

## MEETING #10 February 12

At a Regular Meeting of the Madison County Board of Supervisors on February 12, 2013 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-Chair  
Jerry J. Butler, Member  
Pete J. Elliott, Member  
Jonathon Weakley, Member  
Ernie Hoch, County Administrator  
V. R. Shackelford, III, County Attorney  
Phillip Tartaglia, 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 called for any additions, deletions or corrections to today's Agenda.

Supervisor Lackey moved that today's Agenda be adopted as amended, seconded by Supervisor Butler, 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)**

None.

**c. VDOT (if necessary)**

Roy Tate, Acting Residency Manager, was present – Mr. Pearce was unable to attend due to a prior commitment. Highlights from today’s report of activities were discussed; Mr. Tate advised there have been several calls regarding debris – crews will only clean up what has fallen in the right-of-way.

**d. School Superintendent (if necessary)**

**i. Supplemental Appropriation Requests:**

The County Administrator advised the Treasurer advised the e-rate’ funds have been received in the amount of \$10,100.24 instead of the proposed amount of \$10,354.80.

The County Administrator advised there is also a request from the textbook funding totaling \$109,607.64 denoted in the letter received from the school system. In closing, he advised the balance in the textbook fund is now \$109,611.98.

Supervisor Lackey moved the supplemental request for appropriations in the amount of \$18,910.57 for technology (category 8000); \$10,100.24 for instruction (category 1000) and \$393.88 for health (category 200); and an additional appropriation of \$109,607.64 for textbooks, seconded by Supervisor Butler, with the following vote recorded:

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

The County Administrator advised there is an additional request totaling \$1,387.87 from a surplus sale and educational grant funding in the amount of an additional \$20,306.69 – all funds have been received as per the Treasurer – these funds are being requested for appropriation to the area of instruction (category 1000), totaling \$21,194.56. In closing, he advised there is an adjustment of \$500.00, which the Treasurer advised wasn’t showing up in the RDA System, as it wasn’t received.

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Butler, the Board approved a supplemental appropriation in the amount of \$21,194.56 for the school board’s budget in the 1000 category line for instruction, with the following vote recorded:



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

Dr. Eberhardt reported there will be two (2) students going to compete in the State Wrestling Competition; there will also be a swimming competition and a girls' basketball game, which he hopes Madison will win and advance toward the regional competition.

***e. School Building Fees and Disposal Fees***

The County Administrator advised the County has a policy in place for waiving fees for construction and disposal of materials for certain projects; he asked if the Board would consider establishing a disposal rate.

Supervisor Elliott advised the HVAC materials will have scrap metal value, and he would like to keep costs low.

The County Administrator advised the disposal rate is about \$10.00 per ton; any variance will be a profit for the County overall; fees have been waived in the past for certain County projects; he feels the County can count the tonnage from recycling and max the cost at \$47.00 per ton – disposal fees can be paid through the CIP fund.

Supervisor Lackey moved that the County waive the building fees and set a disposal fee of \$47.00 per ton for all acceptable waste from the school's CIP projects, seconded by Supervisor Weakley, with the following vote recorded:

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

***f. Bond Release (if any)***

None.

***g. Finance Office***

***i. Certificate of claims – General Operations (December 2012 – FY2013)***

On motion of Supervisor Lackey, seconded by Supervisor Weakley, the certificate of claims for general operations totaling \$942,760.73 are approved as submitted, with the following vote recorded:





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

***v. CIP Appropriation***

The County Administrator provided an overview of the contents of Resolution #2013-3 pertaining to the CIP projects and the appropriation to the County FY2013 Budget for the projects, and the total appropriation for the final principal payment for the courthouse project. A spreadsheet was provided to highlight the twenty-one (21) projects and costs approved by the Board based on the MOU that was adopted between both governing Boards; any leftover funding will remain in place until the Board approved a re-appropriation over at least three (3) budget cycles any disbursement of funds will be done by way of recognition and nothing will be transferred without approval by the County.

Supervisor Elliott advised that he understands the school system will look after the projects; however, he questioned why there has been no mention of soft costs.

The County Administrator advised that any requests from the school will be sent to him and he will forward such requests onto the County's CIP representatives. In closing, he advised that reports will soon be sent from Crabtree's representatives along with costs.

Supervisor Lackey moved that the Board of Supervisors appropriate \$2,478,898.31 to the County budget for the purpose of the CIP program and that the transfer of monies to the school system designated in the spreadsheet for the twenty-one (21) projects that they're going to undertake, and that this be subject to review by the County Administrator and the Board of Supervisors designated to the CIP Committee, and the amount may not exceed that which is designated on the spreadsheet dated February 12, 2013, seconded by Supervisor Weakley, with the following vote recorded:

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

**5. Consent Agenda:**

None.

