

**ROUND HILL TOWN COUNCIL  
SPECIAL MEETING MINUTES  
April 28, 2020**

A Special Meeting of the Round Hill Town Council was held in Round Hill, Virginia, on Wednesday, April 28, 2020, at 7:30 p.m.

**Council Members Present**

Scott T. Ramsey, Mayor  
Mary Anne Graham, Vice-Mayor  
Donald W. Allen  
Amy E. Evers  
Melissa Hoffmann  
Michael B. Hummel  
Paula James

**Staff Members Present**

Melissa Hynes, Town Administrator/Zoning Administrator  
Maureen Gilmore, Town Attorney

**Others Present**

There were no members of the public present.

**IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Ramsey called the meeting to order at 7:37 p.m. The Pledge of Allegiance was not recited.

**IN RE: ROLL CALL**

Mayor Ramsey stated that he, Vice-Mayor Graham, and Councilpersons Allen and James were present at the Town Office, and that Councilpersons Evers, Hoffmann and Hummel were participating remotely; therefore, all Council Members were present, and a quorum was established.

Mayor Ramsey stated that this evening's meeting is an emergency meeting, and, as such, was not advertised three days in advance; therefore, only items directly related to the emergency may be addressed. Mayor Ramsey explained that this is a public meeting, and that members of the public are invited to participate. It was noted by the Mayor that this information was provided to the local press.

**IN RE: PUBLIC COMMENT**

There were no members of the public present, and no comments were provided in written form.

**IN RE: ADOPTION OF SPECIAL EMERGENCY MEETING AGENDA (Amendments & Deletions)**

Vice-Mayor Graham moved **to adopt the Agenda**; Councilperson Allen seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 6-0. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Mary Anne Graham	Aye
Paula James	Aye
Donald W. Allen	Aye
Amy E. Evers	Aye
Michael B. Hummel	Aye
Melissa Hoffmann	Aye

**IN RE: BUSINESS ITEMS**

**1. Discussion of Petition to Virginia Supreme Court – Municipal Election**

Mayor Ramsey presented this item, noting that information regarding this issue was provided to Council via e-mail. The Mayor provided a summary of the topic, noting that municipal elections are scheduled for May 19, 2020; Mr. Ramsey further stated that the Virginia General Assembly will not hold a special session to deal with election issues created by the current emergency situation. Mayor Ramsey explained that State Code allows for localities to petition the Virginia Supreme Court for an additional delay, of up to sixteen days, of an election, and that leaders of neighboring localities are divided regarding a response to this issue; Lovettsville and Middleburg have voted to petition the court, Hamilton has decided not to petition, and Purcellville is currently debating the issue. Mayor Ramsey stated his belief that Purcellville will ultimately decide to petition the court. Councilperson Allen noted that petitioning the court does not provide a guarantee that a delay will be granted. Town Attorney Gilmore reported that local government attorneys, through their state-wide organization, have been asked about the actions taken by the jurisdictions they represent, with no response provided as yet. Ms. Gilmore further reported that the Virginia Municipal League (VML) will not provide guidance on writing a petition, but will support a petition put forth by any municipality. Town Attorney Gilmore stated that an effort in which several towns work together to file a joint petition may prove to be too complicated. Town Attorney Gilmore stated that a petition would be filed with a three-judge panel comprised of members of the Virginia Supreme Court, one of whom would be the Chief Justice.

Mayor Ramsey stated that it is the Town Council's job to determine if a petition should be submitted, and opened the floor for discussion. Mr. Ramsey reiterated that the election will be held at some point between May 19 and June 4, 2020.

Vice-Mayor Graham stated that she would be comfortable in filing a petition to delay the election if the date for the election does not go beyond June 4. The Vice-Mayor also sought

assurance that absentee ballots would not be negated; Mayor Ramsey stated that those ballots will definitely be counted, regardless of the date of the election.

There was discussion of possible confusion which could occur if some jurisdictions filed a petition for a delay, and some did not, and if that could result in there being two different election days. Town Attorney Gilmore reported that the State Supreme Court and the State Board of Elections would work together to determine the correct way to handle questions such as this.

Councilperson Allen stated that he holds a neutral stance on filing a petition to delay the election, but questioned the benefit of a postponement to June 4, as that is still prior to the end-date of the Governor's "stay-at-home" order, set for June 10. Mr. Allen further noted that the election date has already been postponed, from May 5 to May 19, with that information posted to the Town's website, and asked if a further postponement would create confusion and frustration, possibly leading citizens not to vote.

