

Minutes
Board of Supervisors
Regular Meeting
August 17, 2021

Members Present: Morgan Phenix, 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
Becky Smith, Commissioner of the Revenue
Tyler Olsen, Budget Officer
Woody Brown, Director of Emergency Services
Michael Helm, County Attorney
Janeena Zalipski, Office Aide

Call to Order:

Chairman Morgan Phenix called to order the regular meeting of the Page County Board of Supervisors on August 17, 2021, at 7:00 p.m., in the Board Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. The meeting was live streamed via YouTube. The Call to Order was followed by the Invocation given by Andy Seastrom and the *Pledge of Allegiance*.

Adoption of the Agenda:

Chairman Phenix asked that the VFW Blue Grass Festival special entertainment permit be added under Action Matters.

Motion: Supervisor Stroupe moved to adopt the agenda, as presented, and adding Special Entertainment Permit/VFW Blue Grass Festival under action matters. Supervisor Vaughan seconded and the motion passed by a vote of 5-0. Aye: Phenix, Louderback, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.

Presentations, Proclamations and Awards:

Agriculture Disaster Relief Resolution:

Elizabeth Mullins, Associate Extension Agent with the Virginia Cooperative Extension, said that Page County is experiencing exceptionally dry weather conditions, which is impacting the farmers. We have had about seven weeks of dry weather and the loss of grazing fields. About 50% of corn and 35% of hay has been lost already. In addition, some have lost water sources. By adopting this resolution, this will bring awareness to

the Governor that Page County farmers will need assistance. We will not have final numbers of the county's losses until further down the road.

Supervisor Vaughan asked if we could find out the total amount lost and how this is proven. Mr. Bobby Clark, Virginia Cooperative Extension, said a total loss number will not be available until further down the road. They use numbers from last year's harvest and compare this year's as well as weather conditions and other localities as a comparison, in order to determine a loss.

Motion: Supervisor Vaughan moved that the Page County Board of Supervisors adopt the Agriculture Disaster Relief Resolution, as presented. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

#2021-09

PAGE COUNTY DISASTER RELIEF RESOLUTION

WHEREAS, the rainfall for the past month has been extremely low across most of Page County; and

WHEREAS, Virginia Cooperative Extension is working with their damage assessment teams and partnering with USDA agencies including the Farm Service Agency to complete a damage assessment for Page County; and

WHEREAS, the damage assessment estimates show this lack of rainfall has caused a significant loss of yield for pastures, hay, corn, soybean, and vegetable crops; and

WHEREAS, the future five-day forecast is projecting very little rainfall; and

WHEREAS, livestock producers have been feeding hay for four weeks and will likely continue to feed hay for at least another three weeks; and

WHEREAS, it is incumbent upon the Page County Board of Supervisors to act responsibly in an effort to help protect vital public interests including the economic viability of the County's agricultural economy and farmers that constitute the core of that economy.

NOW, THEREFORE, BE IT RESOLVED by the Page County Board of Supervisors that the County Administrator is directed to make a formal request of the Governor of Virginia that Page County be declared an agriculture disaster area and that any and all appropriate State and Federal disaster relief and assistance be made available to the farmers in Page County.

Review of School Opening Plan:

Dr. Antonia Fox, School Superintendent, thanked the Board for funding the CIP for the Schools and noted that the paving work is almost complete. She reported that school's will be open full time, 5 days a week on August 23, 2021. She said they are in good shape to start, but are in need of substitute teachers and bus drivers. They will be sending out mask information to parents and will announce that all students will receive free breakfast and lunch, this year. They are working on snacks and take-home food as well. Fall sports are back and we are looking forward to begin back at school full time this year. Lastly, she indicated that she is excited about her new position with Page County and is looking forward to working with the Board.

Public Comments on Agenda Items:

There were no speakers during Public Comments on Agenda Items.

Action Matters:

Tax Relief for Disabled Veterans:

Becky Smith, Commissioner of the Revenue, said a taxpayer submitted his letter that he received from the Veterans Affairs Office, which qualifies him for the Veteran Relief Program. According to Virginia Code Section 58.1-3219.5, a 100% disabled veteran may qualify for relief from their real estate tax. This program was enacted by the State effective January 1, 2011. The County is required, by Virginia Code, to give exemption once the veteran is deemed disabled. Due to this exemption, we are requesting a refund in the amount of \$4,563.73 to be issued to the taxpayer.

Motion: Supervisor Stroupe moved that the Board of Supervisors approved the refund of \$4,563.73 (Tax relief for disabled Veterans) to the taxpayer. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Louderback, Stroupe, Foltz, Vaughan, Phenix. Nay: None. Absent: Guzy.

Budget Changes:

Tyler Olsen, Budget Officer, reviewed the budget changes with the Board. He requested that \$86,905 of the County's fund balance be used for the digitization of the records maintained by the Clerk of the Circuit Court. The County intended to use \$86,905 of the CARES Act relief funds for this project; however, since this project was not completed by the end of FY 2021, the relief funds were used for personnel costs associated with the pandemic. The County would like to use the fund balance money that was saved from being spent on those personnel costs.

