

**I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2020-09-09/R-13) adopted by the Chapel Hill Town Council on September 9, 2020.**

**This the 10<sup>th</sup> day of September, 2020.**

*Amy T. Harvey*

**Amy T. Harvey  
Deputy Town Clerk**



**A RESOLUTION ADOPTING A REVISED MEETING SCHEDULE TO HOLD MEETINGS IN A VIRTUAL ENVIRONMENT THROUGH OCTOBER 31, 2020 OR UNTIL THE ORANGE COUNTY STAY AT HOME ORDER IS LIFTED (2020-09-09/R-13)**

WHEREAS, the Council values transparency in government and will include robust and inclusive public participation in virtual meetings; and

WHEREAS, on March 13, 2020, the Town of Chapel Hill proclaimed a State of Emergency in response to COVID-19; and

WHEREAS, on March 26, 2020, the NC Department of Justice provided an advisory opinion stating that "electronic meetings are allowed under N.C.G.S. §143.318.13, and the requirements of notice, access and minutes can be met through electronic means. Due to the unprecedented circumstances we are all faced with, and the fact that local governing bodies conducting meetings remotely is not expressly prohibited by statute, I conclude that local governments can carry out necessary meetings electronically and remain in compliance with Open Meetings Laws."; and

WHEREAS, the School of Government transmitted the above advisory opinion and added that "the letter doesn't specifically address the impact of electronic participation on statutory quorum/voting requirements, public hearings, public comment periods, or quasi-judicial hearings." Some blog posts on those topics include the following:

- [Meetings and Public Hearings Under the Coronavirus State of Emergency](#)
- [Can We Really Ban In-Person Attendance at Board Meetings During the Coronavirus Emergency?](#)
- [Failures to Vote by Board Members Participating Remotely](#)
- [Remote Participation in Quasi-Judicial Evidentiary Hearings](#)
- (April 9) [Electronic Meetings During the COVID-19 Emergency: Recommended Practices](#) ; and

WHEREAS, in an effort to significantly reduce the spread of the novel coronavirus, the Town of Chapel Hill, along with the Towns of Carrboro and Hillsborough, have joined Orange County's Stay at Home Declaration. Orange County Order adopted by reference to be effective within the Town Limits. The Declaration is in effect beginning at 6 p.m. Friday, March 27, until 5 p.m. Thursday, April 30. Orange County has issued subsequent Declarations extending the local State of Emergency through October 31, 2020; and

WHEREAS, effective March 30, Governor Roy Cooper ordered people in the state of North Carolina to stay at home for thirty days, until April 29, 2020. In April, the Governor issued further orders to tighten the social distancing requirements to address the spread of COVID-19; and

WHEREAS, on April 1, 2020, the Council modified and reinstated a policy to address the remote participation for the Town's advisory boards and commissions. These meetings shall provide an opportunity for public to participate and comment during the meetings by remote methods, including email, telephone, and other methods, to the extent practical; and

WHEREAS, on May 4, 2020, the Governor signed Session Law 2020-3 into law to enact G.S. 166A-19.24, which provides authority and procedures for remote meetings by simultaneous communication during declarations of emergency by the Governor or General Assembly, including authorization and procedures for holding quasi-judicial evidentiary hearings, subject to certain limitations; and

WHEREAS, Governor Cooper issued subsequent Declarations through October 2, 2020; and

WHEREAS, the Council adopted a calendar of meetings through December 2020 via Resolution (2020-06-24/R-6) which extended the virtual meeting provisions through the September 9 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council adopts a revised meeting schedule to hold meetings in a virtual environment through October 31, 2020 or until the Orange County Stay at Home Order is lifted, whichever occurs first.

September 2020

- 9-W-Regular meeting format (virtual meeting location)
- 16-W-Work Session format (virtual meeting location)
- 30-W- Regular meeting format (virtual meeting location)

October 2020

- 7-W- Regular meeting format (virtual meeting location)
- 21-W- Work Session format (virtual meeting location)
- 28-W- Regular meeting format (virtual meeting location)

November 2020

- 11-W-Regular Meeting
- 18-W-Regular Meeting

December 2020

- 2-W-Work Session
- 9-W-Regular Meeting

BE IT FURTHER RESOLVED that the Council will conduct the remote meetings as described in Resolution (2020-04-22/R-7).

BE IT FURTHER RESOLVED that the Council anticipates resuming its regular meetings when conditions allow.

This the 9th day of September, 2020.