At the recess meeting of the Giles County Board of Supervisors held on Thursday, July 15, 2021, at 6:30 PM in the Giles County Administration Building located at 315 N. Main Street, Pearisburg, the following members were present unless noted absent.

Richard McCoy	Chair (At-Large Supervisor)
Paul “Chappy” Baker	Vice-Chair (At-Large Supervisor)
Jeff Morris	Central District
Perry Martin	Eastern District
John C. Lawson, Jr.	Western District
Chris McKlarney	County Administrator
Catherine Ballard	Finance Director
Richard Chidester	County Attorney
Missy Bray	Board Secretary

CALL TO ORDER/INVOCATION

Mr. McCoy called the meeting to order, and Mr. McKlarney offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Baker motioned to approve the June 30, 2021, minutes as presented. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

OLD BUSINESS

OPIOID RESOLUTIONS

Mr. Chidester presented two resolutions regarding opioid litigation. He explained the first resolution was in support of the proposed Purdue Pharma bankruptcy plan, noting it authorizes counsel to vote on behalf of the county. Mr. Chidester related the second resolution was to approve a memorandum of understanding with the Attorney General’s office in order to maximize litigation fund recovery. He explained the state will receive 2.8 percent of the settlement, of which participating localities will receive 15 percent. Mr. Chidester outlined the formulation of the settlement funds, and there would be an option to apply for a grant from the abatement fund portion. He advised the approval would authorize the signature of the settlement with the state. Copies of the resolutions are attached at the end of these minutes.

Mr. Morris made a motion to approve both resolutions relating to the opioid litigation as presented. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

RECREATION BUDGET

Mr. McKlarney related there had been $25,000 added to the recreation budget for FY 2022 and presented a proposed line-item adjustment from Mr. Martin. Mr. Martin suggested there is a need for the capital improvement aspect of the recreation budget, and there is always room to increase that pot of funding. Mr. Morris stated the only problem he sees with it is the distribution of the funds, noting it would be a nightmare to work it out. He related members had always worked with parks to do something for them, and it could cause a problem between districts. Mr. Morris stated he had no issue with raising the amount for the Newport park due to the activities there. Mr. Lawson related he understood Newport, but Rich Creek is low. He indicated the rotating fund might be hard to keep track of. Mr. Baker advised it could be hard to come up with the funds in years to come. Members discussed the organization of funding. Mr. Martin stated his idea was to have consistent funds for parks, but the county needs to help with larger projects as well. He indicated the proposed changes were just a way to get the conversation started. Mr. McKlarney suggested taking $250 from each larger park and putting it into the discretionary fund of the three districts, which would bring them to $3,000 per district. Members discussed options. Mr. McKlarney advised Mountain Lake is proposing a grant for $25,000 each year, for which parks can apply. He indicated there would be other options out there beyond just county funding. Mr. Martin stated there had been a team from Giles that went to a state competition in Shenandoah, and parents are looking for more practice and field space. Mr. McCoy indicated he likes the idea of splitting and requested it be worked into the document for the next meeting. Members concurred.

Mr. Morris made a motion to table the discussion until the next meeting, and Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

VDOT REQUEST FOR ABANDONMENT

Mr. McKlarney presented information for abandonment of right of way along Rocky Hollow Road. He explained the proposal and outlined the abandonment, which was part of a realignment project of the road. Members discussed options and the procedure for abandonment.

EMERGENCY SERVICES COORDINATOR

Mr. McKlarney reported he had received four applications for the Emergency Services Coordinator position. He suggested having an interview panel of people such as law enforcement and EMS, and he asked members to let him know if they would like to participate.

PAYMENT OF WARRANTS

Mr. Baker motioned to approve FY 2021 warrants in the amount of $204,841.90, and Mr. Lawson seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

Mr. Baker motioned to approve FY 2022 warrants in the amount of $1,320,036.20, and Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

SUPPLEMENTS/TRANSFERS

Ms. Ballard presented FY 2021 budget supplements for Castle Rock, the Wellness Center and water fund, another FY 2021 supplement for the business resiliency grant, and asset forfeiture, as well as FY 2021 budget transfers. Copies of each are attached at the end of these minutes.