In FY 2021, the Page County Animal Shelter received the VFHS Direct Animal Award. A portion of the funds were received in last fiscal year, and the remaining \$4,630 will be

received in FY 2022. It is requested that this money be appropriated for animal care expenses.

The Page County Sheriff's Office has received \$50,000 of unclaimed funds from the State's Compensation Board. It is requested that \$36,798 is appropriated for part-time wages associated with patrol and \$13,202 is appropriated for part-time wages associated with the jail.

The Economic Development and Tourism Department has received \$4,500 from Virginia's Creative Communities Partnership Grant. It is requested that these State funds be appropriated for local arts organizations.

The Virginia Department of Elections has mandated an increase in the compensation of the General Registrar and Electoral Board members. This increase of \$30,816 will be entirely funded by reimbursements from the State. It is requested that these funds are appropriated for personnel costs associated with the General Registrar and Electoral Board members.

He recommended appropriation of all funding requests.

Supplemental Appropriations Requests:

Department	Description	Revenue	Expenditure	Amount
Clerk of the Court	Digitization of records	Fund Balance 101-0000-341-04-07	Contractual Services	\$86,905
Animal Shelter	VFHS Direct Animal Award	Donation 101-0000-318-02-37	Direct Animal Award 101-3510-435-59-31	4,630
Sheriff's Office	Unclaimed Comp Board Funds	Comp. Board (Sheriff) 101-0000-323-02-01	BCA CCPG 101-8150-481-59-94	50,000
Economic Dev. & Tourism	VCA CCPG	VCA CCPG 101-0000-324-04-05	VCA CCPG 101-8150-481-59-94	4,500
General Registrar	Dept. of Elections Pay Increase	Dept. of Elections 101-0000-323-06-01	Wages & Benefits Various Codes	30,816
Total Request				\$176,851

Motion: Supervisor Vaughan moved to approve revenue from local sources in the amount of \$91,535 and from the State in the amount of \$85,316, and expenditures to the Page County General Fund in the amount of \$176,851. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Louderback. Nay: None. Absent: Guzy.

Resolution & MOU for the Virginia Opioid Abatement Fund and Settlement Allocation:

Michael Helm, County Attorney, reviewed that approval of the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding is the next step in the process of getting money from the lawsuit from the big three manufacturers to the states and localities. There is a deadline of August 21st to either approve or object the

Resolution. After that, there will be a deadline for all the state Attorney Generals to then meet and to submit their decision as to whether or not their going to approve this. Then the entire agreement and proposal will then be reviewed by the manufacturers. If there is sufficient agreement between the localities and the states then funding will begin to go into these accounts which will be distributed by the states early to mid-2022. The range that we should get is between \$670,000 to \$830,000 from the three manufacturers.

Motion: Supervisor Stroupe moved to the Resolution and MOU for the Virginia Opioid Abatement Fund and Settlement Allocation. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Phenix, Louderback, Stroupe. Nay: None. Absent: Guzy.

RESOLUTION OF THE BOARD OF SUPERVISORS OF PAGE COUNTY, VIRGINIA
Date: AUGUST 17, 2021
RESOLUTION NO. 2021-08

WHEREAS, the County of Page, Virginia, 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 Page 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 Page 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 County of Page, assembled on this day at which a quorum is present, that the County of Page 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 Page.

Boards and Commission Appointments:

Mrs. Moler said that a vacancy exists on the Social Services Board for District 3. Mr. Stroupe has indicated that he would like to appoint Darris Ritenour.

Motion: Supervisor Stroupe moved to appoint Darris Ritenour, District 3, to the Social Services Board for a term that will expire on June 30, 2025. Supervisor Foltz seconded and the motion passed by a vote of 5-0. Aye: Vaughan, Phenix, Louderback, Stroupe, Foltz. Nay: None. Absent: Guzy.

Approval of Landfill Compactor Loan:

Tyler Olsen, Budget Officer, said in prior meetings, the Board of Supervisors approved purchasing a landfill compactor with ARPA relief funds and proceeds from a new loan. The 2021 Al-Jon Series 500 Landfill Compactor will cost \$714,666.84, which includes a 5-year, 10,000-hour powertrain warranty. The County will use \$285,600 of its ARPA relief funds and finance the remaining amount of \$429,066.84. After issuing an RFP for the loan, the County received bids from Pioneer Bank, F&M Bank, Blue Ridge Bank, and Al-Jon's leasing partner. He recommended that the County accept Pioneer Bank's proposal, since it offers the lowest interest rate and no prepayment penalty. Throughout the life of the loan, the County will spend \$13,633.34 in interest.

Motion: Supervisor Vaughan moved that the Page County Board of Supervisors accept the loan from Pioneer Bank in the amount of \$429,066.84 and to authorize Amity Moler to sign the document and to acknowledge that the collateral for the loan will be the 2021 Al-Jon Landfill Compactor. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Phenix, Louderback, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.

VFW Blue Grass Festival:

English Henry, Economic Development & Tourism Specialist, said the VFW Post 621 has requested a special entertainment permit, pursuant to Chapter 55 (Festivals) of the Code of the County of Page, Virginia, to conduct the Picking at the Post, on September 3 through 5, 2021, 9:00 a.m. – 12:00 a.m. The events will be held at the VFW Post 621, 218 Veterans Lane, Luray, VA.

