

Minutes  
Board of Supervisors  
Regular Meeting  
February 21, 2023

Members Present: Keith Weakley, Chairman At-Large  
Allen Louderback, District 2  
Mark Stroupe, District 3  
Larry Foltz, District 4  
Jeff Vaughan, District 5

Members Absent: D. Keith Guzy, Jr., District 1

Staff Present: Amity Moler, County Administrator  
Regina Harner, Assistant County Administrator  
Caleb Routhier, County Attorney

**Call to Order:**

Chairman Keith Weakley called to order the regular meeting of the Page County Board of Supervisors on Tuesday, February 21, 2023, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

**Adoption of Agenda:**

**Motion:** Supervisor Vaughan moved to amend the agenda to add the Opioid Resolution and to adopt the agenda, as amended. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Weakley, Louderback, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.

**Public Hearings**

**Budget Amendment:**

Chairman Weakley opened the public hearing on the Budget Amendment at 7:02 p.m. The Budget Amendment was advertised as follows:

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NOTICE OF PUBLIC HEARING  
BUDGET AMENDMENT  
PAGE COUNTY BOARD OF SUPERVISORS

On February 21, 2023 at 7:00 p.m., the Page County Board of Supervisors will conduct a public hearing at the Page County Government Center, 103 South Court St., Luray, VA 22835, for the purpose of considering an amendment to the fiscal year 2023 budget. The aggregate amount of the amendments exceeds one percent of the fiscal year 2023 budget and the public hearing is required by Section 15.2-2507 of the Code of Virginia.

<b>REVENUE</b>	
Local Funds	\$5,467
State Fund	3,483
Federal Funds	52,240
Tourism Fund Balance	100,000
General Fund Balance	342,118
Landfill Construction Fund Balance	564,674
County Capital Projects Fund Balance	185,300
<b>EXPENDITURE</b>	
General Fund	3,483
Tourism Fund	100,000
County Capital Projects Fund	6,984
Landfill Construction Fund	1,090,575
Page County School Board	52,240

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Mrs. Moler reviewed the staff report with the Board. She explained that the Commissioner of Revenue applied for and received the Virginia Department of Forestry's Forest Sustainability Fund Award. This award provides \$324 for general public education, outdoor recreation projects, or forest conservation. It is requested that these funds are appropriated to the Recreation Department for its outdoor recreation activities. The County has received \$19,024 from the Virginia DEQ's Litter Prevention and Recycling Grant, which is \$3,159 more than the original budget amount. It is requested that these additional funds are appropriated to the Battle Creek Landfill and Towns. The School Board received a health workforce grant from the Federal government in the amount of \$52,240 and had made a request in January for these funds to be appropriated; however, the request was not approved because the Board of Supervisors wanted more information on how the funds would be spent. This grant will be used to provide a one-time retention bonus to the school nurses in the amount of \$2,500, provide reimbursements for professional development activities, and purchase upgrades for the clinics, including software, hardware, and furniture. The School Board requests again that these funds be appropriated for the items mentioned. Current year TOT funds left unappropriated is \$406,099. The Economic Development and Tourism Department would like to appropriate \$100,000 of this amount for marketing their new Page Valley tourism website. The Animal Shelter requests an appropriation of \$6,984 for large cat cages that are needed to maintain compliance with State regulations. This request would be funded with \$5,467 of additional donations to the Shelter and \$1,517 of the General Fund Balance. Kanawha Stone, the vendor working on Cell 11, excavated additional dirt to save the County on future excavation and equipment mobilization costs. The cost is \$1,090,575. It is requested that \$564,574 of the Landfill Construction Fund Balance, \$168,154 of the County CIP Fund Balance, and \$357,747 of the General Fund Balance is appropriated for this expense.

She said the appropriation requests are funded with local funds in the amount of \$105,467, State funds in the amount of \$3,483, Federal funds in the amount of \$52,240,

General Fund Balance dollars in the amount of \$359,264, Landfill Construction Fund Balance dollars in the amount of \$564,674, and County CIP Fund Balance dollars in the amount of \$168,154. These requests will increase the General Fund budget by \$3,483, the Tourism Fund by \$100,000, the Landfill Construction Fund by \$1,090,575, the County CIP Fund by \$6,984, and the School Operating Fund by \$52,240.

