receive such notices under the Virginia
99 Freedom of Information Act, and if practicable, will also be provided on the county
100 website and by other means selected by the County Administrator. To the extent
101 practicable, notices will also be provided as provided by general law.

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103 2. That the provisions in Section 1 of this Ordinance shall be in effect until repealed by this
104 Board or expiration of a period not exceeding six months from the adoption hereof,
105 whichever comes first. This Ordinance may be amended as provided herein or by general
106 law. Upon repeal or expiration of this Ordinance, the matters referenced herein shall
107 resume operation in accordance with normal practices and procedures.

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109 3. This ordinance shall be effective upon adoption.

RESOLUTION 20-20

**RESOLUTION TO CONFIRM THE COUNTY ADMINISTRATOR'S
DECLARATION OF LOCAL EMERGENCY DUE TO COVID-19**

WHEREAS, Code of Virginia § 44-146.21 provides that “in the event the governing body cannot convene due to a disaster or other exigent circumstances, the local (King William County) director of emergency services . . . may declare the existence of a local emergency, subject to confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first;” and

WHEREAS, in accordance with the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 (Code of Virginia § 44-146.13 *et seq.*, as amended) the King William County Board of Supervisors appointed the County Administrator as Director of Emergency Management;

WHEREAS, by virtue of the authority vested in her by § 44-146.21, the County Administrator, as the County’s Director of Emergency Management, issued a Declaration of Local Emergency on March 18, 2020 in response to the imminent threat and danger to public health posed by the novel coronavirus, designated as COVID-19.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF KING WILLIAM, VIRGINIA, that, pursuant to § 44-146.21 of the Code of Virginia, as amended, the Board hereby confirms the Declaration of Local Emergency issued by the County Administrator in her capacity as the County Director of Emergency Management on March 18, 2020, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.