

MEETING #27 – April 10

At a Regular Meeting of the Madison County Board of Supervisors on April 10, 2012 at 3:00 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
Teresa Miller, Finance Director
Jacqueline S. Frye, Clerk of the Board

1. Regular Meeting Agenda

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

2. Pledge of Allegiance & Moment of Silence

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

3. Adopt Agenda

Chairman Allen advised a correction to the Agenda in that comments for this evening's public hearing session will be limited to three (3) minutes per speaker; however, comments during the initial public comment session will remain at five (5) minutes per speaker.

After discussion, on motion of Supervisor Lackey, seconded by Supervisor Weakley, the Board adopted today's 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. Monthly Reports

a. Department Heads (if necessary)

None.

b. Constitutional Officers (if necessary):

Erik Weaver, Sheriff, advised that his department has received three (3) grants totaling \$67,586.00 which are reimbursed 100% at no cost to the County.

Chairman Allen asked what will be purchased with the grant funds.

Sheriff Weaver advised that purchases will include the “Day-Pro” system, tactical vests (ones currently in use are out of date), camera equipment, multiple data terminals for the law enforcement vehicles and other miscellaneous gear.

Supervisor Butler questioned whether there a budget line item for grants in the Sheriff’s Departmental Budget.

Teresa Miller, Finance Director, advised that a budget line item has already been put into place but doesn’t contain a balance on a regular basis; in the past, the Board has approved these types of grants and allowed the Sheriff to spend down on the funds, while leaving other monies in the departmental budget to keep it from running in the red – when the grant funds are received, the Treasurer will advise and these funds and a supplemental appropriation will be approved to cover the transaction.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Elliott, the Board approved the grants awarded to the Sheriff’s Department totaling \$67,586.00, for the use of law enforcement equipment, 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. VDOT (if necessary);

Monthly report of activities provided by Dave Cubbage, Transportation Director.

Supervisor Weakley questioned whether the citizen concerns brought forth at the public hearing on the Six Year Road Improvement Plan for Madison County had been followed up on.



Mr. Cabbage advised that all items reflected upon during the meeting were procedural in nature and all fall under 'maintenance issues.' Contact information has been provided to VDOT's Maintenance Manager and he will meet with the citizens within the coming weeks to resolve the issues that were brought forth.

5. Bylaws (Discussion):

Chairman Allen advised that during the past workshop session, two (2) Board members had concerns about the Bylaws and these were to be discussed during this meeting session; also an item of discussion involved page 6 on the Bylaws, Section 3-2 that will need to be amended since the Board appointed Mrs. Frye as the Clerk of the Board; therefore, an amendment will be needed to the Bylaws to add the wording "or other person designated by the Board, except for the County Administrator."

After discussion, on motion of **Supervisor Lackey, seconded by Supervisor Weakley**, the Board voted to amend Item 3-2 of the Bylaws to read that "the Clerk of the Board shall be the County Administrator or other person appointed by the Board", with the following vote recorded:

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

Supervisor Butler questioned what will be done with the next sentence that reads "the County Administrator may appoint one (1) or more members of the County staff to serve as Deputy Clerk of the Board."

Chairman Allen advised that he has reviewed this sentence and feels this will give the future County Administrator the authority to appoint 'himself/herself' as the Deputy Clerk or another person.



**MADISON COUNTY BOARD OF SUPERVISORS
2012
BYLAWS AND RULES OF PROCEDURE**

SECTION I PURPOSE AND BASIC PRINCIPLES

1.1 Purpose of Rules of Procedure

- A To enable County government to transact business expeditiously and efficiently;
- B To protect the rights of each individual Board member;
- C To preserve a spirit of cooperation among Board members; and
- D To determine the pleasure of the Board on any matter.

1.2 Basic Principles Underlying Rules of Procedure

- A Only one (1) subject may claim the attention of the Board at one time;
- B Each item presented for consideration will be entitled to full and free discussion.
- C Every member has rights equal to every other member;
- D The will of the majority must be carried out, and the rights of the minority must be preserved;
- E The personality and desires of each member should be merged into the larger unit – the Madison County Board of Supervisors; and
- F Discussion by members should be directed at the issue before the Board, and not at other members.

1.3 Rules of Interpretation

- A These Rules of Procedure are rules of parliamentary procedure and are for the convenience of its members only. They do not have the force of law.
- B Only members of the Board or the Parliamentarian have standing to raise a point of order or to challenge a ruling of the Chair or other action of the Board on the basis of compliance or non-



compliance with these Rules of Procedure or, if the questioned action is not expressly covered by these procedures, by Robert's Rules of Order. In no event may questions over compliance herewith be raised judicially.

- C Non-compliance with these Rules of Procedure must be raised at the time of the non-compliance, prior to continued debate or a vote. If a challenge is raised in a timely manner by a member with standing as provided for herein, the only relief shall be the correction of the error in conformance with these Rules of procedure. If a challenge is not timely made, the right to challenge the non-compliance is waived. In no event will a violation hereof result in the voiding or overturning of any action of the Board.
- D Failure to comply with these rules or Robert's Rules of Order shall not invalidate Board action otherwise valid at law.

Section II MEETINGS

2-1 Regular Meetings

- A The time and place of regular meetings of the Board of Supervisors (hereinafter referred to as the Board) shall be established at the Board's annual organizational meeting. Regular Board meetings shall be held in the Board Auditorium, County Administration Building, 414 North Main Street, Madison, Virginia, on the second (2nd) Tuesday of each month, beginning at 3:00 p.m., and a second session shall be conducted on that same Tuesday beginning at 7:00 p.m. The 4:00 p.m. regular meeting shall be devoted primarily to action/decision/policy formation items, and the 7:00 p.m. meeting shall be devoted primarily to public hearings and work sessions. A workshop session shall be scheduled the fourth (4th) Monday of each month at 2:00 p.m. in the building housing the offices of the County Administrator and shall normally last not more than two hours. A joint meeting with the Board and the Planning Commission will be scheduled for the first Wednesday of each month at 7:30 p.m., and will be held in the Board auditorium. The Board may, however, prescribe any other meeting place or time in compliance with § 15.2-1416 of the Code of Virginia (1950), as amended.
- B When a regularly scheduled meeting falls on a legal holiday or Election Day, the meeting shall be held on the following business day.



- C A regular meeting which may be canceled by the Chairman, or the Vice-Chairman if the Chairman is unable to act, upon a finding that weather or other conditions hazardous for the members or the public to attend the regular meeting, may be held on the next business day on which County offices are open.
- D Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the fixed date for the next regular meeting, until the business before the governing body is completed.

2-2 Special Meetings

- A The Board may hold such special meetings as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. Either the Chairman, or any two (2) members, may call a special meeting of the Board in such a manner as prescribed by §15.2-1418 of the Code of Virginia (1950), as amended. Only matters specified in the notice shall be considered unless all of the members of the Board are present. The notice of the special meeting may be waived if all members of the Board attend the special meeting or sign a written waiver. Where a special meeting has been called the Board shall give to the media and general public such notice of the time, place and purpose of the meeting as is feasible.

2-3 Annual Organizational Meetings

- A The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting. The County Attorney shall preside during the election of the Chairman of the Board.
- B The Chairman shall be elected at the annual meeting for a term of one (1) year. The Chairman may succeed himself/herself in office. The Chairman and Vice Chairman shall continue to hold office until their successor takes office.
- C Following the election of Chairman, he/she will assume the chair and conduct the election of the Vice Chairman.



D Following the election of the Vice Chairman, the Board shall:

- 1 Establish dates, times and places for the regular meetings;
- 2 Adopt its Rules of Procedure;
- 3 The Chairman, with concurrence of a majority of the Board, shall make appointments to standing and ad hoc committees, preferably within one (1) week of the organizational meeting.

2-4 Quorum and Method of Voting

- A At any meeting, a majority of the Supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a voice vote. The Chairman may choose to have the vote by a roll call vote or by show of hands; however, if there is one (1) “no” vote or one (1) abstention, at the request of any member of the Board, the Board may be polled and the name of each member voting and how he or she voted shall be recorded. All votes on matters of ordinance shall be recorded by the clerk along with the name of each member voting and how he or she voted.
- B Members abstaining shall state for the record their reason for abstaining, if they abstain on account of a conflict of interest as prescribed by state law.
- C A tie vote fails.
- D All adopted motions of the Board of Supervisors shall be construed as resolutions of the Board and shall be recorded in the official minutes as preceded by, “it is hereby resolved that ...”. The name of each Board member voting on the motion shall be recorded in the official minutes along with how the member voted.

2-5 Board to Sit in Open Session

The Board shall sit in open session and all persons conducting themselves in an orderly manner may attend the meetings; provided, however, the Board may conduct Closed Session as permitted under the Virginia Freedom of Information Act.



2-6 Closed Sessions

- A Closed Sessions may only be convened in conformance with §2.2-3711 of the Code of Virginia (1950), as amended or as otherwise provided by law as there are other provisions that would make such sessions or discussions of items in those sessions confidential.
- B No resolution, ordinance, rule, contract, regulation or motion agreed to in a Closed Session shall become effective until the Board reconvenes in an open session and takes a vote of the membership on such resolution, ordinance, rule, contract or regulation or motion which shall have its substance reasonably identified in the open meeting.
- C At the conclusion of a Closed Session, the Board shall reconvene in open session immediately thereafter and shall take a roll call vote certifying that to the best of each member's knowledge:
 - 1 Only public business matters lawfully exempted from open session requirements were discussed; and
 - 2 Only public business matters identified in the motion convening the Closed Session were heard, discussed or considered.
- D The failure of the certification to receive the affirmative vote of a majority of the members present during the Closed Session shall not affect the validity or confidentiality of the Closed Session with respect to matters considered therein in compliance with the Freedom of Information Act.
- E The Board may permit non-members to attend a Closed Session if their presence will reasonably aid the Board in its consideration of an issue.
- F Any member may request a proposed Closed Session item be pulled from the agenda for a separate vote on entering Closed Session, at his or her discretion.
- G Any matter discussed in closed session is privileged and shall not be disclosed by any participant in the closed session, except as required by court order.



2-7 Work Sessions

- A Work sessions may be held as regularly scheduled, specially called or recessed meetings of the Board, in order to work on issues to be considered by the Board in the future.
- B No formal votes may be taken at a work session.
- C Work sessions require legal notice pursuant to §2.2-3707 of the Code of Virginia (1950), as amended.

