



Town of Mineral

P.O. Box 316

312 Mineral Avenue

Mineral, Virginia 23117

Phone 540-894-5100

RESOLUTION CLARIFYING THE TOWN OF MINERAL'S POSITION ON THE COMPLAINT FILED WITH THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION BY A COUNCIL MEMBER ON JANUARY 30, 2025.

RESOLUTION NO. 2025-12

WHEREAS, Va. Code § 15.2-1401 states that "Unless otherwise clearly indicated by the context in which the provisions relating thereto are set forth, all powers granted to localities shall be vested in their respective *governing bodies*."; and

WHEREAS, The Town Charter (§ 3.1 Composition of Council; Election, Qualification and Term of Office of Councilmen) states *Mineral Town Council shall be governed by a Mayor and a Town Council composed of six councilmen..*; and

WHEREAS, The Town Code (§ 15-5 Rules of Procedure) states, in part, *The proceedings of the Town Council, except as its own rules of procedure may otherwise provide, shall be conducted according to Robert's Rules of Order..*; and

WHEREAS, Robert's Rules of Order (§1:6 The Deliberative Assembly) states, in part, *... to become the act or choice of the body, a proposition must be adopted by majority vote..*; and

WHEREAS, No member of Council has the authority or consent of the Council to act unilaterally on behalf the Council, or Town, without specific pre-authorization by a vote of the majority of the Council; now

WHEREAS, No matters of concern have been brought forward for a vote of Council regarding any complaints to be sent to the Department of Professional and Occupational Regulation (DPOR) on behalf of the Town; and

WHEREAS, The Town had no knowledge of the Council Member's intentions to file any complaint on behalf of the Town; and

IT IS, THEREFORE, RESOLVED, by the Council of the Town of Mineral as follows:

The Mineral Town Council denounces Councilman Hempstead's actions as it relates to his apparent filing a complaint on behalf of the Town and representing himself as a member of this Council in this complaint. The Mineral Town Council was not party to, and does not support this complaint, as it was not brought before the Council nor authorized by a majority vote of the Council. The complaint is not reflective of the actions, or position, of the Town nor the Mineral Town Council. The Council recognizes Councilman Hempstead's rights to file a complaint as a private citizen and his representations that he did not intend to file said complaint on behalf of the Town.

THE FOREGOING RESOLUTION WAS DULY ADOPTED BY THE FOLLOWING VOTE:

Michelle Covert – Yes

David Hempstead - No

Bernice Kube - Yes

Rebecca McGehee – Yes

Olivia McCarthy – Yes

JoAnna Von Arb - Yes

Certified to be a true copy of Resolution 2025-13 which was approved by a 5-1-0 vote on April 29, 2025, at which a quorum of Council was present.

PASSED this 29th day of April 2025.

Ronald Chapman, Mayor

Town of Mineral

ATTEST:

Clerk of Council