

At the recess meeting of the Giles County Board of Supervisors held on Thursday, June 20, 2024, 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)
John C. Lawson, Jr.	Vice-Chair (Western District)
Perry Martin	Eastern District
Jeff Morris	Central District
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. 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 5, 2024, minutes. 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

PUBLIC COMMENTS

Eric Burton – Mr. Burton related he lives on Lindsay Drive where he is having an issue with zoning for setbacks to build a new porch, which would increase his home value. He indicated there is a 40 foot easement along the road, and that the road was abandoned at one point. Mr. McCoy inquired if that would need to go through the Board of Zoning Appeals. Mr. Chidester advised there is a variance application, which goes through the Board of Zoning Appeals. Mr. McCoy related Mr. Burton could get with Mr. Ross to discussed the application process, and Mr. Chidester provided an application.

NEW BUSINESS

CLOSE OUT MEETING DATE

Mr. McKlarney related members would need to set a close out meeting date. Members discussed options.

Mr. Morris made a motion to set the FY 2024 close out meeting for June 25, 2024 at 5:00 PM, and Mr. Martin seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

NON-DISCRIMINATION POLICY

Mr. McKlarney presented a non-discrimination policy required by DHCD for grant compliance. He related the Board had passed the policy several years back, but a new one was required. Mr. McKlarney advised there were no changes made to the policy from the previous version.

Mr. Baker made a motion to approve the non-discrimination policy 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

STREET CLOSURE REQUEST - NEWPORT

Mr. McKlarney presented a request from Dr. Doug Martin for street closures in Newport during the annual July 4th parade.

Mr. Baker made a motion to approve street closures in Newport during the July 4th parade. Mr. Martin seconded the motion. The motion was approved 5-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin, Mr. McCoy and Mr. Morris

PAYMENT OF WARRANTS

Mr. Baker motioned to approve warrants in the amount of \$1,436,775.88, 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

SOCIAL SERVICES APPROPRIATIONS

Mr. Martin motioned to approve \$385,000.00 for the July 2024 Social Services appropriations. 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

FISCAL YEAR 2024 BUDGET SUPPLEMENTS

Ms. Ballard presented a budget supplement request for Fiscal Year 2024. A copy is attached at the end of these minutes.

Mr. Morris made a motion to approve Fiscal Year 2024 budget supplements in the amount of \$760,784.76. 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

APPOINTMENTS

Mr. Morris made a motion to reappoint Mr. Jonathan Kidd to the Agricultural Advisory Committee. 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 made a motion to reappoint Mr. John Mills and Mr. David Rundgren to the Home Consortium Board. 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. Baker made a motion to appoint Mr. Jon Butler to the New River Valley Criminal Justice Training Academy. 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. Morris made a motion to reappoint Ms. Cora Gnegy to the Ninth District Development Financing Board. 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. Baker made a motion to reappoint Mr. Leon Law to the New River Valley Regional Commission. Mr. Martin 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. Lawson made a motion to reappoint Mr. Richard McCoy and Mr. Colin Munsey to the Giles County PSA. Mr. Baker seconded the motion. The motion was approved 4-0 as follows: Voting Yes: Mr. Baker, Mr. Lawson, Mr. Martin and Mr. Morris; Abstaining: Mr. McCoy

Mr. Baker made a motion to reappoint Mr. John Mills to the Total Action for Progress IPR Board. Mr. Martin 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 made a motion to reappoint Mr. Chris McKlarney to the Virginia's First Industrial Authority. 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

NEW BUSINESS

OPIOID ABATEMENT RESOLUTION

Mr. McKlarney presented a resolution relating to an opioid settlement action against Kroger, and indicated the resolution would allow for him and counsel to sign documents for the settlement. A copy is attached at the end of these minutes.

Mr. Martin made a motion to approve the opioid resolution relating to the Kroger settlement as presented. 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

SINK HOLE SIGNAGE

Mr. McKlarney presented signs that would be put up along Big Stony Creek where sink holes have developed to warn wading fishermen of the issue.

EXECUTIVE SESSION

Mr. Morris motioned to go into executive session as permitted by Virginia Code 2.2-3711 A (1) Personnel, (7) Legal Counsel and (29) 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

AEP GRANT SUPPORT LETTER

Mr. Martin made a motion to approve a letter of support for a collaborative grant with AEP relating to recreational improvements in the county. 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

ADJOURN

With no further business, the meeting was adjourned. The next Board of Supervisors meeting will be held on Tuesday, June 25, 2024, at 5:00 PM. The meeting will be held at the Giles County Administration Office located at 315 North Main Street, Pearisburg.

APPROVED:

Chair**ATTEST:**

Clerk

BUDGET SUPPLEMENTS
JUNE 20, 2024 BOARD MEETING

SUPPLEMENTS	CODE	AMOUNT	OFF-SETTING REVENUE
	305-94000-8417	\$380,557.38	Partial - ARPA Grant Radio Project
	305-94000-8418	\$330,620.38	Partial - ARPA Grant Radio Project
	100-12410-3161	\$13,649.00	YES- DMV Stops
	100-12415-1136	\$35,958.00	YES-DMV Select Services
	TOTAL	\$760,784.76	

RESOLUTION

A RESOLUTION OF THE GILES COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY AND/OR THE COUNTY'S OUTSIDE COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts Giles County, Virginia by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Giles County's various departments and agencies; and

WHEREAS, Giles County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Giles County; and

WHEREAS, Giles County has filed suit against Kroger and certain of its related corporate entities for its role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Giles County; and

WHEREAS, the County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors, Janssen, Teva, Allergan, Walmart, CVS, and Walgreens; and

WHEREAS, the County's outside opioid litigation counsel has recommended that the County participate in the settlement in order to recover its share of the funds that the settlement would provide; and

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

NOW THEREFORE BE IT RESOLVED that the Giles County Board of Supervisors, this 20th day of June, 2024, approves of the County's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the County Attorney and/or the County's outside counsel to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against Kroger.

	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> X </u>	<u> </u>	<u> </u>	<u> </u>
Morris	<u> X </u>	<u> </u>	<u> </u>	<u> </u>


 Attest: Chris McKlarney, Clerk