Public Comments on the Public Hearing.

There were no speakers during the public hearing. Chairman Weakley closed the public hearing at 7:06 p.m.

**Motion:** Supervisor Vaughan moved to approve the requests, as outlined. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Weakley. Nay: None. Absent: Guzy.

Supplemental Appropriations Requests:

Department	Description	Revenue Source	Expenditure	Amount
Recreation	VA Department of Forestry – Forest Sustainability Fund Award	VA DOF Award	Outdoor Recreation	\$324
Battle Creek Landfill	VA DEQ Litter Prevention Grant	Litter Prevention Grant 101-0000-324-04-07	BCLF & Towns Various	3,159
Economic Development & Tourism	Marketing for Tourism Website	TOT	Advertising 210-8150-481-30-30	100,000
CIP	Animal Shelter Cages	Donations 101-0000-318-02-37	Shelter Cat Cages 301-9420-541-58-15	5,467
CIP	Animal Shelter Cages	General Fund Balance 101-0000-341-04-07	Shelter Cat Cages 301-9420-541-58-15	1,517
CIP	Additional Landfill Excavation	Landfill Constr. Fund Balance 302-0000-341-04-07	Cell 11 302-9540-541-80-78	564,674
CIP	Additional Landfill Excavation	County CIP Fund Balance 301-0000-341-04-07	Cell 11 302-9540-541-80-78	168,154
CIP	Additional Landfill Excavation	General Fund Balance 101-0000-341-04-07	Cell 11 302-9540-541-80-78	357,747
School Board	Federal Health Workforce Grant	Health Workforce Grant	School Health Workforce	52,240
Total				\$1,253,282

**Presentations, Proclamations and Awards**  
**Radio System Project Presentation:**

Cheryl Giggetts, CTA Consultants, gave a presentation to the Board on the Page County emergency communications radio system. She reviewed the system design as an 800 MHz, P25 Phase 2 trucked radio system that connects to the Harrisonburg/Rockingham P25 Core. There are also three tower sites, 4 channels, simulcast, microwave ring and the UHF paging system was upgraded using the existing pagers. She outlined the project schedule, with the only item remaining for completion is the installation of the school radios. The coverage results for the three tower sites was 98.6% for mobile devices, 97.3% for portable devices, and 95.8% for portable light building. The initial contract was for \$6,299,698.02, but with the change orders the final contract price was \$5,516,986.25, for a savings of \$782,711.77, she said.

**Radio System Recognition Awards:**

Mrs. Moler recognized all the individuals who was a part of the emergency communications radio system project. She presented plaques to the following: Rod Graves, CTA Consultants, Jim Junkins, Danielle Rhinehart, and Woody Brown and thanked them for their work.

**Employee Recognition (Leslie Jenkins):**

Danielle Rhinehart, ECC Director, explained that on January 22, 2023, at approximately 11:30 p.m., a report of suspicious activity, at a residence, was called into ECC. Upon law enforcement's arrival, they found the residence partially on fire. Law enforcement could not locate the caller. At this point, the dispatcher contacted the caller to let her know her residence was on fire. The caller stated she went to sleep after her initial call and was still inside the house along with another occupant. The caller became frantic, but the dispatcher was able to get her attention to start giving directions on evacuation of the residence. The occupants were unable to exit the residence through a door or window, so the dispatcher gave instructions to stay low and remain at the front of the house as the fire was at the back of the house. The dispatcher was in constant communication with law enforcement on the scene so they knew the location of the occupants in the residence at all times. She told the caller she would not hang up the phone until both occupants were safely out of the residence. Although, this was a stressful situation, the dispatcher was able to take control of the call, relay information successfully to law enforcement and give clear instructions to the caller. She then recognized Dispatcher Leslie Jenkins for her effort in assisting to save a life and presented her with a certificate.

**Public Comments on Agenda Items:**

There were no speakers during Public Comments on Agenda Items.

