

MEETING #8 February 4

At a Budget Workshop Session of the Madison County Board of Supervisors on February 4, 2014 at 6:00 p.m. in the Thrift Road Complex located at 302 Thrift Road:

PRESENT: Doris G. Lackey, Chair
R. Clay Jackson, Vice-Chair
Jonathon Weakley, Member
Robert W. Campbell, Member
R. Clay Jackson, Member
Kevin McGhee, Member
V. R. Shackelford, III, County Attorney
Ernest C. Hoch, County Administrator
Jacqueline S. Frye, Deputy Clerk

Agenda:

1. Call to Order/Determine Presence of a Quorum

2. Pledge of Allegiance & Moment of Silence

The Board of Supervisors commenced their meeting with the Pledge of Allegiance and a moment of silence.

Chairman Lackey advised tonight's meeting is a continuation of the Budget Workshop Session held on January 28, 2014 – the agenda noted sixteen (16) items with Item #15 being 'closed session – personnel review' – all items before Item #15 were completed – the personnel review will need to take place tonight.

The County Attorney advised there were some items that weren't resolved and will be continued (i.e. bylaws, code of ethics); closed session did transpire on January 28, 2014 with no action being taken – the meeting was continued to today's date with the idea of returning into closed session to finalize consideration of the County Administrator position.

3. Adoption of Agenda

Chairman Lackey called for adoption of today's Agenda.

Supervisor Campbell moved to switch Item #4 and Item #5 on today's Agenda and move into closed session, then move forward to "Information/Correspondence":

Seconded by Supervisor Jackson, with the following vote recorded:

Doris G. Lackey	Aye
R. Clay Jackson	Aye
Jonathon Weakley	Aye

Robert Campbell	Aye
Kevin McGhee	Aye

4. Closed Session

a. On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to personnel matters, specifically the County Administrator, with the following vote recorded:

Doris G. Lackey	Aye
R. Clay Jackson	Aye
Jonathon Weakley	Aye
Robert Campbell	Aye
Kevin McGhee	Aye

The County Administrator and the County Attorney was asked to be dismissed from the closed session

The County Attorney suggested if there is any further discussion about what was distributed during the last closed session, this would be the time to tend to that.

b. Motion to Reconvene In Open Session

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board reconvened in open session, with the following vote recorded:

Doris G. Lackey	Aye
R. Clay Jackson	Aye
Jonathon Weakley	Aye
Robert Campbell	Aye
Kevin McGhee	Aye

c. Motion to Certify Compliance:

On motion of Supervisor Jackson, seconded by Supervisor McGhee, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Section 2.2-3711 (A)(1), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded:

Doris G. Lackey	Aye
R. Clay Jackson	Aye
Jonathon Weakley	Aye
Robert Campbell	Aye
Kevin McGhee	Aye

As a result of closed session, the County Attorney advised there was some discussion about the procedure in hiring department heads; he felt it would be best for the Board and County Administrator to review what the County's personnel policy says about this

procedure; changes can be implemented if the Board desires; he proceeded to read Section 3-3.1 (Procedures for Filling Funded Vacant Positions) from the County's personnel policy pertaining to the process for hiring a department head (copy attached to the minutes).

Chairman Lackey read an excerpt from the Virginia Code pertaining to the State's policy and questioned whether their guidelines would supersede the County's policy, to which the County Attorney advised the County has adopted its own personnel policy.

The County Administrator proceeded to advise the Board of what has transpired thus far in the process to attain a new Finance Director. In closing, he advised the final candidate is usually interviewed twice. At this time, one (of the two candidates) did apply in the past and is deemed to be good contender; the vacancy has been advertised on the County's website and through VACo.

The County Attorney advised if the Board has any specific directions for the County Administrator, this should be indicated now.

After discussion amongst the Board, Supervisor Campbell questioned whether the former Finance Director was asked to resign or did he volunteer to resign, as an email was forwarded to the Board members to rescind a resignation.

The County Attorney advised it wasn't appropriate for the County Administrator to answer the aforementioned question, as the other party involved isn't present to advise consent; the resignation has been tendered by the former employee and nothing further can be indicated without consent.

