

MEETING #19 – June 1

At a Joint Meeting of the Madison County Board of Supervisors and the Madison County Planning Commission on June 1, 2016 at 7:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Vice-Chair
Jonathon Weakley, Member
Robert W. Campbell, Member
Kevin McGhee, Member
Charlotte Hoffman, Member
V. R. Shackelford, III, County Attorney
Daniel J. Campbell, County Administrator
Betty Grayson, Zoning Administrator

Planning Commission:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum

Mr. Yowell, Commission Chair, noted that a Quorum was present.

2. Approval of Minutes

The minutes of the May 4, 2016 joint meeting were approved as presented.

3. Action Items:

Mr. Yowell provided an overview of tonight's meeting process; representatives were asked to approach the podium to provide their name and any information pertinent to tonight's case; questions will be entertained by the Commission members, the public, and then the case will be recommended onto the Madison County Board of Supervisors either for approval or tabling. In closing, he asked that applicants remain for the Madison County Board of Supervisor's portion of tonight's meeting.

40-60 *a. Case No. S-06-16-11:* Request by G. Scott Lohr for a plat of a subdivision of land to create one (1) lot with residue on Route 680 (Gate Road) near Madison, zoned A-1. The final plat has been approved by VDOT and the Madison Health Department. This case was reviewed at the Commission's April 2016 workshop session.

Dave Lewis, Surveyor, was present on behalf of the applicant, to answer any questions pertaining to tonight's request.

After discussion, the Madison County Planning Commission recommended Case No. S-06-16-11 to the Madison County Board of Supervisors for approval.

15-47B *b. Case No. S-06-16-12:* Request by Patricia A. Miller for a plat of a subdivision of land to create one (1) lot with residue off Route 231 (South F T Valley Road) near Etlan, zoned A-1. The new lot and the residue will be served by the new 50 foot right-of-way. The final plat has been approved by VDOT and the Madison Health Department.

Patricia Miller, applicant, was present to answer any questions pertaining tonight's request, and asked that a copy of the plat be provided to her following tonight's meeting.

Comments from the Commission focused on whether to include a condition to denote that the existing shed (sitting in the fifty foot right-of-way) would be removed from its existing location.

After discussion, the Madison County Planning Commission recommended that Case No. S-06-16-12 to the Madison County Board of Supervisors for approval, with the condition that the shed be removed (from the existing right-of-way).

Mr. Yowell, Chair, advised that the next workshop session will be scheduled for June 15th at 7:00 p.m.; a meeting agenda will be forwarded to all members, along with a reminder for all future meeting sessions.

4. Adjournment

With no further action being required, Mr. Yowell, Chair, adjourned the Madison County Planning Commission's portion of tonight's meeting.

Board of Supervisors

Call to Order

- 1. Determine Presence of a Quorum**
- 2. Adoption of Agenda**

Chairman Jackson called the Madison County Board of Supervisors to order. All members are present – a quorum was established.

Additions to the Agenda:

- Information/Correspondence
 - *Madison County Transfer Station*
 - *Animal Control Issue (Cats)*

Supervisor Campbell moved the Agenda be adopted as amended, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, McGhee, Campbell, Hoffman. Nays: (0).*

3. Action Items:

a. Case No. S-06-16-11: Request by G. Scott Lohr.....

Supervisor Weakley moved the Board approve Case No. S-06-16-11, as recommended by the Madison County Planning Commission, seconded by Supervisor Campbell. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

b. Case No. S-06-16-12: Request by Patricia A. Miller

Comments from the Board:

- *Supervisor McGhee: Questioned if it was customary to default the easement being located at the 'front' of the property*
- *Supervisor Campbell: Questioned if there is something within the County's Ordinances that requires the front of the house to face towards the right-of-way*

Carol Davis, Assistant Zoning Administrator, was present and explained that the driveway in front of the property (being discussed) will come off the front of the right-of-way and the other side will be in the residue (on Ms. Miller's property). She also stated that it doesn't matter how the residence is turned (can be facing Route 231), but there must be 'a front, a rear, and two (2) sides.'

The County Attorney suggested the conditions (pertaining to the existing shed) be put into place before any permits are issued. In closing, he noted that once the plat is approved, the shed wouldn't actually have to be removed unless an additional permit is attained in order to use the fifty foot right-of-way.