2-8 Conduct in Meetings

- A The effectiveness and efficiency of governmental bodies in serving the public is enhanced by the proper conduct of all participants, whether government officials, employees, or members of the public, in meetings and work sessions of the Board or any Committees created pursuant to **Section VI** of these Rules of Procedure.
- B To this end, all such meetings and work sessions shall be conducted with observance by all participants of the fundamental rules of civility, including restraint in demeanor and respect for others and their views. This rule is not intended to restrict disagreement or opposition to any proposal, motion, or argument. It is intended to restrict the manner in which such disagreement or opposition is expressed to preclude those ways of discourse which tend to disrupt or impair the conduct of a meeting. Shouting, profanity, threats, personal attacks, and other similar actions are unacceptable. Should, in the view of the Chairman or a majority of the Board or any Committee, a participant violate the foregoing guidelines for conduct, the Chairman or the Chairman's designee may address the participant's deviation from the guidelines.
- C This rule of conduct shall be enforced by the Chairperson of the meeting who may order an unruly or disruptive individual or individuals whose conduct in the judgment of the Chairperson tends to disrupt or otherwise impair the conduct of the meeting, to be removed from the meeting.



- D The rules of conduct described in B. above are intended to apply to all Board appointees to any agency, committee, commission, or similar entity, regardless of whether all members of the entity are appointed by the Board.

Section III OFFICERS

3-1 Chairman and Vice Chairman

The Chairman shall preside over all meetings of the Board of Supervisors. The Chairman shall appoint Board members to serve on standing committees and ad hoc committees established by the Board of Supervisors, such appointments to be made with concurrence of a majority of the members of the Board, promptly and within a reasonable time, preferably within one (1) week following the annual meeting. The Vice Chairman shall serve as Chairman when the Chairman is unavailable or unable to act for any reason.

3-2 Clerk

The Clerk of the Board shall be the County Administrator. The County Administrator may appoint one (1) or more members of the County staff to serve as Deputy Clerk of the Board.

**Amended on April 10, 2012 to read as follows: "The Clerk of the Board shall be the County Administrator or other person appointed by the Board."*

3-3 Parliamentarian

The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure, Robert's Rules of Order, and any other applicable legal procedures, as may be directed by the Chairman, or as required as a result of a point of order raised by any one (1) or more Board members. If the County Attorney is unavailable, the County Administrator shall serve as Parliamentarian.

3-4 Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.



SECTION IV CONDUCT OF BUSINESS

4-0 Prior to Call to Order or Convening of Business

Invocation may be conducted in accordance with Va. Code § 15.2-1416.1, prior to the governing body's actual call to order or convening of business.

4-1 Order of Business

The first items shall be the Call to Order and Pledge of Allegiance and a Moment of Silence.

4-2 Consent Agenda

The Chairman and County Administrator shall style routine, non-controversial matters requiring Board action on a Consent Agenda. Items may be removed from the Consent Agenda and placed on the Regular Agenda by any member's request. Only one (1) motion is necessary to adopt all recommendations and action items on the Consent Agenda.

4-3 Public Comment

The Board shall set aside a time period for Public Comment at its regularly scheduled public hearing session each month. During this period the Board shall receive comment from any citizen on any topic not set for public hearing at that meeting, and no individual citizen should, at the Chairman's discretion, be allocated more than five (5) minutes of time to address the Board. Speakers shall not be allowed to (a) campaign for public office, (b) promote private business ventures, (c) engage in personal attacks, or (d) use profanity or vulgar language. Speakers may submit written record of their comments, or of comments they were unable to make because of time constraints that will be appended to the minutes of that meeting if submitted to the Clerk of the Board within business five days.

4-4 Motions

- A No motion shall be discussed prior to being duly made in accordance with these Rules of Procedure. Once the motion is seconded, if a second is required, the person making the motion shall have a reasonable time as determined by the Chair to give



his/her reasons in support of the motion prior to the start of debate.

- B All motions shall be duly seconded before being submitted to the Board for decision; if said motion requires a second by Robert's Rules of Order, latest edition.
- C When a question is under discussion, no motion shall be received unless it is one to amend, to commit, to postpone, for the previous question, for a substitute motion, a motion to lay on the table, or a motion to adjourn.
- D No member should speak for the second time on a motion until every member desiring to speak has spoken.
- E When a vote upon any motion has been announced, it may be reconsidered during the meeting session in which the motion was made, on the motion of any member who voted with the prevailing side, without the need for a formal motion to reconsider. In the case of a tie vote, neither side shall be considered as having prevailed for the purposes of this rule and such reconsideration may be initiated by the motion of any member.
- F In accordance with the Constitution of the Commonwealth of Virginia, a recorded affirmative vote of a majority of the entire Board shall be required to pass any ordinance or resolution imposing taxes, authorizing the borrowing of money, or appropriating funds. The Chair may, at his/her own discretion, call for a roll call vote.
- G All motions to adopt any ordinance shall be by voice vote and the clerk shall ensure that the minutes shall reflect the names of the persons voting and how they voted in the permanent record.
- H Upon a call for a question, the Chair shall determine whether there exists any objection to ending discussion. If none, the question shall be called. If any person objects, the Chair shall seek a second for the motion to call for the question. A two-thirds (2/3) majority shall be required to end debate.
- I A tie vote defeats the question being voted upon.



- J A motion to reconsider must be made at the same meeting or the next immediate meeting. A motion to reconsider must be made by a member of the Board who voted on the prevailing side when the original motion was voted upon. A motion to rescind or to amend a prior action adopting something with continuing effect by the Board may be made by any member of the Board at a subsequent meeting upon proper notice having been given. There is no time limit for the making of such a motion. However, such motions are improper if (1) the original action by the Board was subject to a motion for reconsideration, (2) the action or inaction of third-parties in reliance on the Board's approval of the original Board's action is impossible to undo, or (3) certain personnel actions, as described in Robert's Rules of Order, have been taken. Voting requirements are: (1) a majority of the entire Board, or (2) a majority of a quorum, if the call to the meeting provides the language of any proposed change.

4-5 **Decisions on Points of Order**

The Chairman, when presiding at a meeting of the Board, without vacating the chair, shall refer any point of order to the Parliamentarian for an advisory opinion to the Chairman.

4-6 **Same; Appeal to Board**

Any member of the Board may appeal to the Board the decision of the Chairman on any question of order or the interpretation of these Rules of Procedure. A majority vote of those present is necessary to overrule the Chairman. No second is required on a member's appeal.

4-7 **Motion to Adjourn**

At a meeting of the Board, a motion to adjourn shall always be in order.

4-8 **Suspending Rules**

One (1) or more of these Rules of Procedure may be suspended with the concurrence of the majority of the members present.



4-9 Amendment of Rules

These Rules of Procedure may be amended by majority vote of the entire membership.

4-10 Robert's Rules of Order

The proceedings of the Board, except as otherwise provided in the Rules of Procedure and by applicable State law, shall be governed by Robert's Rules of Order, latest edition.

Section V AGENDA

5-1 Preparation

- A The Clerk shall prepare a preliminary agenda for the regularly scheduled meetings conforming to the order of business specified in § 4-1 titled "Order of Business".
- B Any Board member may request that items be placed on the agenda by contacting the County Administrator by 2:00 p.m. on Friday prior to the Board meeting for which they wish the item scheduled. The County Administrator shall place requested items on the preliminary agenda for the next regular meeting following the request, subject to Paragraph A of this section.
- C All items which are requested to be placed on the preliminary agenda which have not been submitted within the prescribed deadline shall be placed on the next regular agenda for consideration.

5-2 Delivery of Agenda

- A The preliminary agenda and related materials for regular Board meetings shall be electronically posted and received by each member of the Board and the County Attorney by 4:00 p.m. on Friday prior to the meeting, unless a later time is approved by a majority of the Board.
- B The preliminary agenda and related materials shall be made available to the public within the County Administrative offices at least by 4:00 p.m. Friday prior to the meeting, or at least simultaneously with the Board's receipt.



5-3 Copies

The Clerk of the Board shall prepare or cause to be prepared extra copies of the preliminary agenda and shall make the same available to the public in the Office of the County Administrator. The Clerk shall also have copies available at each meeting. The Clerk shall post the preliminary agenda in such public places in the County as shall give the public as much notice of the agenda as is feasible.

5-4 Finalization of Agenda

The preliminary agenda shall be finalized at each meeting of the Board upon the Board's decision, by vote or apparent consensus, to add or delete items from the agenda, or to proceed with the agenda without alteration.

5-5 Comments, Queries of Board Members

Board members are to observe the following rules during the discussion of agenda items, public hearings excepted:

- 1 Comments of Board members must be constructive. The Chairman ensures that comments are constructive.
- 2 The Chairman keeps discussions germane to the subject. The Chairman rules other comments out of order.
- 3 Discussion by members should be directed at the issue before the Board, and not at other members.

5-6 Board Commendations

The Board may issue Commendations to any person, persons, or groups for meritorious service to the community or other act meriting special recognition, by Resolution, as Resolutions are adopted. Such commendations shall be signed by the Chairman of the Board.



SECTION VI**BOARD AND OTHER COMMITTEES; APPOINTMENT****6-1 Board Committees; Appointments; Vacancies**

The Board, by majority vote, may establish or abolish standing or Ad hoc committees of the Board (i.e., Personnel, Rules, etc.). Each committee shall consist of at least two (2) members of the Board, unless otherwise established, and its members shall be appointed by the Chairman, with concurrence of a majority of the Board, preferably within one (1) week of the committee's creation or any reauthorization. The Chair shall likewise fill any vacancy. In addition, the Chairman shall appoint one Board member as an alternate for each committee, which alternate may sit and vote in the absence of an appointee to a Board committee.

6-2 Citizen Appointments to Committees

All appointments of citizens, other than members of the Board of Supervisors, shall be made by a majority vote of the Board members present.

