

At the regular meeting of the Giles County Board of Supervisors held on Wednesday, September 6, 2023, at 3:00 PM in the Giles County Administration Building located at 315 N. Main Street, Pearisburg, the following members were present unless noted absent.

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

CALL TO ORDER/INVOCATION

Mr. Morris 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 minutes of August 17, 2023, as presented. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

CONSTITUTIONAL OFFICERS

Mr. Steve Simon, Executive Director of the Western Virginia EMS Council, presented information on the council. He related the organization assists local governments with training and other support as well as having a region wide protocol for the medical boxes to be carried in ambulances. Mr. Simon presented Lieutenant S.K. Vaughn with the 2023 Regional EMS Telecommunications Dispatcher award. He related dispatchers are the hidden treasure who make sure the officers and first responders are informed on situations.

VDOT REPORT

Mr. David Clarke reported maintenance efforts such as shoulder work on Spruce Run, ditching on Henderickson Road, work done on Glen Alton, and the crushed pipe was fixed on Big Stoney. He related pot holes fixed on Curve Road, clean up and shoulder work on Big Stoney will be taking place soon due to some time restrictions.

Mr. Baker inquired if the holes were fixed at Glen Alton. Mr. Clarke stated he thought they were but would check. Mr. Baker related he had received complaints in Ripplemead with speeding. Mr. Clarke stated he would look at the signage, which might

be able to be updated. Mr. Baker reported the signage along Stateline Road is covered with brush, and requested work on Wenonah Avenue heading out of town where there is a dip in the road. He inquired about the culvert work on Route 622, and Mr. Clarke advised he would double check on it. Mr. Baker related people are dragging when coming out of their driveways on Cascade Drive since the paving was done. Mr. Martin inquired if signage was available besides a bus stop sign for a turn around location of a bus in the Songer Town area and related what the issues are there. He reported a drain pipe issue on Big Stoney at the cliffs and requested VDOT look into deceleration lanes in the county, especially for Eggleston Road and Winding Way, noting truck traffic stacking up at Winding Way. Mr. Martin reported a stop sign needed coming out of The Cedars, which is causing issues by people pulling out in front of others traveling on Kow Camp. Mr. Morris requested the speed be looked at on Sugar Run on the first part of the road. Mr. McKlarney reported line painting needed on Rocky Hollow Road, and a speed study on Route 635, as traffic has picked up there. He noted a local government committee is meeting to look at priority projects and asked that members get any ideas to him by September 27th. Mr. Lawson inquired if the deadline was missed for the grant on the low water bridges. Mr. McKlarney advised he had not received anything back from VDOT, and the county could look at it again next year. Mr. Clarke will check on the status of the request.

Mr. Jay Williams – Mr. Williams reported the edges of the road need to be extended to the culvert on Dry Branch, and the shoulders need work on Dry Branch and Big Stoney. He stated a speed study is needed on Big Stoney, and at the intersection of Route 460, noting people were speeding by there already at 65 mph or more before getting to that speed limit sign. Mr. Williams expressed concern over the school traffic and gas line trucks, adding there is a lot more traffic there. He said he did not know what could be done there, and asked about the lighted speed signs. Mr. Clarke advised VDOT usually puts them up in work zones, or sometimes law enforcement will put them up.

SCHOOL BOARD REPORT

Mr. McKlarney advised Dr. Arbogast could not attend, but the enrollment number was 2,233, which is an increase of 48 from the end of last school year.

PUBLIC COMMENTS

Mr. Jay Williams – Mr. Williams updated members on the workforce programs, now renamed Virginia Career Works, and related People Inc. had taken over the programs in the New River Valley. He stated they are having a difficult time hiring someone for Giles, and they planned to move the office into Pearisburg so it would be more centrally located in the county. Mr. Williams reported the programs have a total of \$5.5 million to spend throughout their entire service area, with the youth programs having \$1 million of that funding. He thinks the county is falling short on the youth, since there are kids who have been out of school two to three years and are still not working. Mr. Williams reported any student in Giles County Public Schools who is failing is not eligible to attend the Tech Center to learn a trade, and he does not think they are being trained on what skills the businesses need. He suggested the county, IDA and schools work

together to have a training program for the kids and offer other areas of training in the Tech Center, such as heavy equipment, CDL and culinary skills. Mr. Morris advised there would need to be a package put together and a group formed to put it together. Mr. Baker stated it seems like there is a problem with SOL testing, and every kid should have the opportunity for training. Mr. Williams requested members consider running a bus to and from New River Community College, which would save on gas, traffic and would be safer for the students.

OLD BUSINESS

OPIOID RESOLUTION

Mr. McKlarney presented a resolution for the NRV Recover Ecosystem, which had been brought to members previously. He related the opioid project will receive a 25 percent bonus from the state for a cooperative project and recommended approval. A copy of the resolution is attached at the end of these minutes.