**Action Matters:**

**Boards & Commission Appointments:**

Mrs. Harner reviewed the Board and Commission appointments as follows:

**Community Policy and Management Team (CPMT):**

The Community Policy and Management Team is to be appointed by the local governing body, pursuant to Section 2.2-5205 of the Code of Virginia. At a minimum, the team shall

include at least one elected official, appointed official or his designee from the governing body of a locality that is a member of the team, and the local agency heads or their designee, the following community agencies: community services board, juvenile court services unit, department of health, department of social services and the local school division.

Currently, there is a vacancy on the CPMT that must be filled by a community services board representative. It is recommended that Andrea Bieber of Northwestern Community Services be appointed to fill an unexpired term through June 30, 2024.

**Motion:** Supervisor Stroupe moved to appoint Andrea Bieber to the Community Policy and Management Team for an unexpired term through June 30, 2024. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Weakley, Louderback. Nay: None. Absent: Guzy.

**Northwestern Community Services Board:**

A vacancy exists on the Board. Another individual will need to be appointed to serve a three-year term from January 1, 2023 through December 31, 2025. The NWSCB meetings are held on the third Wednesday of each month at 6:30 p.m., at their offices in Front Royal.

**Social Services Board:**

A vacancy exists on the Social Services Board for the District 5 seat. An appointment is needed to fill a term that will expire June 30, 2026. The Board meets the third Tuesday of every other month at the Department of Social Services, in Stanley.

Northwestern Community Services Board and Social Services Board appointments were deferred until the February meeting.

**Consent Agenda:**

**Motion:** Supervisor Vaughan moved to approve the Consent Agenda as follows:

- Financial reports for the period of January 1-31, 2023;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$4,119,029.86 for the month of January 2023;
- Minutes of January 3, 2023 and January 17, 2023; and
- Three coyote claims totaling \$150.

Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Weakley, Louderback. Nay: None. Absent: Guzy.

**Resolution – Opioid-Related Claims Settlements:**

Mrs. Moler explained that this Resolution is to authorize our outside legal counsel to endorse the settlement paperwork to settle with the pharmacies for their role in the distribution, manufacture and sale of pharmaceutical opioid products.

**Motion:** Supervisor Vaughan moved to adopt the Resolution. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Vaughan, Weakley, Louderback, Stroupe, Foltz. Nay: None. Absent: Guzy.

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RESOLUTION

A RESOLUTION OF THE PAGE COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR 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 Page County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Page County's various departments and agencies; and

WHEREAS, Page 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 Page County; and

WHEREAS, Page County has filed suit against Teva, Allergan, Walmart, Walgreens, CVS, and certain of their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Page 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, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related claims against them; 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 these pending settlements with Teva, Allergan, Walmart, CVS, and Walgreens shall be considered "Settlements" that are 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 and Janssen; and

WHEREAS, the County's outside opioid litigation counsel has recommended that the County participate in the settlements 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 Page County Board of Supervisors, this 21st day of February, 2023, approves of the County's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their 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 settling entities.

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**Old Business:**

There was no Old Business to discuss.

**New Business:**

**Plastic Bag Tax:**

Supervisor Stroupe mentioned that he has checked into a plastic bag tax for the Board to consider implementing. He said this could be discussed further during at a later date.

**Open Public Comments:**

There were no speakers during Open Public Comments.

**Administrator's Report:**

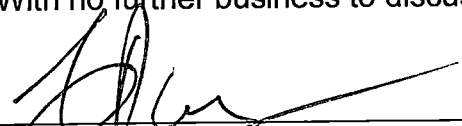
Mrs. Moler noted that she and Mr. Olsen, Finance Director, have began conducting budget meetings with department heads and she is anticipating the school system will be requesting additional funding. All of the outside agencies that Board gives contributions to have cited that their operational costs are increasing and therefore requesting an increase in funding. Currently, there is a multi-million-dollar gap between expenditures and revenues. She said all options are being explored to close the gap.

**Supervisors Times:**

All Board members thanked everyone for attending the meeting and commended everyone on the receipt of their awards.

**Adjourn:** 7:40 p.m.

With no further business to discuss, Chairman Weakley adjourned the meeting.

  
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Keith Weakley, Chairman

  
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Amity Moler, County Administrator