6-3 Officers; Visiting Board Members; Alternate Board Members

- A Each committee shall have a chairman appointed by the Board Chairman. In the absence of the chair, the ranking member (in length of service) present shall serve as temporary chair. In the event that the two (2) members present rank equally, they shall agree among themselves who shall serve as chair.
- B Any visiting Board Member, providing there is not a quorum of the Board present, may participate in the discussion of the Committee's business, at the discretion of the Chairman, but not vote.
- C In addition to the alternate, if there is a vacancy at a committee meeting, the committee chairman may appoint another Board member not assigned to the committee to fill the vacancy and serve as a voting committee member for that committee meeting.
- D Any Board member who misses three (3) consecutive regularly scheduled committee meetings of a committee to which he or she is assigned may be removed from that committee by majority vote of the Board of Supervisors.



6-4 Committee Rules

- A These rules are promulgated for the purpose of assisting standing and ad hoc Board of Supervisor committees which exist to advise the Board on County related matters.
- B Wherever possible, Board committees shall operate in an informal manner. Procedurally, committees are encouraged to work cooperatively so as to not require an abundance of rules. However, at the discretion of the Committee Chairman, the Committee may be required to operate under the rules of procedure adopted by the full Board for the conduct of its business.
- C The primary function of Board Committees is to study and prepare issues prior to matters coming before the Board. Committees may often study items more thoroughly, effectively and efficiently than may be done at the full Board level.

6-5 Meeting Times; Notice to Members and the Press

- A Meetings of committees shall, whenever possible, be held within the week after the regular Board meeting.
- B All standing committees should establish regular meeting times and dates, whether monthly or less often. If no business is known, then committees may be canceled with the permission of the Chair of that committee.
- C Ad-Hoc Board Committees should endeavor to establish regular meeting dates and times if it appears that the length of their service may extend beyond the range of three (3) months.
- D Committees should endeavor to not postpone scheduled meetings where there is business to discuss. Wherever possible, business from missed meetings shall be carried over to the next regularly scheduled committee-meeting day.
- E Special (unscheduled) committee meetings shall be allowed if needed, upon written notice authorized by the Committee chair, mailed at least five (5) working days in advance of the meeting date to all committee members and the Board Chair. The Chairman may choose to set a sooner meeting time upon direct notification to, and with the consent of all, committee members.



- F The staff shall endeavor to notify the press of all committee meetings as soon as a meeting is scheduled or canceled.

6-6 **Organizational Committee Meetings; Quorum**

- A The first meeting of any committee after the Board's organizational meeting, and the first after the creation of any new or ad hoc board Committees, shall be called by the Chair of the committee pursuant to the notification rules shown above. The Committee should determine its meeting schedule at its organizational meeting; however, it may later amend its schedule as the need arises.
- B A quorum for business purposes shall be a simple majority of its members.

6-7 **Call by Chairman; Agenda Preparation**

- A Any committee shall convene under these rules in order to consider any matter specially assigned to it by the Chair, upon his or her written request that the committee meet. Such request may require the committee to meet prior to their next scheduled meeting if, in the opinion of the chairman, it is necessary to do so.
- B All committee meetings shall have a prepared notice/agenda electronically posted or delivered to the committee members, the public, and the press at least three working days prior to the meeting. This notice may be shorter upon a special called meeting, with the consent of all members, but every effort shall be made to contact the press regarding any committee meeting. C Committee Agendas and Minutes shall be circulated to all Board members and such other materials as designated by the Committee Chairman.

6-8 **Committee Clerk**

The County Administrator may assign a member of staff to the role of committee clerk for the various committees. This may be the same, or different, person than any person named as Deputy Clerk to the Board.



Section 7 Interaction with County Employees

7-1 Supervisors Actions

Supervisors should maintain close contact with County employees, especially Department Heads, to stay aware of needs of the County. However, unless otherwise legally authorized, no supervisor(s) shall directly give orders or direction to the County Administrator or any County employee unless such instruction is conveying a legal action of the Board.

After discussion, on motion of Supervisor Lackey, seconded by Supervisor Weakley, these Bylaws and Rules of Procedure, as amended, were adopted with the following vote recorded:

J. Dave Allen _____
 J. Dave Allen, Chairman
 Madison County Board of Supervisors

	Aye	Nay	Absent	Abstain
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>	_____	_____	_____

6. Consent Agenda

Chairman Allen advised there was some concern about the items placed on the Consent Agenda with one (1) being of a financial issue that was passed.

Supervisor Elliott verbalized that in his opinion, a consent agenda is just not as strong of a vote as an ‘aye’ or a ‘nay’ and that he wasn’t in favor of the idea of putting a group of items previously discussed by the Board on the consent agenda to be passed at on time.

Supervisor Butler advised that when there is something that would normally be considered for the consent agenda, he would rather have ‘aye or nay’ as a separate vote for each item listed unless there is an overriding reason to do otherwise.

Supervisor Lackey referred to the approval of minutes #1 through #11 – and whether today’s request will call for each set of minutes to be voted on separately.

Supervisor Butler clarified that he would like to take action on the minutes with a recorded vote on the entire group of minutes being presented.



Supervisor Lackey wanted to clarify that it is her understanding that the approval of 'sets of minutes' will be on the consent agenda and if there is a motion, it is assumed that all members are in agreement.

Chairman Allen clarified that the consent agenda requires a motion to approve a 'block of items' such as 'claims, supplemental requests and minutes', which is the idea behind this and there is also a provision in the Bylaws that indicates if any one member wants an item removed and placed on the regular agenda, this can also be done.

Supervisor Elliott explained that when it comes to something like minutes, he has no issues, but if there is a workshop session where the Board discusses giving the school system \$200,000.00 and then come to the public hearing and the public doesn't know that it's on the consent agenda and this is passed and a done deal by consensus, he does have a problem with approving that much money by not taking an 'aye or nay' vote and approving the request by consensus, as he feels the public has the impression that the Board is 'giving away' a lump sum of money.

Chairman Allen indicated he understands how a supplemental appropriation could be misconstrued; therefore, he understands the point being made. In closing, he suggested, if the Board is in agreement at this point, to leave the Bylaws as they are on this issue and be selective about what we put on the consent agenda from this point forward – if a future problem arises, the Board can revisit this issue.

Supervisor Elliott verbalized agreement with the above comment; however, he doesn't think the Board should be transferring large sums of money by consensus.

In closing, all members verbalized agreement with Chairman Allen's suggestion as denoted.

a) Approval of Minutes #1 through #11:

Chairman Allen advised that Minutes #1 through #11 will need to be approved; these minutes were discussed during the previous workshop session and the Board does everything possible not to vote during the workshop session and place mundane items on the monthly consent agenda.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Lackey, the Board approved Minutes #1 through #11, as submitted, with the following vote recorded:

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

Supervisor Elliott advised that "Jerry and Jackie have recorders going" – I read the minutes – Jackie does a good job with the minutes, but sometimes there's a little fine line in the minutes that somewhere could make a difference; is it possible that we could keep the recordings for six (6) months to a year and then do away with them.



Chairman Allen questioned how long are recordings kept.

Ms. Frye advised that once the minutes are approved, they are deleted, as per guidelines denoted by the Library (Of Virginia).

Chairman Allen asked if there is enough space to save the recordings.

Ms. Frye advised that she will converse with John Crickenberger (Valley Office Machines) to see if there is a way to download the recordings as these do take up a lot of space and already slow down the hard drive as it is; she also advised that she has used USB cables to download recordings but the files are too large to be stored on a regular CD.

Supervisor Butler asked the County Attorney about state archive guidelines and if recordings can be kept longer after they're transposed in written form; asked if there was some type of provision.

The County Attorney advised that he was unsure, but will review this issue and report back, as there may be something denoted in the state code under the section about board minutes.

Supervisor Lackey asked if only one (1) set of recordings can be saved on a flash drive, as there are some citizens who may want to do research by reviewing the minutes research.

Ms. Frye advised there are times when several sessions have been saved to a flash drive.

Supervisor Butler asked if the recordings could be saved on the website.

Robert Finks, Director of Emergency Communications, advised that when talking about saving recordings to the website, there will not be enough space to handle all these recordings; also a CD is about 620 megabytes of memory and a flash drive is for gigabytes. In closing, saving the recordings will 'eat up' a lot of storage space on the County's website.

Supervisor Elliott advised that he didn't have any issues with the recordings being on the website, but only that the minutes show how we led up to where we've gotten and how we came to a vote.

Mr. Finks suggested that rather than use flash drives, the County can purchase a USB hard drive for connection to the computer and recordings can be saved to that hard drive rather than onto the actual computer.

The County Attorney advised that there was a case where there was a question about minutes; however, when such issues get to court, he doesn't think the Court will look the recordings, but to the actual recorded and approved minutes.

The County Attorney advised that once minutes are approved, the Board can always go back and make an amendment to the minutes by motion, if this information is needed for that purpose; however, he was only speaking as a matter of evidence, as the approved minutes are admissible in court and not the recordings.



Chairman Allen asked if it was the consensus of the Board for the County to purchase an external hard drive to allow Ms. Frye to save the recordings of the meetings.

Supervisor Elliott asked if this would be a better option.

Supervisor Weakley advised that it would be cheaper to purchase the hard drive rather than flash drives.

Supervisor Lackey questioned if the Board will decide how long to keep the recordings.

Chairman Allen advised that the Board will wait on a report from the County Attorney.

b) Approval of Certificate of Claims – (January/February/March 2012):

Supervisor Butler questioned an entry on the January 2012 expenditure report (page 13) for \$500.00 for the purchases of couches.

Lewis Jenkins, Director of Emergency Medical Services, was present and advised the expenditure was for the purchase of two (2) couches for the EMS Office.

Supervisor Butler questioned the reason for the purchase, as he knew someone who would've been willing to donate some couches.

Mr. Jenkins advised the purchase was to replace the older couches in the EMS office. In closing, he advised that \$500.00 for two (2) new couches was a very good deal, considering they normally sell for \$800.00 each.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Lackey, the Board approved the Certificate of Claims – General Operations for January 2012 in the amount of \$913,933.01, as submitted, with the following vote recorded:

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

Supervisor Butler questioned an expenditure entry on the February 2012 expenditure report (Page 9) for \$4,775.00 and whether is from the current grant made available to the Sheriff's Department.

Ms. Miller advised this is another grant.

After discussion, on motion of Supervisor Lackey, seconded by Supervisor Weakley, the Board approved the Certificate of Claims – General Operations for February 2012, in the amount of \$562,236.24, as submitted, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye



Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

Supervisor Butler questioned an expenditure entry on the March 2012 expenditure report (Page 25) for two (2) payments for propane at the Courthouse and whether there are two (2) tanks located at the site.