Councilperson James noted her agreement with Councilperson Allen's concerns, and stated that she, too, takes a neutral stance on requesting a delay. Ms. James asked if filing for a delay would provide extra time for citizens to request an absentee ballot; Mayor Ramsey reported that the deadline for receipt of absentee ballots has also been extended. Town Attorney Gilmore reported that the witness requirement for submitting an absentee ballot has been removed, and that absentee ballots received prior to any changes to the election date will still be counted.

Councilperson Evers stated that she feels the May 19 election date should be maintained, with it being ensured that citizens are provided the information needed to obtain an absentee ballot, and are informed of the deadlines for submission of that ballot.

Councilperson Hummel stated that he could find no reason to submit a petition and move the election date, particularly in light of the fact that the later date of June 4 is still prior to the expiration date of the "stay-at-home" order, set for June 10.

Mayor Ramsey noted that there did not seem to be any Council Member strongly in favor of petitioning the court for a delay in the date of the election. Mayor Ramsey opened the floor to a motion. There was discussion of filing a petition in support of neighboring municipalities which are doing so; however, it was noted that, unlike in some neighboring towns, Round Hill's election is not contested, and that changing the date likely would not make a notable impact.

A motion to petition the court for a change to the date of Round Hill's municipal election was not put forth.

## 2. Discussion of Emergency Utility Repair and Maintenance

Town Administrator/Zoning Administrator Hynes presented this item, explaining that a new quote has been received for the painting of the Stoneleigh water tank; the quote is for \$12,000.00, which is considerably lower than the original proposal. The painting will be done in May.

### **IN RE: ACTION ITEMS**

#### **1. Consideration of an Emergency Ordinance to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster**

Mayor Ramsey presented this item, noting that both Loudoun County and most neighboring municipalities have already passed this ordinance. The ordinance allows for meetings to be fully remotely conducted for the duration of the current health emergency, stipulates that Council Members need not be physically present for there to be a quorum, and allows for a municipality's business to be conducted electronically. Mayor Ramsey noted that a copy of the ordinance was provided to Council via e-mail. Mayor Ramsey noted that the ordinance contains a six-month "sunset clause," which would nullify it automatically at the end of that period of time, unless it is reauthorized. Town Attorney Gilmore explained that, previously, there was no statute which allowed for fully remote municipal meetings, unless it was an emergency meeting to deal with that particular emergency; the Governor requested the General Assembly consider an amendment to allow complete virtual meetings, as long as certain requirements are followed. Ms. Gilmore stated that those requirements have been included in the ordinance. Additionally, Ms. Gilmore stated, the ordinance allows members of the public to attend remotely. Finally, Town Attorney Gilmore explained that adoption of the ordinance allows for coverage, for both members of Town governing bodies and Staff, if someone should become ill.

Mayor Ramsey asked if there were any questions; there were none. The Mayor then called for a motion. Vice-Mayor Graham made a motion **that the Town Council adopt Ordinance 2020-04, Providing for Continuity of Government**; Councilperson Allen seconded the motion. There was no discussion. A voice vote was held; the motion was approved 6-0. The vote is recorded as follows:

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Mary Anne Graham	Aye
Paula James	Aye
Donald W. Allen	Aye
Amy E. Evers	Aye
Michael B. Hummel	Aye
Melissa Hoffmann	Aye

Mayor Ramsey declared that *Emergency Ordinance 2020-04, to Allow for Continuity of Government*, has been adopted by unanimous vote of the Town Council.

**IN RE: COUNCIL COMMENTS**

Mayor Ramsey asked if there was any further business Council wished to have addressed. Councilperson Hummel asked to clarify if next week's Town Council meeting will be held; Mayor Ramsey stated that it is currently on the schedule; however, he will review agenda items with the Town Administrator, following which a determination will be made. Mayor Ramsey stated that he is leaning toward holding agenda items slated for discussion on May 6 until the meeting of May 20, if possible.

There were no further Council Comments.

**IN RE: MEETING ADJOURNMENT**

The meeting was adjourned by Mayor Ramsey at 8:13 p.m.

Respectfully submitted,

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Scott T. Ramsey, Mayor

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Debra McDonald, Recording Secretary