

**RESOLUTION TO CONFIRM
DECLARATION OF LOCAL EMERGENCY DUE TO COVID-19**

WHEREAS, Code of Virginia §44-146.21 provides that “[i]n the event the governing body cannot convene due to [a] disaster or other exigent circumstances, the any 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, by virtue of the authority vested in him by §44-146.21, the Mayor, as a member if the governing body of the locality, issued a Declaration of Local Emergency on March ____, 2020 at _____ 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 TOWN COUNCIL OF RICH CREEK, VIRGINIA, that, pursuant to §44-146.21 of the Code of Virginia, as amended, the Town Council hereby confirms the Declaration of Local Emergency issued by the Mayor in his capacity as member of the governing body for the locality, on March ____, 2020, a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

BE IT FURTHER RESOLVED AS FOLLOWS:

Town Manager Roger Jones is appointed the Town’s Director of Emergency Management. The Director of Emergency Management is authorized to do any or all of the following as necessary to protect persons and property in Rich Creek, Virginia during the period of the declared emergency:

a. control, restrict, allocate or regulate the use, sale, production and distribution of food, fuel, clothing and other commodities, materials, goods, services and resource systems which fall only within the boundaries of Rich Creek and which do not impact systems affecting adjoining or other political subdivisions.

b. enter into contracts and incur obligations necessary to combat the declared emergency situation.

c. protect the health and safety of persons and property and provide emergency assistance to the victims of such emergency.

d. 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 of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, and other expenditures of public funds, provided such funds in excess of appropriations in the current approved budget, unobligated, are available.

e. under the supervision and control of the Governor or his designated representative, enter into contracts and incur obligations necessary to combat such emergency beyond the capabilities of local government, protect the health and safety of persons and property and provide emergency assistance to the victims of such emergency. In exercising the powers vested under this section, under the supervision and control of the Governor, the Town may proceed without regard to time-consuming procedures and formalities prescribed by law pertaining to public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, levying of taxes, and appropriation and expenditure of public funds.

Adopted at a emergency meeting of the Rich Creek Town Council held on March _____, 2020.

| voting | voting for | against | abstain | absent |
|----------|---------------|---------|---------|--------|
| Kantsios | _____ | _____ | _____ | _____ |
| Huffman | _____ | _____ | _____ | _____ |
| Helm | _____ | _____ | _____ | _____ |
| Clemmons | _____ | _____ | _____ | _____ |
| Bradley | _____ | _____ | _____ | _____ |
| Gautier | _____ | _____ | _____ | _____ |

Attest: _____
Pam Kantsios, Clerk