Ms. Miller advised that she will have to get with Roger Berry of Facilities/Maintenance on this issue, as she is unsure.

Supervisor Elliott advised that he was sure there was only one (1) propane tank at the Courthouse; he also advised that in reviewing the reports, he'd like everybody to keep in mind that just because there's money in the budget doesn't mean it has to be spent, be careful how you spend as there are a couple of things where a better job could've been done.

Supervisor Lackey asked Supervisor Elliott if he wanted to point them out, to which he advised that he did not.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Weakley, the Board approved the Certificate of Claims – General Expenditures for March 2012 in the amount of \$590,158.97, as submitted, 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) Approval of Certificate of Claims – (Capital Improvement – January 2012):

Supervisor Butler asked about the total amount denoted for the capital improvements claims as being \$580.77; however, in reviewing the supporting documents, the total is \$680.77 instead.

Ms. Miller advised that she would get with Cheryl Corbin, Accounts Payable Technician, to determine why there is a difference in the amount denoted for approval and present this claim to the Board at a future meeting for approval.

Supervisor Weakley asked if the capital improvement claim covered agricultural services and whether this was for a contracted agreement.

Ms. Miller advised this is monies the County paid for the last update on the joint CIP.



Chairman Allen questioned whether a change to today's capital improvement claim would change the balance on the other reports.

Ms. Miller advised there was only one (1) report for today's session.

d. Certificate of Claims – (Tot Fund – January/February 2012):

Chairman Allen advised the Board will need to approve the Certificate of Claims for the TOT Fund for January 2012.

Supervisor Butler asked about the claims for the TOT Fund as presented and mentioned he thought the Board agreed that a certain amount was to be kept in the fund.

Ms. Miller advised there have been some expenditures for another month. Also, she advised the Board only appropriated to cover the first major billing which totaled \$8,000.00. She has conversed with the Ms. Gardner this week to determine how many more billings will be brought forth as opposed to returning to present supplements on a monthly basis. Apparently, there will be an ongoing billing in the amount of \$500.00 to \$600.00 per month to cover the website hit they've attained. Ms. Gardner will advise next week of the exact amount the expenditures will return next month with a request for a lump sum transfer over to the TOT Fund.

Ms. Miller advised that the Board didn't denote a total, but did supplement \$8,000.00 for the initial payment to "EBRAINS"; however, since that time, there have been other things that Ms. Gardner has been doing on an ongoing basis. Additionally, it is her belief that the Committee has the understanding that the Board authorized them to do what they need to do in order to enhance tourism as long as they were staying within the requirements of the code section. In closing, Ms. Gardner has advised the existing process will be ongoing and a bill (i.e. was \$500.00 in February 2012) for \$450.00 was received yesterday. In closing, she suggested if the manner in which the Committee is proceeding isn't what the Madison County Board of Supervisors desired, perhaps the Board should make this known to Ms. Gardner.

Supervisor Elliott questioned if the amount verbalized was \$5,000.00, to which Ms. Miller advised is only \$500.00.

Supervisor Lackey questioned whether there was any indication as to what the funding request was for.

Ms. Miller indicated the funding is for a template and believes from this point forward, the funding is to cover a monthly subscription to keep the website up and running. In closing, she suggested the Board have Ms. Gardner come to a meeting to provide a full overview.



After discussion, on motion of Supervisor Weakley, seconded by Supervisor Lackey, the Board approved the Certificate of Claims – TOT Fund for January 2012 in the amount of \$8,000.00, as submitted, with the following vote recorded:

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

After discussion, on motion of Supervisor Lackey, seconded by Supervisor Weakley, the Board approved the Certificate of Claims – TOT Fund for February 2012 in the amount of \$500.00, as submitted, with the following vote recorded:

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

Supervisor Lackey suggested the Board request more detail from Ms. Gardner and whether this will be a recurring cost, and if so, provide information as to exactly what it's for.

Ms. Miller advised that she will ask Ms. Gardner to attend the April Workshop Session to provide a progress report the Tourism Committee.

6. Discussion/Action Items

a. Six Year Road Improvement Plan for Madison County (FY2013-2018)

Supervisor Lackey questioned the fact there appears to only be enough funding to work on one (1) project denoted in this year's plan; therefore, if the proposed plan is approved, will there be an opportunity to change the priority.

Mr. Cabbage advised that Shiflett's Corner and Twyman's Mill are projects in which funding is still being accrued and there should be enough funding within the next few years to move forward with the improvements that are needed; however, in closing, he advised the Madison County Board of Supervisors is authorized to make changes or adjustments to the plan.

Supervisor Butler thanked Mr. Cabbage for attending today's session.

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Elliott, the Board approved Resolution #2012-2 (Six Year Road Improvement Plan for Madison County for FY2013-2018), with the following vote recorded:



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

e.) Madison County Full Service Elevator Contract

Supervisor Elliott advised that the shaft on the elevator at the Courthouse has no warranty and the shaft is worn out. After investigation, he advised that a refurbished shaft can be purchased without a warranty and a new shaft has a one (1) year warranty. Furthermore, the shaft that is currently in place is only a little over one (1) year old. In discussing this issue with Ms. Miller, he feels the County would be better off to have a one (1) year warranty than invest in a refurbished shaft (i.e. new shaft - \$12,000.00 versus a refurbished shaft - \$9,000.00) that doesn't offer any type of warranty.

Ms. Miller advised the aforementioned information was on the repair; however, the other item the Board will need to investigate is the actual contract that will be updated for review. Additionally, if the County wants to renew the contract, the company is 'sole source' and is the same company that the school system has in place to service their hydraulic elevator. Currently, the County has no contract in place for. In closing, she current elevator isn't a 'hydraulic' model and the driver has worn out, and the County isn't in a position where installing a hydraulic elevator can be funded at this time.

Supervisor Elliott advised there were discussions about a hydraulic elevator when the Courthouse was being renovated; however the contractor (Warren Flynn, Inc.) installed something different and the architect accepted what was installed.

Ms. Miller advised the service contract in place on the elevator at this time is for oil and grease only; however, the contract being discussed today will provide greater service. Additionally, she advised the Board will need to decide whether to move forward with the major repairs.

Chairman Allen questioned what the signed contract would entail.

Ms. Miller advised that she was unsure of the exact details as she doesn't have the document in front of her; however, she indicated she will send the contract to Supervisor Elliott for review and reference onto the Board.

Mr. Finks advised that current service on the elevator only includes oil and grease, which for a hydraulic elevator, which the County doesn't currently have in place.

Supervisor Weakley wanted to clarify this service agreement is for the elevator at the Courthouse, which isn't very old, to which Ms. Miller advised is going into its third year.

Ms. Miller advised that a signed contract will require the Board to move forward with the necessary repairs; also, she advised that the County doesn't have a repair contract in place.

Chairman Allen suggested the Board review the contract at the April Workshop Session.



Ms. Miller also advised that the elevator is being repaired, as ADA requirements must be met.

f. Graves' Mountain Lodge (Entertainment Festival Permit):

Chairman Allen advised that Graves' Mountain Lodge has presented a festival permit request for approval and all criteria has been met.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Weakley, the Board approved the festival permit request as submitted by Graves' Mountain Lodge, with the following vote recorded:

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

g. Resolution #2011-5 (To Amend the Madison Animal Control Ordinance)

The County Attorney advised the issues of amending the County's Animal Control Ordinance was discussed during the last meeting and the Board tentatively scheduled a time to do this in May. However, after conversing with George Webb, Commonwealth Attorney, and Mr. Webb advised the Ordinance can be amended by Resolution at this time and will be sufficient with regard to the current code section and can be enforced (i.e. on dog tags). In closing, he advised if it is discovered that this method is incorrect, he will return to the Board for further reference.

Chairman Allen advised the Board usually schedules a public hearing to discuss these types of issues, to which the County Attorney advised can be cancelled in the event the Board adopts today's Resolution.

Supervisor Lackey questioned that today's Resolution will update the Ordinance to the proper code.

The County Attorney advised that "section 3.1" is not "section 3.2" in a different section; this issue evolved regarding dog tags.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Lackey, the Board approved Resolution #2011-5 (To Amend the Animal Control Ordinance), with the following vote recorded:

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

4:00 p.m. Public Comment Opportunity (not to exceed five [5] minutes per speaker)



Bill Campbell was present and advised of an incident that occurred in February 2012 and the fact that he has been trying to get on the Agenda for the March Regular Meeting for public comment and has been able to do so – he spoke with the Chairman last month and was advised that what he wanted to discuss wouldn't be allowed for discussion as it involved individuals within the employ of the County. He also advised that his attorney has made numerous telephone calls to Chairman Allen and they haven't been returned. In closing, he asked the County Attorney what he will need to do in order to get on the Agenda to discuss an issue involving a County employee during a closed session and be allowed to remain during the session.

The County Attorney advised that a written complaint can be issued to the Board; however, only the Board can decide who will be allowed to remain in a closed session.

With no further comments, Chairman Allen closed the public comment opportunity.

**7. Board of Supervisor's Meetings Attended In Past Month:
Parks & Recreation Authority & Skyline CAP:**

Supervisor Weakley advised an emergency meeting held by the Park & Recreation Authority with nothing major to report; he also attended a meeting of the Skyline CAP in which there were discussions to look at potential property in Madison County that could possibly be utilized to offer affordable senior living and low income families, similar to the wonderful venture located in Greene County (Jack Russell Apartments).

Skyline CAP & Social Services:

Supervisor Butler attended a meeting of the Skyline CAP; he also attended a meeting of the Social Services Board where it was denoted there will be two (2) openings on the Board in June 2012.

Valerie Ward, Director of the Department of Social Services, advised that the department will be offering training for new board members and she has also been asked to provide information for potential applicants.

Chairman Allen asked if the Board would like this to be something the new County Administrator should be involved in.

Supervisor Lackey asked about the Comprehensive Services Board.

Ms. Ward advised they are a policy management team that consists of representatives the member agencies involved with comprehensive services.

The County Attorney advised that Ms. Robertson, former County Administrator, was already appointed to the Department of Social Services Board prior to being appointed as the County Administrator.