The County Administrator advised the Board could review the resignation presented by the former employee.

Chairman Lackey suggested the Board continue with the process by which the County Administrator conducts the interview; provides input to the Board; and recommends who should be hired. In the past, the Board has elected to agree or disagree with a recommendation.

Supervisor Weakley asked about the credentials of any proposed candidates that was used to support any recommendation.

Supervisor Campbell advised that he feels the hiring of a department head should be done at the direction of the Board; he'd like to know the names of the potential candidates and their qualifications.

The County Administrator suggested that when he has a couple of resume's and a recommendation and will bring the information in a report for the Board to review in a

closed session; salary and other particulars can be discussed and approved/disapproved; input will also be provided on a formal meeting with the potential incumbent.

Supervisor Campbell questioned if the former Finance Director would be allowed to reapply, to which the County Administrator advised the individual has resigned and did not reapply for the position.

Supervisor Jackson was in favor of the County Administrator's recommendation; if the Board isn't satisfied, a meeting can be arranged with any potential candidates in order to move forward.

Supervisor Campbell suggested that from this point forward, it a department head is required to tender a resignation of employment, that individual should do so before the Board; anything done regarding a department head should be done under the Board's direction.

Supervisor Weakley advised the personnel policy has a grievance policy in place that's to be followed in the event an employee had concerns.

Chairman Lackey advised she doesn't feel the Board should have to vote on any matter pertaining to a department head resigning from their position; the County Administrator has the ability to fire an employee or accept a personal resignation.

5. Information/Correspondence (if any)

The County Administrator provided a packet of information regarding the school system; the information has also been forwarded to the Superintendent and he's working on this at the present time; it's anticipated a response will be forthcoming; school budget information was also provided line-by-line, although the amounts aren't broken out (only noted through the end of December 2013); the school system has also been asked for a personnel list and all positions.

Supervisor Weakley questioned whether the County maintained all debt service (for the schools and County) within the County's budget, to which the County Administrator advised was correct, as the County is funding \$1,300,000.00 in debt service for the school system.

The County Administrator advised the school system is asking for a **sixteen 16%** increase overall; these budgetary documents will be discussed at the joint board meeting on Friday at 3:30 p.m.

A brief discussion was held regarding the items to be listed on the February Regular Meeting (i.e. committee appointments, bylaws, code of ethics, prayer at every meeting, etc.)

Supervisor Campbell questioned when the Board will address the issue of appointing someone to the Thomas Jefferson Area Criminal Justice Board and the Rappahannock

Rapidan Community Services Board; this issue has been put on the Agenda in the past and still hasn't been addressed; he also questioned if the Board will address the vacancy on the Social Services Board as well.

After discussion, it was suggested the aforementioned appointments be added to the February Regular Meeting Agenda; the Tourism Committee and Transportation Committee will be added to the February Workshop Session for discussion; the issue regarding the Madison County Planning Commission will take place on Wednesday, February 19, 2014 at 7:00 p.m. in the auditorium; Transfer Station Committee will also be addressed at the February Workshop Session; the issue pertaining to a proposed pay reduction for the Board and Consideration of eliminating payments to the BOS for committee/board appointments will also need to be discussed.

The County Administrator advised there was a question as to whether the Topping Committee should have an expiration date; there is still about \$70,000.00 remaining.

Supervisor Weakley advised support of a Transfer Station Committee only if it involves discussions of ways to save money through recyclables and other money saving endeavors.

Chairman Lackey advised that she has been advised some committees/boards are required, by statute, to compensate members; clarification will be needed on this issue.

After discussion, it was advised the act of not accepting any stipend could be written into the bylaws; it was the consensus of the Board to just vote on whether or not to accept a stipend without voting on the bylaws.

The County Administrator advised he'd like to present the proposed budget to the Board at the February Regular Meeting.

The County Attorney advised he will have information from VML/VACo for discussion as well (financing for CIP school projects).

Issues pertaining to the flood plain ordinance will be addressed at the joint meeting with the planning commission.