Mr. Baker made a motion to approve the opioid project resolution as presented, and Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

NEWPORT ACTIVITY CENTER

Mr. McKlarney reported four bids were received for the Newport Activity Center grant. The bids were as follows:

DCI Shires - \$729,500
 Roger L. Lucas Construction - \$450,000
 Bradley Electric - \$397,500
 Pennington Construction - \$328,493

Mr. McKlarney advised Pennington Construction had all the documents in order.

Mr. Baker made a motion to move forward with Pennington Construction on the Newport Activity Center grant, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

PUBLIC HEARING

UNCLAIMED PROPERTY DISPOSITION ORDINANCE

Mr. Morris opened the public hearing. Mr. Chidester presented a proposed ordinance, which came about from Sheriff's Office due to them having a lot of unclaimed property. He explained acceptable handling of property from the Code of Virginia and related this ordinance would allow for the disposition of that unclaimed property. Mr. Chidester advised the property has to be reported to the State Treasurer, and there are a number

of jurisdictions who have this type of ordinance in place. Mr. Morris asked for any questions or comments. Hearing none, he closed the public hearing. A copy of the ordinance is attached at the end of these minutes.

Mr. Baker made a motion to approve the ordinance as presented. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

NEW BUSINESS

FISCAL YEAR 2024 FIRE FUND DISBURSEMENT

Mr. McKlarney presented a request from EMS Coordinator, Jon Butler, for the disbursement of Fiscal Year 2024 fire funds. He indicated each in-town department would receive \$3,634, and those outside of town limits would receive \$8,635, with Eggleston receiving additional carryover funds in the amount of \$976.82.

Mr. Lawson motioned to approve the FY 2024 fire funds disbursement as presented. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

PEARISBURG STREET CLOSURE REQUESTS

Mr. McKlarney related the Town of Pearisburg had submitted a number of requests for street closure during upcoming events, which were as follows:

GHS Homecoming Parade – September 22nd
 Annual Scarecrow Festival – October 7th
 Fireman's Parade – October 7th
 Christmas Parade – December 3rd

Mr. Baker made a motion to approve the street closure requests as presented. Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

SCHOOL CARRYOVER REQUEST

Mr. McKlarney presented a request from the schools to carryover funds from FY 2020 through FY 2023. He outlined the request per year, with a total request of \$6,391,730.80. Mr. McKlarney related \$1.8 million are construction funds, and the remainder could be used as operational. He indicated members had requested in the past for the usage to be presented in writing prior to being expended. Mr. McKlarney explained the bulk of the carryover funds were from FY 2021 and FY 2022, when students were not in school part of those years due to COVID.

Mr. Lawson made a motion to approve the school carryover request as presented contingent upon the schools presenting a written plan and receiving approval prior to expenditure. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants for FY 2024 in the amount of \$2,312,077.44, and Mr. Martin seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

EXECUTIVE SESSION

Mr. Martin motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (7) Legal Counsel and (29) Contracts. Mr. Baker seconded the motion. The motion was approved 4-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

Mr. Martin motioned to return to open session and 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 4-0 by rollcall vote as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

FY 2023 BUDGET TRANSFERS

Mr. Martin motioned to approve FY 2023 budget transfers in the amount of \$45,446.24, and Mr. Lawson seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Absent: Mr. McCoy

A copy is attached at the end of these minutes.

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Thursday, September 21, 2023, at 6:30 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

Chair

ATTEST:

Clerk

NRV Recovery Ecosystem Resolution

RESOLUTION: Commitment of Direct Allocation from the Virginia Opioid Abatement Authority to meet the Gold Standard.

WHEREAS the Giles County Board of Supervisors seeks to mitigate and abate the impacts of the opioid epidemic in Giles County, Virginia; and

WHEREAS the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA has invited each city and county in Virginia to submit proposals for grants to support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth; and

WHEREAS the financial assistance offered by the OAA is needed to provide opioid mitigation and abatement efforts in Giles County; and

WHEREAS Giles County is participating in the NRV Recovery Ecosystem program with awarded funding for Fiscal Years 2023 and expected awards through Fiscal year 2028 that accepts the terms and conditions required by the OAA; and

WHEREAS Giles County voluntarily agrees to meet the OAA's "Gold Standard" requirements in return for a 25% increase in OAA funding eligibility during this and subsequent Fiscal Years; and

WHEREAS Giles County's OAA individual distribution for fiscal years 2023 and 2024 will be awarded a total of \$55,663 in direct and incentive distribution to support this cooperative project per the successfully submitted proposal. And further, the Giles Board of Supervisors commits \$104,388 of its direct distribution settlement funds to meet the committed county allocation of match of \$160,021.

NOW, THEREFORE, BE IT RESOLVED, the Giles County Board of Supervisors, on September 6, 2023, hereby authorizes Chris McKlarney to execute all necessary MOUs with the fiscal agent Montgomery County as required by the Virginia Opioid Abatement Authority, to accept the cooperative grant award, and to execute all documents in connection therewith on behalf of Giles County.