Rappahannock River Basin:

Chairman Allen attended a meeting of the Rappahannock River Basin Commission where it was reported they will begin looking into the urban contribution to the nitrogen levels being placed into the river by the agricultural industries. Also, Channel 29 News had an



article that reported on the Rivanna River Basis Commission in which the farmers are solely blamed; however, anyone who is familiar with the price of fertilizer knows farmers cannot afford to put down more than they need.

8. Closed Session:

Closed Session

On motion of Supervisor Butler, seconded by Supervisor Weakley, the Board convened in a closed session, pursuant to Virginia Code Section 2.2.3711 (A)(7) and (A)(29) pertaining to personnel matters concerning consideration or interviews of candidates for employment or appointment to authorities, boards, or commissions, specifically the County Administrator and the Courthouse Project, with the following vote recorded:

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

Chairman Allen advised that any action taken will be announced during the 7:00 p.m. session.

Reconvene in Open Session

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

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

Certification of Compliance

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board certified by roll call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711 (A)(7) and (A)(29) and only matters that were identified in the motion to convene a closed session heard, discussed or considered in the closed 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



Other Items:**General Assembly:**

Chairman Allen advised that he spoke with Delegate Ed Scott and he indicated the General Assembly will not be voting on the budget at 3:00 p.m. on Tuesday, April 17, 2012, which is the same day this Board plans to adopt the budget. Also, he advised that the General Assembly will more than likely adopt the House version of the budget which includes an additional \$214,000,000.00 for education, which is broken down into categories and is part of a block grant of about \$55,000,000.00 per year. According to the information provided by Ms. Miller from VACo, the money to be approved will increase funding for Madison County Schools by an additional \$227,457.00. In closing, he hopes the school system has been made aware of this information.

Supervisor Butler also advised that the highway safety fund for Madison County will not be affected, as Madison is a locality with a percentage below thirty percent (30%).

Rescue Squad

The County Attorney advised that Steve Grayson and Lewis Jenkins provided an update on the cost recovery program for the volunteer rescue squad; he advised that this issue is currently delayed as he is in the process of reworking the agreement.

Chairman Allen advised that he plans to meet with Mr. Grayson sometime next week; also, there doesn't appear to be any issues with removing the language that was discussed, but the volunteer rescue squad is concerned that a definition be in place to cover billing as far as what constitutes accrue once they start billing like the County currently does (i.e. the County can claim the fee if there is one (1) paid medical services person to assist the volunteers).

Chairman Allen asked if the Board would like to discuss tonight's issues after the conclusion of the public hearing or meet in another location by continuing tonight's meeting or call a special meeting.

Supervisor Lackey suggested the Board meet.

Chairman Allen advised that if budget numbers change dramatically during tonight's session, the Board can have a meeting and adopt the budget at a later time. In closing, he questioned whether the Board can adopt a tax rate on April 17, 2012 and not the budget, as the Treasurer and Commissioner need to have a tax rate in place in order to process the bills which will need to be mailed shortly.

The County Attorney advised that he will investigate that option and report back.

Supervisor Weakley questioned whether the school system provided the information that was requested.



Chairman Allen advised that he did receive a second response from Dr. Eberhardt regarding information from the Attorney General.

Supervisor Lackey asked if the meeting is continued, will it be tomorrow morning.

Supervisor Weakley advised that he was contacted by the news regarding comments that have been made by several parents.

Chairman Allen asked the County Attorney is he was aware that Dr. Putz received a trespass order from the school system.

The County Attorney indicated the Sheriff advised that Dr. Eberhardt had written a letter to denote that Dr. Putz couldn't attend tonight's meeting on school property; however, from a legal standpoint, tonight's meeting is a public forum.

Supervisor Butler advised that the Sheriff has advised that he does not plan to enforce the trespass order imposed by Dr. Eberhardt to ban Dr. Putz from school property. In closing, Dr. Putz has advised that the only thing he did was to enter the School Board Office to attain a copy of the proposed budget and was told to have a seat, but there were no chairs in the vicinity – Ms. Patterson came behind him, frightened him, and didn't appear to be very happy about his request. In closing, Dr. Putz advised that he was more afraid of Ms. Patterson that she appeared to be of him.

Chairman Allen advised that based on what he was told, Dr. Putz apparently made demands of Ms. Patterson, Executive Assistant to the Superintendent, for documents and became threatening to the point that Ms. Patterson went into an office, closed the door, and Dr. Putz proceeded to bang on the door.

Chairman Allen recessed the meeting until 7:00 p.m. in the auditorium of the Madison County High School.

9. Reconvene Meeting at 7:00 p.m. in auditorium at the Madison County High School

Chairman Allen reconvened the meeting and advised the Board is reconvening from the afternoon session - all members are present and a quorum was established.

Chairman Allen advised that the Board convened in a closed session during the 3:00 p.m. session and action was taken at that time.

As a result of closed session, on motion of Supervisor Lackey, seconded by Supervisor Weakley, the Board authorized the Chairman to make an offer of employment for the Madison County Administrator to an individual that has been interviewed for the position of County Administrator, with the following vote recorded:



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

Chairman Allen advised that the purpose of tonight's meeting is a public hearing on the proposed FY2013 Budget for Madison County.

10. Public Comment Opportunity:

Chairman Allen opened the floor for public comment on any matters not pertaining to the FY2013 Budget.

Dr. Putz was present and submitted a typed statement to the Board (attached to the minutes) which he read in its entirety.

With no further comments being made, Chairman Allen closed the public comment opportunity.

11. Public Hearing on Proposed FY2013 Budget & Tax Rate for Madison County:

Chairman Allen moved forward with the public hearing on the proposed FY2013 Budget.

Ms. Miller read the highlights presented for the FY2013 Budget for Madison County.

Chairman Allen commented on an email that was sent based on the local composite index for Madison County.

Supervisor Weakley also commented that there are many unknowns at this point.

Chairman Allen advised that he has conversed with Delegate Ed Scott and was advised the General Assembly will act on the budget next week and there will be additional educational funding.

Supervisor Lackey advised that she feels the proposed FY2013 Budget for Madison County is fair, just, and the Board is dedicated to making improvements to the schools to improve health/safety; all members have toured the schools and are aware that dehumidifiers are used in the high school to cut the moisture in the air; that kids are learning in an environment where there is background noise; they can't open any windows; sometimes there is mold seen on the walls; and there is a lot that needs to be done. Furthermore, there have been scientific studies to denote what needs to be done; however, the cost to get the schools in proper conditions will be over \$9,000,000.00 and the Madison County Board of Supervisors is willing to borrow the money to do the work because the Board feels it's important for the health/safety of our kids and for the teachers as well. Essentially, this will encumber the County to use money from taxes to repay the loan for the next fifteen (15) years – for those in the community who feel the Madison County Board of Supervisors doesn't care about the students and teachers, is a fallacy, as the Madison County Board of Supervisors is trying to do its best to ensure the kids have a safe environment in which to learn.



Supervisor Elliott advised that he is a strong supporter of education and would like to have figures to know how taxpayer's dollars will be spent; as of this time, the Board hasn't been presented with factual information and he hopes 'we can work this out. Also, there are things within the proposed budget that he doesn't agree with (i.e. doing away with the landfill hangtag, increasing the real estate and personal property taxes) as he feels the fee can be done away with, but imposing additional taxes will impose a burden on the citizens. Also, he has concerns about one (1) department that was cut (i.e. Sheriff's Department) by \$10,000.00 in highway safety funds in lieu of the fact the particular department collected \$110,000.00 in revenue from highway safety and he can't go along with the imposed cut.

Supervisor Butler emphasized that he has 'family in the school system' and he is a strong supporter of education; however, if a request is made for \$100,000.00, he'd like to know exactly what the funding will be used for. In closing, he stated that fifty percent (50%) of the proposed budget is 'non-school' and with 13,500 citizens, he is concerned about the seniors who have to make choices between food, rent and the other necessities of life – when it comes to paying real estate taxes, he'd like to keep taxes as low as possible, but still be able to fund all the necessary things.

Supervisor Weakley advised that the Board has talked about moving forward on the school projects; there have been a lot of numbers discussed in the range of about \$9,700,000.00 which don't include a new auditorium or expanding the cafeteria, but are for health/safety issues. Also, the debt service payment was presented to the Board and it was denoted that any of the options identified in the CIP will actually lower the County's debt service than what it currently is.

Chairman Allen opened the floor for public comment; he asked that all speakers step to one of the microphones on either aisle, identify yourself and whether you're representing an organization, and where you are from. In closing, he asked that comments be limited to three (3) minutes – once everyone desiring to speak has had the opportunity to do so, he may then allow people to return for additional comments.

Ann Klockner of the Rappahannock Legal Services was present and thanked the Board for their continued support and level funding of \$2,000.00 to be received in the next fiscal year; their clientele has increased within the (5) counties they serve; they currently employ two (2) attorneys that provide legal services (i.e. social security collection, landlord/tenant issues, domestic violence issues, enforceable spousal and child support issues) to low income citizens.

Cary Stanley was present on behalf of the Rapidan Volunteer Fire Department and thanked the Board for the continued financial support and emergency services assistance.

Dawn Foster of the Reva Volunteer Fire Department was present and thanked the Board for the continued support; although they were on the verge of reduced funding in the past, the department is appreciated of their funding request being reinstated.



Brian Duncan of the Rappahannock-Rapidan Community Services Board was present and thanked the Board for the continued financial support; the funding request was a little less this year than the past year's request based on the census; he also advised that a future expansion of the senior center is in the works and should be in place within the next year. In closing, he advised that the County's representatives have been very active on behalf of the citizens of Madison County, and there is a non-profit committee that meets every other month to discuss additional services; he will return later in the month to provide the Board with a detailed presentation on services that are offered to the citizens of Madison County.

Tom Warring was present and verbalized the following: transparency is missing within local government; why the amount of funding was increased by \$1,400,000.00 to the contingency fund; the majority of County employees are getting a raise, but school personnel will not, which is wrong.

Chairman Allen advised that today's session isn't a 'question/answer' period, and asked Mr. Warring to please contact the Supervisors for additional information.

Chris Miller of Aging Together was present and thanked the Board for its continued support; she also provided a brief update on training/education events offered for the citizens and advised there will be an upcoming training session for caregivers of older adults along with various types of resources that are also available; they hope to provide two (2) training sessions during the upcoming year to law enforcement and emergency response personnel to enhance the needs of older adults, as well as investigate workforce issues for older adults and try to develop local solutions as to how to create excitement regarding healthcare careers with options for students; will continue to serve as a resource tool with a desire to assist the County in any way possible by assisting older adults within the community.