Supervisor Campbell moved the Board approve Case No. S-06-16-12, as recommended by the Madison County Planning Commission, seconded by Supervisor Weakley.

Comments from the Board:

- *Supervisor McGhee: Questioned whether the prior motion should include clarification (as noted by the County Attorney) regarding the removal of the shed prior to the issuance of the permits*

After discussion, Supervisor Campbell advised that the motion was made per the note of approval (by the Madison County Planning Commission) that the shed located in the fifty foot right-of-way be removed before permits are issued.

Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).

4. Information/Correspondence (if any)

Madison County Transfer Station

Supervisor Campbell advised that he has received about five (5) additional complaints about the transfer station pertaining to:

- ✓ How 'filthy' the facility is
- ✓ Trash being backed outside of the depository building
- ✓ Items in the white goods area lying on the ground outside of the trailer

And advised that:

- ✓ Complaints about the facility have been brought before the Board during past meetings
- ✓ Feels the cleanliness of the facility should fall under the responsibility of Waste Management Services, Inc., as per the existing contract
- ✓ Feels the facility is looking 'more like a dump' than a transfer station

- ✓ Was on site for about two (2) hours with a citizen and noted the area was extremely back up and (in his opinion) not being properly managed
- ✓ Noted there is a non-surrounded fuel tank on site that may create a hazard if a vehicle were to accidentally run into it

Supervisor Weakley noted that during his last visit to the facility:

- ✓ Staff were performing tasks that he hadn't seen done before (i.e. pushing down items in recycling trailer)
- ✓ Suggested that anyone providing a complaint(s) to please provide a specific day that a particular issue is noticed.

The County Administrator advised that due to the insufficient amount of back-up space in the white goods area, customers generally deposit items that do tend to encroach on the pavement during busy days; as the quantity of debris increases, WMS staff do try to place items in the roll-off containers; however, he also stressed the fact there is only one (1) equipment operator on site which makes it difficult to manage the site during peak times of the day.

With regard to the fuel tank, the County Administrator advised that if the fuel tank is a certain size, posts could be driven into the ground in order to eliminate anything from driving into it. In closing, he advised that he will evaluate the tank size/location, and also advised that the permit for the closed landfill falls under the County's responsibility and cannot be contracted onto someone else.

The County Administrator also advised that during his prior locality of employment, landfill operations were very similar to Madison County's, with the exception that the facility was publicly owned/operated, and more heavily staffed. In closing, he stressed the fact that if more staff were on site, the facility could be better managed; however, the County has:

- ✓ A contractor on site at the facility
- ✓ The County is required to 'manage the contract'; and
- ✓ Feels the aforementioned concern may need more attention

Incident at Transfer Station – June 1, 2016

The County Administrator advised that he and Roger Berry, Director of Facilities, will be meeting with the Supervisor of Waste Management, Inc., to provide a de-briefing on the recent event that occurred at the facility, which he feels could've been better handled.

The County Administrator provided an overview of the recent hazmat incident at the landfill (that occurred on Monday, June 1, 2016 at about 2:40 p.m.) that involved someone depositing a high concentration of muriatic acid onto the transfer station floor; when the backhoe came into contact with the container it burst, causing fumes to spread which resulted in:

- ✓ A WM employee to become sickened; and
- ✓ Caused irritation for some customers that were on site

It was further advised that when this type of issue occurs at most transfer stations, there is an immediate operational procedure to be undertaken, but the process utilized by Waste Management Services, Inc. was to contact their immediate supervisor, who in turn contacted the County Facilities Director, which brings to question if proper procedures (required by the contractor) were appropriately followed.

Procedures initiated on the part of the County included:

- Closing the gates
- Turning away customers
- Contacting regional hazmat (from Harrisonburg)
- Contacting VDEM; and
- Contacting DEQ

The County Administrator advised that the public trying to enter the facility were advised of the immediate closure due to the high concentration of the substance, and immediate clean-up procedures were initiated by regional hazmat personnel in an effort to neutralize the material. He further advised that the facility will re-open tomorrow with no lasting effects or property damage being noted, and also stressed the fact that the situation could've been handled more effectively. In closing, he advised of concerns that:

- ✓ The floor of the transfer station needs to be regularly inspected (which wasn't being done as well as it should have)
- ✓ Feels the lack of periodic inspection could be attributed to the small amount of staff on site; and plans to
- ✓ Discuss procedures with WMS staff at tomorrow's meeting

Comments from the Board:

- *Chairman Jackson: Verbalized concerns that Waste Management Services, Inc. should have better procedures in place rather than to call the County Facilities Director.*

- Supervisor Campbell: Thanked the County Administrator for the report on the recent incident; also referred to the extensive amount of time it took to install cameras at the site (by WMS) in the past

The County Attorney questioned whether the individual that deposited the contained at the transfer station was identified.