Mr. Baker motioned to approve FY 2021 budget supplements in the amount of $513,469.89, and Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

Mr. Morris motioned to approve FY 2021 budget supplements in the amount of $51,035.00, and Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

Mr. Morris motioned to approve FY 2021 budget transfers in the amount of $152,204.24, and Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

SCHOOL BOARD APPROPRIATIONS

Mr. Lawson motioned to approve $1,900,000 for August 2021 School Board appropriations, and Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy, and Mr. Morris

SOCIAL SERVICES APPROPRIATIONS

Mr. Lawson motioned to approve $185,000 for the August 2021 Social Services appropriations. Mr. Morris seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

APPOINTMENTS

Mr. Morris made a motion to appoint Ms. Nancy Rader to the local New River Community Action Board contingent upon her acceptance. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

OLD BUSINESS

FIRE DEPARTMENT FUNDING

Mr. Martin stated he had talked with some fire departments, and they are having issues financially due to the lack of fund-raising opportunities during the COVID restrictions. He noted Newport had lost out on approximately $11,000, and Pembroke has lost around $28,000. Mr. Martin requested members keep the conversation open to find options.

NEW BUSINESS

STONY CREEK PROJECT

Mr. McKlarney related Trout Unlimited has a potential project on Big Stony Creek, and he had agreed to help with some of the work. He indicated Lhoist would be providing stone for the project. Mr. Baker inquired if they could clean the creek up while working on the project and asked that the county sign be replaced as well.

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (30) Contracts. Mr. Baker seconded the motion. The motion was approved 5-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

Mr. Morris motioned to return to open session and he certified that in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information act cited in that motion. Mr. Baker seconded the motion. The motion was approved 5-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

NEW BUSINESS

ZOOM MEETING OPTION

Mr. Morris made a motion to discontinue the zoom option for Supervisor meetings. Mr. Baker seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

APPALACHIAN POWER

Mr. Baker asked Mr. McKlarney if someone from Appalachian Power could attend a meeting. He related there were frequent outages in the Eggleston area and on the line that comes in from Montgomery County. Mr. Lawson stated there are also frequent outages in the Wolf Creek area.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Wednesday, August, 4, 2021, at 3:00 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

_____
Chair

ATTEST:

_____
Clerk

RESOLUTION

A RESOLUTION OF THE GILES COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY'S OUTSIDE COUNSEL TO VOTE ON THE COUNTY'S BEHALF TO SUPPORT THE PROPOSED PURDUE PHARMA BANKRUPTCY PLAN

WHEREAS, Purdue Pharma and its corporate affiliates have filed for bankruptcy protection related to the liabilities they face as a result of their involvement in the marketing and sale of opioids; and

WHEREAS, Giles County has filed a Proof of Claim form in the Purdue bankruptcy proceeding and is a Creditor in said proceeding; and

WHEREAS, all creditors in the Purdue bankruptcy proceeding are entitled to vote, on or before July 14, 2021, on whether to accept a plan that has been proposed to resolve the Purdue bankruptcy proceeding;

WHEREAS, the County's outside opioid litigation counsel has recommended that the County approve the proposed bankruptcy plan; and

WHEREAS, the County Attorney has reviewed the available information about the proposed bankruptcy plan and concurs with the recommendation of outside counsel; now, therefore be it

RESOLVED by the Giles County Board of Supervisors this 15th day of July, 2021, that that the County Attorney is authorized to direct the County's outside opioid litigation counsel to cast the vote of Giles County in favor of the proposed bankruptcy plan as recommended by outside counsel.

Adopted this 15th day of July, 2021.

	voting for	voting against	abstain	absent
McCoy	X			
Baker	X			
Lawson	X			
Martin	X			
Morris	X			

Attest: _____
Christopher P. McClarney, Clerk

RESOLUTION OF THE BOARD OF SUPERVISORS
OF GILES COUNTY, VIRGINIA
Date: July 15, 2021

WHEREAS, the County of Giles, through their elected representatives and counsel, and the Commonwealth of Virginia, through the Office of the Attorney General, are separately engaged in litigation seeking to recover costs incurred and to be incurred in abating the opioid addiction epidemic that plagues Virginia communities.

WHEREAS, the County of Giles and the Commonwealth of Virginia share a common desire to abate and alleviate the impacts of the opioid addiction epidemic and to maximize litigation recoveries from those third parties responsible for same;

WHEREAS, in order to advance their common interests, the County of Giles and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of such litigation recoveries;

WHEREAS, the County's outside opioid litigation counsel has recommended that the County approve the proposed memorandum of understanding; and

WHEREAS, the County Attorney has reviewed the available information about the proposed memorandum of understanding and concurs with the recommendation of outside counsel;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors for the County of Giles, assembled on this day at which a quorum is present, that the County of Giles hereby authorizes and approves, or confirms authorization and approval, of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding attached hereto and incorporated herein by reference thereto as Exhibit "A", and directs the County Administrator or the County Attorney to execute and enter into such Memorandum of Understanding on behalf of the County of Giles.

Adopted this 15th day of July, 2021.

	voting for	voting against	abstain	absent
McCoy	X			
Baker	X			
Lawson	X			
Martin	X			
Morris	X			

Attest: _____
Christopher P. McKlarney, Clerk

FY2021 RECAP & SUPPLEMENT
AS OF JUNE 30 2021

CASTLE ROCK

TOTAL REVENUES FY2021	$274,419.00
TOTAL EXPENDITURES FY2021	$362,107.08
COUNTY SUPPLEMENT FY2021	**-$87,688.08**

WELLNESS CENTER

TOTAL REVENUES FY2021	$131,142.40
TOTAL EXPENDITURES FY2021	$209,580.63
COUNTY SUPPLEMENT FY2021	**-$78,438.23**

WATER FUND

TOTAL REVENUES	$844,365.88
TOTAL EXPENDITURES	$1,191,709.46
COUNTY SUPPLEMENT FY2021	**-$347,343.58**
TOTAL CASTLE ROCK*WELLNESS & WATER	**-$513,469.89**

FINAL SUPPLEMENTS FY2021 JUNE 30 2021			
CODE	**AMOUNT**	**DESCRIPTION**	**REVENUE**
100-81700-3019	$37,000.00	BUSINESS GRANT	YES
140-22120-6022	$500.00	ASSET FORFEITURE	YES
140-31220-6020	$13,535.00	ASSET FORFEITURE	YES
TOTAL	**$51,035.00**		

FINAL FY2021 TRANSFERS - AS OF JUNE 30, 2021

FROM:		TO:	
100-11010-6001	$3,000.00		
		100-12210-6001	$409.00
100-12310-5810	$2,000.00		
100-12310-5540	$1,000.00		
100-12310-5210	$150.00	100-12320-3135	$3,150.00
100-21100-3175	$1,500.00	100-21800-6012	$892.24
100-21300-6001	$200.00		
100-21500-5701	$5,000.00		
100-31700-2300	$4,000.00	100-31200-2300	$4,000.00
100-31800-5540	$965.00	100-31200-2300	$965.00
100-33200-6010	$1,000.00		
100-33200-6011	$500.00		
100-33200-3110	$500.00		
100-34100-5305	$1,000.00		
100-34100-5510	$1,750.00		
100-34100-6001	$1,000.00		
100-34100-6008	$1,400.00		
100-34100-6014	$1,100.00		
100-35100-6004	$7,412.00		
100-35100-6001	$1,300.00		
100-35100-6019	$1,000.00		
100-35100-6008	$1,000.00		
100-42600-5870	$2,000.00	100-43100-3320	$26,500.00
100-43200-1170	$44,000.00	100-43100-3320	$44,000.00
100-43200-2210	$6,000.00	100-43100-3320	$6,500.00
100-81100-6014	$1,400.00	100-72600-5681	$3,774.00
100-81400-1111	$500.00	325-94000-8841	$16.59
100-81600-5851	$500.00		
100-83400-5925	$1,068.00		
120-53510-3100	$37,934.00	110-53100-3003	$37,934.00
110-53510-3100	$5,924.32	100-33100-3850	$5,924.32
110-53510-3100	$6,757.71	100-33202-8920	$6,757.71
110-53510-3100	$2,161.00		
310-81500-5924	$5,432.21	100-81700-1139	$5,432.21
100-41100-3165	$150.00	100-33202-2720	$1,358.00
100-81100-6008	$500.00	100-33202-2100	$892.00
100-81100-5210	$400.00	100-81700-1100	$3,038.17
100-81800-6008	$700.00	100-51200-5610	$661.00
TOTALS	**$152,204.24**		**$152,204.24**