Supervisor Campbell advised a citizen has requested the two (2) podiums be moved back into their original location; it was advised by Ms. Grayson that the original location worked better for the planning commission and citizens, as this was more comfortable in speaking to the audience and the Board; he suggested the podiums be returned to their original locations before the February Joint Meeting.

After discussion, it was the consensus of the Board to return the podiums to their original position.

The County Administrator advised the sound system in the auditorium is terrible and there was an issue with wires in the way; however, he will relocate the podiums in their original locations.

6. Adjournment

With no further action being required by the Board, on motion of Supervisor Weakley, seconded by Supervisor McGhee, Chairman Lackey adjourned the meeting, with the following vote recorded:

Doris G. Lackey	Aye
R. Clay Jackson	Aye
Jonathon Weakley	Aye
Robert Campbell	Aye
Kevin McGhee	Aye

Doris G. Lackey, Chairman
Madison County Board of Supervisors

Clerk of the Board of Madison County Board Supervisors

Adopted on: March 11, 2014

Copies: Doris G. Lackey, R. Clay Jackson, Jonathon Weakley,
Robert Campbell, Kevin McGhee, V. R. Shackelford, III &
Constitutional Officers

3-3. Procedures for Filling Funded, Vacant Positions**3-3.1. Department Heads**

3-3.1.1. Each time a vacancy occurs with respect to a funded, Department-head position, the County Administrator shall notify the Board of Supervisors of the vacancy.

3-3.1.1.1. The County Administrator shall make a recommendation to the Board as to the need for filling the vacancy.

3-3.1.1.2. If the Board concurs that there is a need to fill the vacancy, the County Administrator shall seek the direction of the Board as to the type of recruitment process to be followed (i.e., internal or external, see section 3-2, above, and the County Administrator shall review with the Board the Job Description for the position and the position shall be updated, if necessary or desired by the Board. The Board shall advise the County Administrator as to whether and how they may wish to participate as a Board in the process of interviewing candidates.

3-3.1.1.3. The County Administrator shall proceed with the recruitment process specified by the Board and shall review applications received. The County Administrator shall make a preliminary determination of which applicants meet the requirements and qualifications specified in the job description.

3-3.1.1.4. The County Administrator shall conduct interviews of a minimum of at least two of the best qualified applicants. If the Board has indicated a desire to participate in the interview process, closed-session interviews will be conducted with the Board as permitted by the Virginia Freedom of Information Act. These interviews may be in conjunction with or may be separate from interviews conducted by the County Administrator, as desired by the Board. If only one applicant is fully qualified, or if one applicant is clearly more highly qualified and suitable than the others under consideration, then, with the agreement of the Board, an interview of just that one applicant may be conducted.

3-3.1.1.5. Upon conclusion of the interviews the County Administrator shall review with the Board in closed session the results of the interviews and the qualifications of the candidates interviewed. The County Administrator shall seek the consent of the Board to make an offer of employment to the candidate deemed best qualified for the position.

3-3.2. Employees Other than Department Heads

3-3.2.1. Each time a vacancy occurs with respect to a funded position, and a department head supports the need for filling the vacancy, the department head shall notify the County Administrator.

3-3.2.2. The department head will determine the necessity for and the appropriate methods of attracting qualified applicants for the vacant position, in consultation with the County Administrator.



Agenda
Continued Meeting of the
Madison County Board of Supervisors
Tuesday, February 4, 2014 at 6:00 p.m.
(from the January 28, 2014 Budget Workshop Session)
Thrift Road Complex
302 Thrift Road, Madison, Virginia 22727



Agenda

1. Call to Order
2. ***Pledge of Allegiance & Moment of Silence***
3. Determine Presence of a Quorum
3. Adoption of Agenda
4. ~~Information/Correspondence (if any)~~ *Closed Session (Personnel Review)*
5. ~~Closed Session (Personnel Review)~~ *Information/Correspondence (if any)*
6. Adjournment

****AMENDMENTS TO THE AGENDA DENOTED IN BLUE, YELLOW HIGHLIGHT AND STRIKETHROUGH****