Peter Thompson of Oak Park was present and expressed: dissatisfaction with the proposed budget and feels that someday; we have to stop increasing taxes every year and feels the County seems to have been on a schedule for the past ten (10) years... 'we can't double the tax rate every eight (8) to ten (10) years'; his current tax rate equals a monthly utility bill and if the Board is asking for suggestions as to how to save money, there's a question regarding, there's a question regarding all the law enforcement vehicles parked at the drug store.....how many vehicles does the County own that are being fueled, oiled and being fitted for tires; citizen's tax dollars are used to operate the landfill, and yet, citizens are being charged to use the facility – citizens' tax dollars also fund the school, so should the kids be charged \$1.00 a day to ride the school bus; is there an explanation as to what 'at risk youth' are, as it appears the County is spending \$2,000,000.00 – there are 2,000 kids in the County which equals about \$1,000.00 per child – maybe these kids should be given swing blades to use at Hoover Ridge all weekend cutting the lawn; he feels his son received a fantastic education in Madison County Schools and received a full scholarship to a fine university; however, some types of restraints must be put into place during these hard economic times - County employees and school employees are getting a tax raise, 'but I'm getting a tax cut' –if



the plan is to borrow money, taxes will increase again next year; he's aware that a new County Administrator has been hired and he hopes this is a better deal than what we had the last time.

Scott Honaker was present: referenced a quote made by the Chairman in a prior edition of the Madison Eagle regarding the fact that the school system could work with the same amount of funding as was utilized in the prior year; the Madison County Board of Supervisors' has realized the County needs more money and this should also be the same for the school system; he feels the Madison County Board of Supervisors has the chance to show, by your actions, that you are pro educational.

Tori Knighting was present and advised that she has two (2) children enrolled in the local school system; feels the proposed funding cuts to the school system will effect the school's ability to maintain programs and provide textbooks for the students; the Madison County Board of Supervisors appears to be 'pro-education', as anyone who was for education would recognize the effects that the proposed funding cuts will have on the local school system and will take things from bad to work and is unacceptable; many people pay for supplies out of their own pockets; no one likes to talk about salaries, but this issue can't continue to be ignored, as this shows an individual whether your service is valued and appreciated – the teachers haven't had a raise in several years and are the lowest paid in the area, and received no additional compensation and many hold advanced degrees; due to the increases in VRS and health insurance, they may actually see a cut in their pay; therefore, how can Madison County continue to retain teachers when folks can drive to surrounding localities and received \$8,000.00 to \$10,000.00 more in salary – this area will eventually be the area where teachers will start, get one (1) to two (2) years of experience and then leave; times are tough and the problems we're faced are no different than others in the State. If the County feels we need to tighten our belts, then let's all tighten our belts; presented the Board with a petition of 400 signatures to express the citizen's displeasure and to also ask the Board to stand up for the students, teachers and staff, and stop the devastating cuts that are being proposed.

Tori Gilbert was present and advised: she doesn't feel the Madison County Board of Supervisors' values the educational system in Madison County; proposed funding cuts will cause the teachers to actually take home less pay and will ultimately effect the students as well; provided statistics regarding the 'drop out' rate in the past year for Madison County – feels those who don't finish high school ultimately become involved in criminal behavior whereas those who do graduate tend to be more involved with donating their time and money to local organizations; the average cost per student in Madison County is about \$127,000.00 which may sound high; however, the average cost per jail inmate is \$374,000.00, which is almost 300% more; also a college graduate pays more in taxes than a person who doesn't graduate high school; educational investment in Madison County will yield a positive asset in the future; she questioned Supervisor Weakley regarding the fact that he will have two (2) daughters to be enrolled here in the near future and whether he would elect to send them to Madison schools if program of interest to them were cut and therefore, hindered their chances of excelling;



she also referred to the fact that Supervisor Butler has three (3) grandchildren enrolled in the school system and how he would feel if programs weren't available to them and whether he'd go to the school board and request some changes to better support his grandchildren; cutting any programs will result in the children being denied the opportunity to participate in something they enjoy; she hopes with confidence that the Board is taking tonight's concerns into consideration and that the budget will be re-evaluated; in today's society, there are 'smart cars and smart phones', however, she believes it's wise to invest money into our children so we can have smarter people as well.

Heidi Lohr was present and although she appreciates what the Madison County Board of Supervisors does for the citizens; questioned the message that's being sent, as the school's budget is already stretched to its capacity; suggested the Board look at lifting the restrictions for new businesses trying to get into Madison County in an effort to help the County's tax base; she invited the Board members to visit the classrooms and be very careful and consider how the decisions you make and how they will affect our children; encouraged the Board to help the school system continue to be one of the best around.

Jordan Gray was present and expressed disappointment and feels it's so 'stupid' that 'we have to have a meeting like this' – questioned why is there not funding for this school; there are cracks in the walls, chipping paint, and the students have to sit in the hallway to eat lunch....it's silly'; no other County in the State has to do this and 'you guys don't care and you absolutely do nothing for us!'; feels Madison County has some of the best teachers right here and their pay has been decreased – they deserve a pay raise; when the teachers are let down by a decrease in the school's funding, this falls on the students here; 'please don't cut the funding' – if anything raise the funding as the school is falling down around us.

Leri Thomas was present and feels: there is a misunderstanding that money falls from the sky; she suggested the Board increase retail sales and use this as a means to increase jobs and gain revenue for the area of education; she also suggested the County take the middle school and high school and lease them to someone as a business park which would create enough funding to build two (2) new schools; the mold problem will not be resolved by using dehumidifiers; she urged the Madison County Board of Supervisors to 'have some backbone' and stop advising that 'the school didn't supply the figures' and instead advise that 'if you can't give us the figures, then we're not going to make any decisions.

Jeff Early, Chairman of the Madison County School Board, was present and advised that the Madison County Board of Supervisors got the same amount of information in February 2012 that was received by the school board; he has been on the School Board for twenty (20) years and the school system has utilized the same budgetary format all these years and now the Madison County Board of Supervisors needs more; however, this is all the school system had to work with. Mr. Early advised that he did speak with Chairman Allen last week and the discussion was written on an envelope based on



discussions with the Superintendent, and there was discussion about the ‘bottom line figure.’

Chairman Allen advised that he was given some numbers but there was no indication about a ‘bottom line figure.’

Chairman Early advised the school system is faced with a State mandated five percent (5%) VRS increase (\$626,000.00) that the school system can’t manufacture and will have to impose cuts; there is also an 8.77% increase in healthcare costs (\$127,000.000); a 2.5% salary increase (\$320,000.00) – if the information reported today is accurate, the school system will be looking to cut sixteen (16) to twenty (20) teaching positions; he had a copy of the school’s budget on hand for anyone desiring to review it, and he understands the school system faces the same issues as the County with regard to salaries and it’s hard to ascertain that the school system can do anything except impose cuts. In closing, the school system usually has money remaining at the end of the school year (about one to two percent), that comes from construction, fuel, but those things vary from year to year, which is ‘very thin’, as the State recommends the amount be about ten percent (10%). In closing, he advised that it has been indicated by a scholar that ‘education is the future and success the Country depends on...” so ‘we need to wake up before it’s too late’ – he asked the Madison County Board of Supervisors to do what is possible to support the school system’s budget.

Tina Haywood was present and advised that she lives in Madison County but works elsewhere and supports the various programs offered by the school system; there was a comment made by the Madison County Board of Supervisors seem to lack a team effort and there appears to be a gross amount of ‘lack of’ in Madison County that she doesn’t understand; also, the Madison County Board of Supervisors responded to one request this evening and not to another, which she also doesn’t understand; if she hires someone to manage her money and they don’t do things correctly, they’re fired – the Board is paid a salary to manage the County’s money and should be more conscious of where cuts are made; her mother has worked in the school system for over thirty (30) years as a Para-educator who opens the building and works fourteen (14) to fifteen (15) hours a day to only bring home about \$900.00 per month – here the Board is complaining about working for four (4) days for eight (8) hours each day to work on the budget - if the Board imposes cuts to the school’s personnel, her mother will be bringing home even less; therefore, she questioned when was the last time any Board member had to live on less than \$900.00 a month; it’s the Board’s responsibility take care of the kids as they are our future.

James Nelson, Vice-Chairman of the Madison County School Board, was present and advised that he strongly feels that people want to live where there’s a good school system; he also feels that all folks want the County to have good schools and provide a benefit to the students; he also feels that everyone needs to fully understand how school funds are spent, as the monthly reports can be confusing; details of the expenditure reports are explained during the school board’s monthly meeting and he



offered to sit down one-on-one with folks and explain the report, line by line, in an effort to help folks understand the system the school system utilizes.

Sandra Aldrich was present and stated it's evident that the County and the school system needs money; however, the citizens don't have anymore; also, if the County would allow more businesses to come in, this would greatly help....the Board needs to change its way of thinking.

Dave Ashley was present and advised that he reviewed the budget and saw that County employees have received raises ranging from seven percent (7%) to thirty-one percent (31%); he's very confused how one (1) secretary can get a \$8,300.00 raise and another by \$2,000.00; what justification was done and was a cost assessment done on County employees on how to give a raise or was it the 'good old boy system' to make a new position; also, a manager was given a \$9,600.00 raise and was this because the Director of Facilities/Maintenance has been eliminated (which I he has been eliminated for good) or will that be put back in later on; there's a custodian that has been changed from part-time to full-time – has the work load increased that much; you moved people from one building and back; why is there an emergency services coordinator as a full-time employee when he's only part-time....did we kick the hours up because we thought there was going to be an emergency here; he strongly suggested the raises be re-evaluated and more equally distributed; he also questioned why County employees go to the post office to pick up mail – I get mail delivered to my home- we could save costs from these people going to the post office - the time that they spend doing that can be more positively used in their jobs; he strongly recommended the Board reinstate the \$10,000.00 back to the Sheriff's Office, as this is quite stupid when the man brings in \$130,000.00 a year and you're cutting out \$10,000.00, as this doesn't make sense; he agreed with comments made by Ms. Thomas, as he doesn't see putting a lot of money into the school, and feels 'his money' would be better spent to build a new school instead.