Approved by the Giles County Board of Supervisors this 6th day of September, 2023 as follows:

	Voting for	Voting against	Abstain	Absent
Baker	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Lawson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Martin	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
McCoy	<u> </u>	<u> </u>	<u> </u>	<u> X </u>
Morris	<u> X </u>	<u> </u>	<u> </u>	<u> </u>



 Attest: Chris McKlarney, Clerk

DISPOSITION OF UNCLAIMED PROPERTY.

(a) Short Title. This section shall be known and may be cited as the "Giles County Unclaimed Property Disposition Ordinance."

(b) Authority and Purpose. This section was passed pursuant to authority granted under Sections 15.2-1719 and 15.2-1720 of the Code of Virginia of 1950, as amended. The purpose of this section is to provide for the disposition of unclaimed personal property and found property which has been in the possession of the Sheriff and unclaimed for a period of more than sixty days.

(c) Definitions. As used in this section:

(1) "Unclaimed personal property" means any personal property, not including contraband, belonging to another, which has been acquired by a law enforcement officer pursuant to his or her duties, which is not needed in any criminal prosecution, which has not been claimed by its rightful owner and which the State Treasurer has indicated will be declined if remitted under the Uniform Disposition of Unclaimed Property Act (Section 55-210.1 et seq., Code of Virginia). Unclaimed firearms shall be disposed of in accordance with Section 15.2-1721 of the Code of Virginia. Unclaimed bicycles and mopeds shall be disposed of in accordance with Section 15.2-1720 of the Code of Virginia.

(2) "Notice" means, if the owner is known, written notice sent to such owner, describing the personal property and requesting that such owner claim such property, such notice to be sent by registered mail, return receipt requested, to the owner's last known address. If the owner cannot be identified after diligent inquiry, "notice" means a notice published at least once a week for two consecutive weeks in a newspaper of general circulation in the County, stating that there will be a public sale of unclaimed personal property or found property. Such property shall be described generally in the notice, together with the date, time and place of the sale.

(d) Sale or Donation. The Sheriff or his or her duly authorized agent is hereby authorized to dispose of unclaimed personal property, which has been in his or her possession for more than sixty days, by public sale. Prior to any such sale, the Sheriff or his or her duly authorized agent shall make a reasonable attempt to notify the rightful owner of the property, shall obtain from the Commonwealth's Attorney, in writing, a statement advising that the item is not needed in any criminal prosecution and shall cause to be published in a newspaper of general circulation in the County notice of such transfer, donation or sale, prior thereto. The sale of weapons shall be restricted to licensed firearms dealers, on such terms as the Sheriff may establish, consistent with accepted bidding procedures. Unclaimed property may be retained for use by the Sheriff's Department pursuant to Section 15.2-1719 of the Code of Virginia.

(e) Destruction of Property. The Sheriff or his or her duly authorized agent is hereby authorized to destroy such property which otherwise would be sold to the public pursuant to this section, if the Sheriff or his or her duly authorized agent determines that such property has no resale value or could not be sold. Property thus disposed of shall be accounted for in a manner to be prescribed by the Sheriff.

(f) Distribution of Proceeds of Public Sale. The Sheriff or his or her duly authorized agent shall pay from the proceeds of the sale the costs of advertisement, removal, storage, investigation as to ownership and liens and notice of the sale. The balance of funds shall be held by such officer for the owner and paid to the owner upon satisfactory proof of ownership.

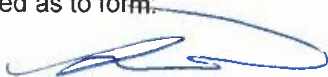
If no claim supported by substantial proof of ownership has been made by the owner for the proceeds of such sale within sixty days of the sale, the remaining funds shall be deposited in the General Fund of the County. Any such owner shall be entitled to apply to the County within three years from the date of the sale, and, if timely application is made therefor, the County shall pay the remaining proceeds of the sale to the owner, upon proof of ownership of the sold property satisfactory to the Board of Supervisors, without interest or other charges. No claim shall be made nor shall any suit, action or proceeding be instituted for the recovery of such funds after three years from the date of the sale.

This ordinance shall become effective upon its adoption.

Adopted at a meeting of the Board of Supervisors of Giles County, Virginia, held on September 6, 2023, after public hearing duly advertised on August 30, 2023 and September 6, 2023.

	Voting For	Voting Against	Abstain	Absent
Baker	X			
Lawson	X			
Martin	X			
McCoy				X
Morris	X			

Attest: 
 Christopher P. McKlarney, Clerk

Approved as to form: 

 County Attorney

FINAL FY2023 TRANSFERS - AS OF JUNE 30, 2023

FROM:		TO:	
100-12410-5210	\$14,334.52	100-12412-3163	\$25,041.94
100-12410-2510	\$4,540.00	100-12412-1200	\$17,404.30
100-12415-1136	\$24,000.00	100-12412-3012	\$3,000.00
100-12415-2510	\$2,540.12		
100-12110-5540	\$31.60		
	\$45,446.24		\$45,446.24