The County Administrator advised that the Sheriff's Department was notified of the incident; he also advised that a contractor did enter the site shortly before the incident occurred, and was contacted by VDEM; follow-up efforts were initiated, although a case such as this is very difficult to prosecute, therefore, it's hoped that this type of incident doesn't occur again.

The County Attorney also noted that most of the public is unaware of what a hazardous material is.

The County Administrator noted that no types of liquid substances should be deposited on the transfer station floor, and the substance deposited was a very concentrated liquid.

- *Supervisor Weakley: Advised that previous staff (at the site) were highly visible; strongly encouraged WM advised that previous staff at the site were visible on site; strongly encouraged that Waste Management Services, Inc. be advised that staff need to also look through deposited materials (on the transfer station floor)*

The County Administrator stressed the fact that the County is in a position to manage a contract, and explained that 'managing the services contract is a different element than managing employees on site'; he also noted that during his tenure, he has met with Waste Management Services, Inc. representatives once to discuss some matters, but noted that not much progress has yet been realized. In closing, he advised that he isn't so concerned about the cleanliness of the facility, but stressed more emphasis on staffing issues and capacity.

Animal Control Issue (Cats)

Supervisor Campbell advised of a citizen who has verbalized concerns regarding several cats roaming on his personal property, and as advised by Animal Control that there 'wasn't anything that could be done at this time.' He suggested the individual bring these concerns before the Board at the upcoming June Regular Meeting; also feels the Board was developed to maintain/promote public safety and education; also feels the County is 'into many other things other than the aforementioned categories; also reiterated that the only revenue received by the County comes from the taxpayers.

The County Administrator advised that the aforementioned situation was brought to his attention by Greg Cave, ACO, earlier this week; the shelter is at its capacity with cats (32); the facility has received multiple calls, but is unable to accept additional cats/kittens at this time. Alternative adoption efforts are being researched and can only be accomplished after these animals have been spayed/neutered, at a cost of about \$300.00. In closing, he advised that funding received (by the State) through the spay/neuter program may be used to cover the associated fees.

The County Administrator also advised that in a previous rural locality, personnel were only required to handle matters involving dogs and some other animals, excluding cats, which can become an overwhelming task. In closing, he advised that private cat rescue groups were very active in the previous locality and did a wonderful job accepting/rehoming stray cats/kittens.

Supervisor Weakley also referred to the fact that some cat owners fail to have their pets spayed/neutered, and also shared in the anxiety at how quickly the population can increase.

After discussion, it was the consensus of the Board to request Greg Cave, ACO, be present at the June Regular Meeting (#1) to provide input on the matter.

Transfer Station – Gas Monitoring Process

Supervisor Weakley questioned the time involved with the monitoring process at the transfer station (gas methane).

The County Administrator advised that six (6) weeks of clean monitoring have been attained with the new gas probe. Once DEQ has been notified of the positive process, he anticipates that monitoring can be done monthly and then semi-annually. In closing, he advised that the entire process has to be approved on a 'step by step' basis, and the County is working in that direction. Although the old probe that demonstrated problems is still showing high ratings, positive results from the new probe will supersede the old one.

County Seal "In God We Trust"

Supervisor Campbell referred to the County Seal that has finally been completed and looks very well.

4. Adjournment

With no further action being required, on motion of Supervisor McGhee, seconded by Supervisor Hoffman, Chairman Jackson adjourned the meeting. *Ayes: Jackson, Weakley, McGhee, Campbell, Hoffman. Nays: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Adopted on: June 14, 2016
Copies: Board of Supervisors, County Attorney & Constitutional Officers



Agenda
Joint Meeting and Public Hearing
Madison County Board of Supervisors
Wednesday, June 1, 2016 at 7:00 p.m.
Madison County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727



Call to Order

Pledge of Allegiance & Moment of Silence

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4. Adjournment

Board of Supervisors

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4. Information/Correspondence (if any)
5. Adjournment