Bill Campbell was present and stated that every penny he ever borrowed was his responsibility to repay; although he believes the kids are our future, the debt that will be incurred (capital improvement plan) will be their responsibility to repay; he doesn't believe that shifting the tax burden (i.e. land use and lowering the farm tax) is equal.

Donald Hitt was present and stated that the existing recession has created much havoc; teachers cannot stand by and be silent; funding cuts affect the children and will force teachers not to remain loyal; he feels the Madison County Board of Supervisors has the opportunity to turn things around and do what is right.

Ralph Nicholson was present and feels the school has a big budget; therefore, he suggested the School Board cut some of the 'fluff' (i.e. swim team) – also, comments have been made unfairly tonight as he feels education is all about discipline, which Madison should be pushing to do; in reference to taxes, 'enough is enough' as once taxes are increased, they are never decreased and the taxpayers need a break.



Tony Lamb was present and advised that he had Mr. Jim Nelson as a teacher during his school years and he wanted to thank Mr. Nelson for all that he did.

Warren Powers was present and advised that he understood the Madison County Board of Supervisors doesn't have an easy job; however, the kids are the future of our community.

Sarah Stilwell was proud and advised that she was proud to be a teacher in Madison County; she also advised that if the cuts are imposed, the children will grow up and leave, which is why she left her home state as they usually exit about ten (10) to fifteen (15) teachers each school year; she feels that openness and compromise is greatly needed here and the Madison County Board of Supervisors' assistance is greatly needed.

Scott Honaker returned to speak and commented on the announcement that the State will be giving more funding and questioned the composite index and debt service.

Leri Thomas returned to speak and advised the crisis is a national problem and this is a time of compromise; therefore, she encouraged the Board to let someone buy the old Criglersville Elementary School or use it some constructive manner, as the County needs to re-think things; no one is making much money at this time and the County is only 'putting a band aid' on the facility instead of utilizing ideas on how to run things more effectively.

Alice Broyles and her daughter were present; Ms. Broyles feels the students need the opportunity to be stimulated and the proposed cuts will only hurt the students; her daughter also spoke and advised that she enjoys a challenge and feels this should be given to all students.

Katherine Johnson was present and feels the kids of Madison County need everything they have here; as a teacher, it's more than just coming in the doorway – we do things in our day that aren't included in our contract because this is what we do and love....in essence, this IS our life and we love it.

Mikie Lyddane was present and advised that the livelihood of Madison County will not be made in agriculture in the future and the County has got to think outside the box; things have got to move forward; our kids don't have as many opportunities as kids do in other localities.

Valerie Miller was present and advised that she returned to Madison County after living away; education is her first priority as she has a six (6) year old in kindergarten and a three (3) year old, but she is scared too death of what these children will have to encounter within the next twelve in their academic careers; there appears to be a huge disconnect between the Madison County Board of Supervisors and the County in general, and there a lot of problems that have been published in the newspaper and people aren't getting the answers; also, if you're not going answer our questions here, when are you going answer them and when are we going to get the information that we need in order to understand the reasoning behind what transpires; something has to be done in order to keep funding available for the programs being offered and there has to



be a way to get information available to the citizens without them having to attend each meeting.

Mary Breeden was present and advised there would be no need for tonight's discussion if there was a greater tax base in the County.

With no further comments being brought forth, Chairman Allen closed the public hearing session.

Supervisor Butler addressed Ms. Miller's comments and asked if the County's website was helpful if the minutes are posted to the website; the Board discussed tonight's issues back and forth; citizens don't have to attend each meeting, but if you review the minutes, they will give you an idea as to how things have come about on particular issues. In closing, the Board doesn't have a column in the local newspaper for 'County government' as a fee is charged for everything that the County wants to publish.

Ms. Miller advised that the minutes give a general idea but nothing detailed, to which Supervisor Butler advised the Board discussed concerns today, and this will be worked on.

Supervisor Weakley thanked the citizens for coming tonight; he has also assessed ways that he can make himself more accessible, whether it be by email or a public forum, as the citizens deserve answers. In closing, he realizes that not all citizens have access to the internet, but there has to be a way to communicate and get all questions answered, and he also feels that expanding the local tax base is something that he's very interested in. In closing, a comment was made about 'bringing ideas forth' which he was in favor of; he asked that any citizens with ideas should feel free to email him.

Supervisor Elliott advised that he fully understands what the citizens are feeling; however, he asked what assurance can be made on the part of the Madison County School Board that requested funding will be used for raises and the VRS mandates.

Supervisor Lackey concurred with comments made by Supervisor Weakley in that the Madison County Board of Supervisors are available to the citizens; however, if there is a call for more business in Madison County, there must be infrastructure in place. Also, the senior and school population isn't growing within the County and the contingency funding is in place to cover many issues. In closing, she advised that the County's budget shows a line-by-line account for all categories and the Board will do its best to find funding, which will probably result in the need to increase the real estate tax rate.

Chairman Allen thanked the citizens for attending tonight's meeting and advised your thoughts of wisdom have been heard and will be factored into the Board's decision making process. Also, he advised there are three (3) areas he would like address:

- a) A voicemail was received from Delegate Ed Scott to advised that the local school system will receive an additional \$225,000.00 based on how things appear right now;
- b) This Board can re-appropriate \$225,000.00 to the school system in July 2012, which will be \$450,000.00 (a discussion was held with Mr. Nelson);



Chairman Allen advised that the Madison County Board of Supervisors is trying, and asked for a 'show of hands' to denote who is willing to endure a tax increase in order to meet the school system's need.

Chairman Allen also advised the question has been raised regarding communication between the Madison County Board of Supervisors and the citizens; the Board members try to make themselves as available as possible to the citizens.

Chairman Allen advised that three (3) years ago, the Board tried to hold town meetings and two (2) sessions were held – at the first meeting, only one (1) person showed up (a member of the planning commission) who wanted to see who else would show up; therefore, he questioned if the citizens in the auditorium tonight are willing to participate in town meetings. The initial meetings were scheduled for one (1) Saturday morning and one (1) Wednesday evening.

Several citizens advised they'd be willing to attend; however, most parents have youth sports on Saturday mornings.

Chairman Allen questioned if the Board alternated dates and times, would the citizens be willing to 'make it work', to which several replied 'yes.'

Chairman Allen advised the Board has discussed this issue on a number of occasions; however, there hasn't been any citizen interest exhibited in the past, but is willing to try again if there is an interest. In closing, he extended the invitation to school board members as well.

Tori Knighting questioned whether transparency will be demonstrated to the citizens by the Madison County Board of Supervisors; she advised the budget synopsis that was advertised in the local newspaper doesn't provide enough information to the citizens to form an opinion about the budget; she had to pay \$10.00 to receive a copy of the draft budget and questioned why it wasn't posted to the website; the Madison County Board of Supervisors questioned the school board's budget line by line and asked them to justify the contents and she'd like that same level of transparency from the Madison County Board of Supervisors.

Chairman Allen stated the budget will be posted to the website as soon as possible; however, this does take time and there's no sense in the Board going through the process of downloading a document to the website that will not remain there. In reference to the cost to attain a copy, the cost of duplicating the budget is about \$10.00 and the Board is only trying to avoid the expense.....if 1,000 were produced, the cost would be extremely expensive, which an unfortunate reality.

Chairman Allen thanked all for attending tonight's meeting and advised that comments and suggestions will be factored in.

Chairman Allen asked if the Board members would agree to re-appropriate \$225,000.00 based on the condition that the school system would agree that all funding appropriated for the current budgeted levels for the school systems will be paid toward salaries/benefits for teachers, along with the \$225,564.00 increase from the house



budget, and also increase funding in the amount of \$400,000.00 for a total of \$900,000.00 with all funding being contributed toward salaries/benefits for school staff.

Supervisor Lackey advised the Superintendent has just advised that the new money that will be allocated is 'pigeon-holed' by the school for other things, to which Chairman Allen advised, will ultimately be the school's determination of how to structure their budget.

Supervisor Elliott advised that the rules are constantly being changed.

Chairman Allen advised if the school system can come up with \$150,000.00 for Christmas bonuses, they can come up with \$225,000.00; also there is still \$200,000.00 to be utilized (i.e. ed-job fund) plus the \$349,000.00.

Ms. Miller verbalized concerns regarding budgeting mechanisms and the practices involved with drawing down funding; she also advised there was money spent, which the school system hasn't yet requested to be reimbursed for.

Supervisor Elliott advised if the school requests a reimbursement, will the requested funds be allocated into their budget.

Chairman Allen advised if the requested reimbursed funds come in after the fiscal year, the school system will still need to come forth and request a supplemental appropriation.

Ms. Miller advised the aforementioned request will be denoted as post-year revenue.

Supervisor Lackey wanted to clarify that the Madison County Board of Supervisors is trying to give the school system \$900,000.00 that they can count as revenue, which will eliminate the need to reduce teaching positions and also cover the mandated VRS increase.

Ms. Miller questioned whether the additional amount of \$225,000.00 will be allocated effective July 1, 2012, to which Chairman Allen advised this can be budgeted based on the school system's assurance that it will be received from the State.

Supervisor Elliott advised that an assurance must be received from the Madison County School Board that they will not allow the Superintendent to use the requested funds on anything else, as he doesn't want to see a new sports program started.

Chairman Allen advised Chairman Early that the Board members are in agreement, with an assurance from the Madison County School Board.

Chairman Early advised that all of the Madison County School Board members are in agreement.

Supervisor Lackey informed Chairman Early of the comment made by the Superintendent regarding the funding being 'pigeon holed', to which Chairman Early advised the money is specifically earmarked, as per the Governor, for VRS.



Chairman Allen advised that Delegate Scott didn't specifically indicate the funds had to be used for VRS, but could be used for salaries and to cover the VRS, which is part of the package.

Chairman Early advised that he was one-hundred percent behind utilizing the requested funds for salaries, VRS mandates, and health insurance, with no lay-offs.

Chairman Allen advised if the funds are 'earmarked,' there can still be 'some play' with the budget and move funding around; also the school system has \$200,000.00 in 'ed job' funding; however, the federal monies must be spent by the end of September 2012.

Chairman Early advised that he and the three (3) School Board Members are in favor of tonight's discussion.

Supervisor Elliott wanted to clarify an understanding that if he sees sports programs springing forth and things start to get done in various places, he will get with Chairman Early; he also stressed that he is not in favor of allocating this money for the Superintendent to 'do this and that.'

Chairman Early expressed appreciation toward the Madison County Board of Supervisors and advised that the school system did implement a sports program at the middle school with an actual cost was very minimal.

Supervisor Elliott verbalized concerns regarding not being in favor of giving the school system the requesting funding in light of know that an eighty-five (85) year old lady is going to have to pay increased taxes in order for the school's funding request to be allocated. In closing, he isn't against youth sports and thinks this is wonderful; however, from the citizen's standpoint, the Board will impose these tax increases and yet, the school system will start up new programs.

Chairman Early advised that he has been on the Madison County School Board for twenty (20) years and for the school system to have at least one (1) to two (2) percent of its budget at the end of the year, there must be at least \$170,340.00 leftover. In closing, the school system has never returned to the Madison County Board of Supervisors to request additional funding he hopes this doesn't occur again in the future, and he feels the leftover amount will fluctuate greatly until costs decrease in the economy.

Chairman Early advised that he has talked with school boards in other localities to gain an idea of what they presented to their local governing boards and most advised their budget requests to the governing board aren't as detailed as what is being asked of the Madison County School Board.

Chairman Allen advised there was concern when the Madison County Board of Supervisors received a budget with a \$300,000.00 cost included for a loan payment that doesn't exist.

Chairman Early expressed an understanding; however, on the front page of the document, all the information was provided.



Chairman Allen also referred to another error that was about \$100,000.00 and the supporting documents didn't balance, to which Ms. Miller also advised existed on the school's executive summary.

Chairman Early advised that 'we all make mistakes' – although he was unaware of the error, he didn't think this was done intentionally or dishonestly.

Supervisor Elliott verbalized concerns about the Superintendent's techniques tonight and suggested the School Board members have a 'head to head' talk regarding tonight's concerns.

Chairman Early advised that meetings can be done on a monthly basis, to which Chairman Allen advised will more than likely occur with the CIP discussions that will be forthcoming.

Supervisor Elliott urged Chairman Early to advise the Madison County Board of Supervisors of any issues.....'No matter how bad or how good' it may seem.

Supervisor Weakley concurred with the aforementioned statement made by Supervisor Elliott and also advised that he'd like to talk with the school board members in person and not by email.

Chairman Early advised that the Madison County School Board has learned from its mistakes. In closing, he expressed he was in favor of moving forward with a resolution tonight.

Chairman Allen advised that he feels the Madison County Board of Supervisors is in agreement with moving forward; however, numbers will need to be reviewed and the Board will need to meet again.

Ms. Miller advised that the Board will need to determine the tax rate; she also explained if the Board decreases the contingency fund by \$200,000.00, this will not leave enough reserve to cover any emergency incidents that may come into play (i.e. supplemental appropriation, fuel reserves, debt service, law enforcement vehicles, etc.) and the Board will have to utilize the cash reserves. In closing, she suggested the Board perhaps utilize \$225,000.00 of the fund balance instead (i.e. refrain from utilizing the contingency reserve), as these monies will be coming back to the County and not from the contingency reserve.

Supervisor Lackey strongly suggested the Board should raise the real estate tax rate by five (5) cents.

Chairman Allen asked Ms. Miller to prepare a summary with a tax increase of three (3) cents, four (4) cents and five (5) cents for discussion on April 17, 2012.

Ms. Miller questioned the amount of \$227,946.00 and whether the Board is willing to allocate these funds, to which Chairman Allen advised, is only an increase in state funding.

Supervisor Lackey questioned that the County will be stretched too thin if a lower tax increase is approved.



Chairman Allen advised that based on the manner in which the school system salary scale is established, all employees will not receive a 2.5% increase (i.e. some will be below two [2%] percent).

Supervisor Lackey questioned what the school system will do about the VRS mandate, to which it was advised they have the option of doing one percent (1%) per year.

Supervisor Weakley questioned whether spreadsheets can be done for review, to which Ms. Miller advised that she will prepare three (3) executive summaries to denote all increases as discussed tonight.

Chairman Allen advised if the Madison County Board of Supervisors meets next week, it's more than likely that in order to provide the requested funding by the school system, the tax increase will need to at least be four (4) cents.

Supervisor Elliott advised that he will vote for the four (4) cents tax increase, but not for the proposed FY2013 budget.

Supervisor Lackey advised that she was in favor of a four (4) cents increase, but feels that five (5) cents would be better. In closing, she is concerned about the County's possible contribution to the regional jail, CSA, and other unforeseen issues.

Supervisor Weakley questioned the CIP, to which Ms. Miller advised there will be expenditures in order to implement the process, and the County will need to borrow funding.

Chairman Allen advised the Board will need to keep in mind that \$200,000.00 is a lot of money if it's your own; however, based on this budget, that's not much, in the event CSA comes forth in the future with a request of \$150,000.00.

Ms. Miller also suggested the Board understand that if the tax rate isn't increased, nothing will be done to increase the cash balance.

Supervisor Weakley questioned the reassessment, to which Ms. Miller advised will not impose a change in the tax rate until next year when the rate will need to be equalized.

Supervisor Elliott advised that next year's tax rates may be about .80 cents per \$100 assessed value, and advised he'd rather go to a seven (7) cents increase on real estate and impose nothing on personal property.

Chairman Allen advised there are three (3) Board members who will commit to a four (4) cents tax increase.

Supervisor Weakley advised that he would be hesitate to agree to a four (4) cents tax increase.

Ms. Miller provided an overview of the criteria involved based on the various proposed tax increases and the effects this will have if funding is taken from the contingency reserve.

Chairman Allen advised the Board will be dealing with an additional \$225,000.00 that isn't shown in the school system's budget; in actually, they will be getting \$450,000.00



of the \$864,000.00 out of next year's budget, and \$225,000.00 will be from this year's budget, to which Supervisor Lackey assessed will actually restore funding to the school system.

Ms. Miller also suggested the Board be reminded that the school system needs to provide a revised budget before the FY2013 budget can be adopted, as their updated numbers will need to be incorporated.

Supervisor Weakley suggested all employees be created equal and that the school personnel receive a 2.5% salary increase the same as County employees; if this is done, he would be agreeable with a proposed four (4) cents tax increase.

Chairman Allen advised it's a matter of the school system as to whether they want to be consistent with the County.

Supervisor Butler asked when it will be known as to what the state will actually provide to the school.

Chairman Allen advised that action will not be imposed by the General Assembly until Tuesday, April 17, 2012 at 3:00 p.m.; however, he spoke with Delegate Ed Scott this morning and was advised there will only be a change in the event the Senate goes on a rampage, which he doesn't feel will take place. In closing, if this does occur, he feels this will be after the Madison County Board of Supervisors has taken action.

Supervisor Butler questioned whether the Madison County Board of Supervisors can make adjustments later, to which Chairman Allen advised he didn't feel the Board can take funding away once it has been allocated.

Ms. Miller wanted to clarify that the Board only wanted summaries for three (3) cents, four (4) cents and five (5) cents.

Chairman Allen advised the Board will need to meet to finalize the document. In closing, he asked if all members were comfortable with reaching a consensus by Friday as to what action the Board will need to take to finalize the FY2013 Budget on Tuesday, April 17, 2012.

Ms. Miller advised that she will get a finalized summary to all members by Friday via email and will further input as soon as possible.

Chairman Allen asked if this information could also be forwarded to Tina Cropp, School Finance Officer.

10. Adjournment:

With no further action being required, 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 _____
J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye _____

Jacqueline S. Frye, Clerk to the Board

Adopted on: June 11, 2012

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

***Resolution #2012-2 [Adopt the Six Year Road Improvement Plan for Madison County
for FY2013-2018;***

Resolution #2012-5[To Amend the Animal Control Ordinance for Madison County]



ADDENDUM

RESOLUTION #2012-2

At a Regular Meeting of the Madison County Board of Supervisors held at the Madison County Administration Center located at 414 North Main Street, Madison, Virginia, on Tuesday, April 10, 2012 at 3:00 p.m.

Present were: J. Dave Allen, Chairman
 Doris G. Lackey, Vice Chairman
 Jerry J. Butler, Member
 Pete J. Elliott, Member
 Jonathon Weakley, Member

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2012-13 through 2017-2018) as well as the Construction Priority List (2012-2013) on April 4, 2012 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List;

WHEREAS, David Cubbage, Residency Administrator , Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2012-13 through 2017-2018) and the Construction Priority List (2012-2013) for Madison County, Virginia;

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Madison County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2012-2013 through 2017-2018) and Construction Priority List (2012-2013) are hereby approved on motion of Supervisor Weakley, seconded by Supervisor Elliott on this 10th day of April, 2012.

J. Dave Allen, Chairman
 Madison County Board of Supervisors



	Aye	Nay	Absent	Abstain
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>	_____	_____	_____

A Copy,

Testee:

Jacqueline S. Frye/Clerk to the Board



ADDENDUM

**RESOLUTION #2012-5
TO AMEND
MADISON COUNTY ANIMAL CONTROL ORDINANCE**

WHEREAS, the Madison County Board of Supervisors adopted a Madison County Animal Control Ordinance on October 4, 2006, wherein references were made to Virginia Code Section 3.1-796.66 et seq (1950, as amended); and

WHEREAS, in 2008 the Virginia General Assembly amended and reenacted Virginia Code Section 3.1-796.66, et seq (1950, as amended) as Virginia Code Section 3.2-6500 et seq (1950, as amended).

NOW, THEREFORE, it is hereby RESOLVED by the Madison County Board of Supervisors that the references in the Madison County Animal Control Ordinance adopted on October 4, 2006, to Virginia Code Section 3.1-796.66 et seq (1950, as amended) are hereby made to the comparable section in Virginia Code Section 3.2-6500 et seq (1950), as amended), and such comparable references are hereby incorporated into the Madison County Animal Control Ordinance and are adopted therein, mutatis mutandis, as if set forth therein verbatim.

This Resolution #2011-5 shall become effective upon its adoption.

Adopted this 10th day of April, 2012, on motion of Supervisor Butler, seconded by Supervisor Lackey.

J. Dave Allen

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>	_____	_____	_____

Testee:
Jacqueline S. Frye

Jacqueline S. Frye, Clerk to the Board