She recommended the Board approve this special entertainment application contingent on the site plan approval from the Zoning Administrator. The site plan must be received prior to the event. Should the organization not produce the site plan, the County Administrator will not sign off on the event.

Motion: Supervisor Stroupe moved to approve the special entertainment application for the VFW to conduct the Picking at the Post, September 3-5, 2021, contingent on the site plan approval from the Zoning Administrator, and all COVID requirements be met. Supervisor Vaughan seconded and the motion passed with a vote of 4-1. Aye: Louderback, Stroupe, Foltz, Vaughan. Nay: Phenix. Absent: Guzy.

Consent Agenda:

Motion: Supervisor Foltz moved to approve the Consent Agenda as follows:

- Financial reports for the periods of July 1-31, 2021;
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$5,720,064.15 for the month of July 2021;
- Minutes of July 20, 2021 and July 27, 2021;
- Coyote claim for \$50.

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

Old Business:

Review of Ambulance Request:

Woody Brown, Emergency Services Coordinator, mentioned that at the last meeting Mrs. Moler reviewed his request for an ambulance with the Board. He said there were several questions raised by Board members during the meeting and the first was about securing a grant to purchase an ambulance. He explained the grant process and said every agency that has an EMS license under the Commonwealth of Virginia is eligible to apply for the grant through the Rescue Squad Assistance Fund (RSAF). In 2018, the County applied for the grant, which was done from a county-wide perspective. One of the grant questions is how many ambulances serve the service area. At the time, there were 14 ambulances, including the County's, that covered the entire county. Based on their data, they indicated that we only need 9 ambulances in the county. Therefore, the County was denied the grant. When Luray Rescue Squad applied for the grant, they did so based on their service area, not county-wide. This is the reason they are more eligible for the grant, than the county, so they received the grant funding. Luray Rescue Squad has four ambulances, Stanley Rescue has three, Shenandoah Rescue has two and the County has four. Currently, the County has one ambulance in service and are using volunteer ambulances to answer calls. The other three ambulances are in the shop for repairs. The issue with answering calls with volunteer ambulances is that the squad receives a third of the payment, based on the franchise agreement. Another issue is that they have had problems with equipment in the ambulance. If the Board agrees to purchase a new ambulance, the contract will need to be signed by August 31; otherwise, the price increases by 5%. Currently, it will take one year for the ambulance to be delivered.

Supervisor Vaughan said that he has a difficult time adding to the inventory when they are not fully utilizing what is currently in the County. In addition, he cannot see purchasing

additional ambulances until they look at the total inventory being utilized. He said that the franchise agreements need to be reviewed and updated.

Motion: Supervisor Vaughan moved to approve the purchase of a new ambulance. Supervisor Stroupe seconded and the motion carried by a vote of 5-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Louderback. Nay: None. Absent: Guzy.

New Business:

There was no new business to discuss.

Open Public Comments:

There were no speakers during Open Public Comments.

Administrator's Report:

Mrs. Moler said that she and Nina Fox, Economic Development and Tourism Director, attended the Regional Economic Recovery Meeting held at JMU. The meeting with the Towns of Luray, Stanley, and Shenandoah will be held on September 2, 2021, at the Stanley Fire Hall, at 7:00 p.m. Supervisor Louderback and Chairman Phenix both indicated that they plan to attend. Lastly, she informed the Board that the County Government Center closed half a day on Friday August 13 and all day on Monday the August 16, 2021, in order to deep clean the building, due to a COVID outbreak among staff.

Supervisors Time:

All Board members thanked everyone for attending the meeting.

Closed Session:

Motion: Supervisor Stroupe moved that the Page County Board of Supervisors convene in closed session under the Virginia Freedom of Information Act to discuss and consider personnel matters relating to the appointment of a county attorney, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, to discuss the award of a public contract involving the expenditure of public funds as it relates to a county attorney, pursuant to Section 2.2-3711(A)(29) of the Code of Virginia, and to consult with legal counsel regarding a legal matter that requires the provision of legal advice, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia. Supervisor Louderback seconded and the motion carried by a vote of 5-0. Aye: Foltz, Vaughan, Phenix, Louderback, Stroupe. Nay: None. Absent: Guzy.

Exit Closed Session:

Motion: Supervisor Foltz moved the closed meeting be adjourned and the Page County Board of Supervisors reconvene in open session. Supervisor Vaughan seconded and the motion carried by a vote of 5-0. Aye: Phenix, Louderback, Stroupe, Foltz, Vaughan. Nay: None. Absent: Guzy.


Certification of Closed Meeting:

To the best of my knowledge only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711 (A) of the Code of Virginia, 1950, as amended, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.

<u>Recorded Roll Call Vote:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
D. Keith Guzy, Jr.			X	
Allen Louderback	X			
Mark Stroupe	X			
Larry Foltz	X			
Jeff Vaughan	X			
Morgan Phenix	X			

Adjourn: 9:45 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator