

MEETING #49 – November 7

At a Joint Meeting of the Madison County Board of Supervisor and the Madison County Planning Commission held on Wednesday, [November 7, 2012](#) at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chairman
Jerry J. Butler, Member
Pete J. Elliott, Member
Jonathon Weakley, Member
V. R. Shackelford, III, County Attorney
Ernie Hoch, County Administrator
Brian Daniel, Erosion & Sedimentation Technician
Betty Grayson, Zoning Administrator

ABSENT: Jacqueline S. Frye, Clerk of the Board

1. Call to Order/Determine the Presence of a Quorum:

Chairman Allen called the meeting to order and advised that all members are present and a quorum was established.

2. Pledge of Allegiance & Moment of Silence

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

3. Adoption of Agenda:

Chairman Allen advised that Item 4a on tonight’s Agenda will not be heard tonight (Case No. SU-09-12-09), and there is a correction to the Board’s Agenda pertaining to Case No. SP-11-12-09, last sentence, should read “B-1” instead of “Business 29”, and Item 5e will need to be added pertaining to a discussion of uranium mining. In closing, he asked if there were other additions, corrections or deletions to tonight’s Agenda.

On motion of Supervisor Lackey, seconded by Supervisor Weakley, the Board adopted the Agenda as amended, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye



4. Joint Meeting Agenda:

Lloyd Williams, Commission Chair, explained the meeting format for tonight's session and advised that Commission members, Rodney Lillard, David Jones and Danny Crigler will not be present for tonight's session; however, a quorum is present and tonight's meeting session can be conducted.

Mr. Williams advised the following that will also need to be discussed:

- a) There are two (2) sets of minutes for approval;
- b) Whether to continue with the workshop on November 21, 2012;
- c) Deadline to submit budgetary information;

Cases:

1. Case Number: SU-09-12-06: Request by James C. or Rachel N. Graves for an indefinite special use permit to operate a campground (Graves' Mountain Campground) on ten (10) acres of the 900.650 acre tract of land. This property is located at 3822 Old Blue Ridge Turnpike (off Route 670) near Syria, zoned C-1.

Charles "Lucky" Graves was present on behalf of the applicant and requested the case be tabled until the December Joint Meeting scheduled for December 5, 2012.

2. Case No. SP-11-12-09: Request by David L. or Michelle L. James for a site plan to add a second floor addition over the existing enclosed carport to be used as an additional recreation area for the senior site. The first floor existing enclosed carport will be used for future development such as office space or as an acceptable use as allowed by the Madison County Zoning Ordinance. This property is located at 1490 N. Main Street (Route 29 Business) near the Town of Madison, zoned Business, B-1. A letter of approval has been received from Anthony Hurlock of VDOT dated September 21, 2012. There is no plumbing on the second floor for the senior site.

Supervisor Elliott did not vote (with the Commission)

David James was present to answer any questions pertaining to tonight's case.

Betty Grayson, Zoning Administrator, advised that she placed an Ordinance down for each Commission member that reflects all new amendments done in the last month. In closing, she asked all members to use this to replace what is currently in their Zoning Handbook.



Mr. Williams asked if there were any additional cases for the next meeting, to which Ms. Grayson advised there were not.

Ms. Grayson advised that she spoke with Mr. Graves (Lucky) today and he hopes to get additional information today, but nothing arrived. In closing, he plans to contact the survey to see if everything is in order and hopes to have all documentation in time for the December Joint Meeting.

Mr. Williams questioned whether the Commission wanted to continue with the November workshop session scheduled for Wednesday, November 21, 2012 at 7:30 p.m. and feels there is no need to continue with this session unless it's necessary.

After discussion, it was established that the Commission will cancel the November workshop scheduled for Wednesday, November 21, 2012 and plan to meet on Wednesday, December 5, 2012.

With no further cases requiring action, the Commission adjourned their portion of tonight's meeting session.

Chairman Allen called for further comments pertaining to tonight's case.

Supervisor Elliott advised that the applicant is merely requesting to place an additional level on an existing building and he doesn't feel the County is being very 'business friendly', as the applicant has spent a lot of money just to get to this point and he's doing something to try to help the seniors of the County.

Supervisor Lackey questioned what the purpose will be for the addition.

Mr. James advised that he plans to expand to have more recreational space for the seniors; based on the square footage, the expansion will provide the opportunity for more seniors to utilize the facility.

Supervisor Lackey asked if the new space would be on a different level than what the seniors were currently using

Mr. James advised that the new space will be on the same level as the existing space.

Supervisor Weakley thanked Mr. James for the services he is providing to the County. He also asked Ms. Grayson is the requirement for the Commission to review the case for setback requirements.

Ms. Grayson stated that based on the County's site development plan definition, "any addition that is over 500 square feet requires a site plan to



be approved” which includes anything other than a single family dwelling or agricultural building.

Chairman Allen called for comments from the public and there were none.

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Elliott, the Board voted to approve the site plan request for Case SP-11-12-09 as recommended by the Madison County Planning Commission, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

5. Discussion/Action Item(s):

a. Rapidan Service Authority (Advertisement for upcoming vacancy):

The County Administrator advised that a letter was received from the Rapidan Service Authority to advise that Mr. Troy Coppage is one (1) member who is eligible for reappointment on December 31, 2012, and he wishes to be reappointed should the Board so desire.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Lackey, the Board voted to reappoint, Troy Coppage for a four (4) year term to the Rapidan Service Authority, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

b. Ratify Resolution #2012-18 [Declaration of a Local Emergency – October 2012]

Chairman Allen advised the Board will need to adopt Resolution #2012-18 – Declaration of a Local Emergency, as a result of the state of emergency declared in October 2012, as action must be implemented within fourteen (14) days of the emergency being declared.

Supervisor Lackey moved that the Board adopt Resolution #2012-18 [Declaration of a Local Emergency for Madison County (in October 2012), seconded by Supervisor Weakley, with the following vote recorded:



J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

c. Madison County Animal Shelter (Topping Committee):

The County Administrator advised the Topping Committee met on October 19, 2012, during which time there were discussions about several issues which included reduced adoption costs for cats and dogs, and also to provide reduced spay/neuter services for the citizens of Madison County. A memorandum was provided for review that provided a breakdown of costs. Also, the Topping Fund has increased recently by \$5,000.00, making the grand total received thus far as being \$132,996.00 thus far, and although no monies have been spent from these funds, the Committee has implemented the planning process for shelter adoptions and a preliminary plan is being provided tonight for review by the Board.

The County Administrator provided further explanations of items denoted in tonight's document and advised that funding for the adoption project will allow:

- a) Thirty-five (35) dogs to be adopted out (with reduced adoption costs);
- b) Seventy-four (74) cats to be adopted out (with reduced adoption costs);

In addition, the Topping funds could be used to allow for the purchaser of a seventeen foot (17') aluminum stock trailer that can also be used to transport large animals and for use as a portable corral.

The County Administrator advised that private funding has been received in the past and into the present from a local winery to assist with costs for spay/neuter of shelter animals. In closing, he advised that a large adoption event was held here in the past week with a very successful outcome for the dogs, but it's a challenge getting the cats adopted.

The County Administrator advised that he has received bids **for the addition to the shelter** and hopes to have information in place by mid-December; at that point, the Board will need to decide on the contract and whether to allocate funding. In closing, there was also discussion about a replacement power washer although the existing unit is working well – estimates will be attained for future reference.

Supervisor Elliott advised that he wasn't in favor of offering spay/neuter services to citizens for their personal animals, but is in favor of offering the service in order to promote adoption of the animals already at the shelter. In closing, he suggested the



County hold onto some of the funding to assist with future upgrades at the shelter facility.

The County Administrator agreed with the aforementioned comments verbalized by Supervisor Elliott, but explained the reality is the fact there are a lot of dogs/cats brought to the shelter because there are very few responsible animal owners and sometimes, economically, folks do have difficulty resources to have their animals spayed or neutered. The proposed suggestion will be a tool to try to educate residents on how important it is to spay/neuter in an effort to possibly eliminate the need to expand the shelter in the future, which is the goal the Committee would like to attain.

Supervisor Weakley questioned if a compromise could be attained for about six (6) months and then assess today's proposal.

Chairman Allen advised the funding was given to the County to benefit the shelter; it appears that a plan has been devised by the Committee to accomplish this. In closing, he asked if it would be advantageous (for residents who already have animals they'd like to have spayed/neutered) to determine a day or month to apply this recommendation.

The County Administrator advised the program will probably be by appointment as spay/neutering isn't done at the facility – folks will need to visit the shelter to provide their information and arrangements will be made for them to visit a local veterinarian to have the service accomplished. In closing, the process will be streamlined as much as possible so as not to cause additional work for staff at the shelter.

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Lackey, the Board approve funding in the amount of \$52,000.00 with \$42,000.00 being allocated for the **shelter** expansion, \$2,500.00 to assist with adoption of dogs, \$2,500.00 to assist with adoption of cats, \$2,500.00 to assist with reduced fee for County residents for spay/neuter of their dog(s) and \$2,500.00 to assist County residents for reduced spay/neuter of their cat(s).

Supervisor Elliott asked about the proposal to allocate \$42,000.00 for expansion of the shelter and what will happen if the contract comes through at \$46,000.00 or \$39,000.00 and how this will be handled, as no bid has yet been provided.

The County Administrator advised the County can wait until a bid is received and make a motion at a separate meeting.

After discussion, Supervisor Weakley amended his motion that the Board will approve \$10,000.00 to be utilized for the spay/neuter program for the functions of adopting dogs/cats, and the reduced fee for dogs/cats for spay/neuter **program for County citizens**, with the following vote recorded:



J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Nay
Jonathon Weakley	Aye

Supervisor Lackey advised there was also a conversation about the wage for part-time staff, as they are at minimum for the 'dirty work' they're charged with doing.

The County Administrator advised there is enough funding for a modest raise (i.e. current scale starts at \$8.25 p/h – can be raised to \$10.50 p/h). The minimum wage is currently \$7.25 p/h. If the Board would approve the small increase, there would still be about \$12,000.00 left within the shelter's allocated budget for this purpose, as expenses at the shelter are \$16,000.00 under budget.

Supervisor Butler suggested that all County employees be given a \$50.00 Christmas bonus instead of increasing part-time wages.

Supervisor Lackey explained the proposed part-time wage increase will only affect the budget for the Animal Shelter and there will be no change to the existing budget since the funding is already available within the existing budget.

Supervisor Weakley advised that he understands the 'dirty work' performed by the employees at the shelter; he also realizes that some adjustments have been made in some departments and morale is poor now; therefore, he suggested the Board perhaps look at a means to address increases across the Board during the upcoming budget cycle. Also, he can see employee's concerns with 'one getting more than the other.'

Supervisor Elliott advised that the funding being request for compensation to part-time employees is additional money – if it's taken out of the departmental budget this year, these funds will be needed next year and would be considered to be additional money. In closing, he questioned the feelings of the County taxpayers.

Supervisor Weakley advised that adjustments have been made for other departments and feels something should be done across the board if possible.

Supervisor Butler verbalized the pay scale for the deputies needs to be realigned and suggested the entire process be investigated and possibly establish a standardized reclassification of all County employees.

Chairman Allen suggested the numbers be investigated, as well as the hours being worked by part-time shelter staff.

Supervisor Weakley asked what has the County done in the past for employees for Christmas and suggested this issue be placed on the Agenda for discussion at the upcoming meeting.



Chairman Allen asked if the purchase of the trailer is something the Topping Committee recommended, to which the County Administrator advised has been discussed several times along with whether there is a need.

Supervisor Weakley advised that he has spoken with Carl Pumphrey, Emergency Management Services Coordinator.

Supervisor Lackey suggested this item be maintained on the list with the possible purchase of a new power washer if there isn't an urgent need.

In closing, the County Administrator advised that the existing trailer has been used a few times a year and there have been instances where someone else was reached to assist; however, when a donation is received such as the Topping Fund, folks generally advise what they'd like to see done with the funding; however, there was no information provided, but just to do something to help the animals in the County. He also advised that smaller, cheaper trailers can be purchased (12 foot trailer), but whatever is purchased needs to be able to accommodate at least two (2) horses, although something larger would be better in the event cows, pigs or other large animals may need to be transported.

Supervisor Butler questioned whether immediate action is necessary on this issue.

In closing, Chairman Allen suggested the County Administrator refer this item onto the Topping Committee and assess whether there is an urgent need.

d. Madison Board of Equalization (Applicants):

Chairman Allen advised there have been six (6) applications received for consideration and whether the Board would like to conduct interviews.

Supervisor Butler suggested the two (2) applicants be reappointed that have served in the past and [had complied with the initial advertised deadline](#) and the remaining three (3) applicants be interviewed [for the one \(1\) remaining position](#).

Supervisor Lackey suggested that all applicants be interviewed.

Supervisor Elliott advised that he has no issues with interviewing all applicants, but is concerned that two (2) applicants did respond to the initial application.

It was denoted that the Board of Equalization will need to meet in January 2013 and all applicants have to attend a class prior to the initial meeting.

After discussion, it was the consensus of the Board to schedule interviews of the six (6) applicants prior to the November Regular Meeting on November 15, 2013 from 4:30 p.m. to 5:30 p.m.



Supervisor Lackey questioned the remuneration for this service, to which Chairman Allen advised that all members were paid a flat fee in the past for serving.

e. Uranium Mining:

Supervisor Lackey advised that all members have a packet in today's information regarding the announcement of a seminar scheduled for next week in Barboursville, Virginia. This issue was also raised during a recent meeting of the Rapidan Regional Planning Commission and it was advised this issue will be discussed during the General Assembly in January 2013 and they'd like the participating localities to be aware and ready to vote on a Resolution that will be presented by the Commission on this issue. In closing, she advised that Madison and Culpeper haven't taken a position on this issue and a prior Board did adopt a Resolution in 1982 on this issue.

Chairman Allen and Supervisor Lackey are planning to attend the seminar in Barboursville next week as the representatives for Madison County.

Supervisor Elliott asked if there was any uranium found in Madison County. In closing, he advised it will be very difficult for someone to mine uranium based on today's regulations in place by the EPA and Supervisor Butler suggested it be investigated as to whether there are any uranium deposits here.

Chairman Allen advised that an internet search didn't reveal much, but also feels it will be very difficult for anyone to operate a mining project here.

6. Information & Correspondence (if any)

Chairman Allen asked if there was any information/correspondence to discuss, and there was none.

7. Adjournment

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

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

J. Dave Allen, Chairman
Madison County Board of Supervisors



Jacqueline S. Frye, Clerk of the Board

Adopted on: December 11, 2012

Copies: J. Dave Allen, Doris G. Lackey, Jerry J. Butler, Pete J. Elliott, Jonathon Weakley,
V. R. Shackelford, III & Constitutional Officers

Resolution:

Resolution #2012-18 – Declaration of a Local Emergency (October 2012)] – Adopted November 7, 2012

**DECLARATION OF A LOCAL EMERGENCY
(FOR MADISON COUNTY, VIRGINIA)**

RESOLUTION #2012-18

WHEREAS, the Board of Supervisors of Madison County does hereby find that:

- 1. Due to the heavy rain and windstorms, Madison County is facing dangerous flood conditions caused by Hurricane Sandy;**
- 2. The condition of extreme peril of life and property necessitates the proclamation of the existence of an emergency on Sunday, October 28, 2012;**

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency now exists throughout said County and;

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, functions, and duties of the Director of Emergency Management and the County government shall be those prescribed by state law and the ordinances, resolutions, and approved plans of Madison County in order to mitigate the effects of said emergency.

On motion of Supervisor Weakley, seconded by Supervisor Lackey, the Madison County Board of Supervisors voted to ratify the declaration of a local emergency in Madison County, Virginia, with the following vote recorded on this 7th day of November, 2012.

J. Dave Allen, Chairman
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
J. Dave Allen	<u> X </u>	_____	_____	_____
Doris G. Lackey	<u> X </u>	_____	_____	_____
Jerry J. Butler	<u> X </u>	_____	_____	_____
Pete J. Elliott	<u> X </u>	_____	_____	_____
Jonathon Weakley	<u> X </u>	_____	_____	_____

Attest:



***Ernest C. Hoch, Madison County Administrator
Commonwealth of Virginia***