**6. Discussion/Action Items:**

None.

**4:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)**



Chairman Allen opened the floor for public comment.

Bill Campbell was present and verbalized concerns about 'e-rate' funds.

Mary Grace-Graber was present and thanked the Board for all they do for the citizens of Madison County. She proceeded to read a letter that she submitted (attached to the minutes) in regards to a request to have a new E911 road name change from 79 Revenooer Road to "79 Rosey Lane" as soon as possible.

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

Chairman Allen asked the County Administrator to look into this issue and provide information for discussion at the Board's February workshop session.

***\*Continuation of Items from Category 4 – Monthly Reports\****

**Item 4-h – Minutes #50 through #57:**

***h. Minutes (#50 through #57)***

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Lackey, Minutes #50 through #57 were approved 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

***i. Culpeper Soil & Water Conservation District (WQIF Grant – Greg Wilchens)***

Greg Wilchens of the Culpeper Soil & Water Conservation District, was present and provided an overview of the existing water quality control grant (WQIF) and techniques being reviewed in order to possibly increase state funding for the storm water program for non-agricultural land and TMDL local watersheds.

Supervisor Weakley questioned is a comparative study will be done, to which Mr. Wilchens advised that monitoring results will be done on a quarterly basis and the information can be accessed through the Department of Environmental Quality.

Chairman Allen asked Mr. Wilchens to quantify what the project has done to the water supply.

The County Attorney asked for a clarification on "impaired."

Mr. Wilchens advised that being 'impaired' signifies a violation of water quality standards for bacteria; he also advised there is a recognition of the risk of ingesting E-coli, although nothing has been posted.

The Board thanked Mr. Wilchens for attending today's session.



***j. Skyline Cap & the Northern Community Foundation.***

Cole Johnson of the Northern Piedmont Community Foundation was present to provide information on the services and accomplishments of the foundation.

Brandi Bay of the Skyline CAP was present and provided information on the demographics, and an analysis survey regarding the housing needs in Madison County.

**7. Board of Supervisor's Meetings Attended in Past Month:**

**PRA**

Supervisor Weakley attended a meeting of the PRA.

**Skyline CAP/Social Services/Town Council**

Supervisor Butler attended a meeting of the Skyline CAP, Social Services, and the Madison Town Council.

**PRA**

Supervisor Lackey attended a meeting of the PRA.

**Madison County Planning Commission**

Supervisor Elliott attended a meeting of the Madison County Planning Commission.

**Central Virginia Regional Jail/School Board**

Chairman Allen attended a meeting of the Central Virginia Regional Jail Board and the Madison County School Board.

**8. Closed Session**

***a. Closed Session:***

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board convened in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to personnel matters, with the following vote recorded:

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

***b. Motion to 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



**c. Motion to Certify Compliance:**

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

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

**\*Dinner break\***

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**8. Reconvene Meeting.**

Chairman Allen reconvened the meeting at 7:00 p.m. and advised that all members are present and a quorum was established.

As a result of closed session, Supervisor Lackey moved that the Board proceed with terminating a County position at the end of this fiscal year, seconded by Supervisor Elliott, with the following vote recorded:

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

**7:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)**

Chairman Allen opened the floor for public comment and there was none; therefore the public comment opportunity session was closed.

**9. Boy Scout Presentation**

Chairman Allen advised the Board has been presented with a packet from Connor Puryear regarding a proposed project he would like to undertake.

Connor Puryear of Boy Scout Troup #116 was present and advised that in order to attain the rank of Eagle Scout, he would like to pursue a leadership project to enhance the area within the Washington Circle along Main Street.



There was concern as to whether the property in question did belong to the County and not the Town.

The County Attorney advised that he was positive the Judge would be supportive of the project, and that the Judge has ultimate control of the property located at Court Square; therefore, he suggested the Judge be advised of the proposed project.

The County Administrator advised the tax map has been reviewed to substantiate the information being provided by the County Attorney.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Lackey, the Board motioned to endorse the proposed project submitted, subject to approval by the Judge, with the following vote recorded:

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

**10. Draft FY2014 Budget Presentation (by County Administrator):**

The County Administrator provided information contained in the budget report that he recently submitted to the Board; he also provided a brief summary of the school's funding request of \$719,204.00, of which \$110,000.00 is being proposed for the salary increase and \$125,000.00 for the proposed healthcare cost increase.

Supervisor Butler asked if the County budgeted for the proposed ten percent (10%) increase in healthcare costs along with a salary increase; he also questioned information that the State will propose a 2.5% increase from school employees.

The County Administrator advised there was discussion about the aforementioned items, but no decision has been made on either issue; currently revenues appear to be flat; however, if the County doesn't take the funding proposed by the State, the school system will not get the proposed increase. The State is also proposing a salary increase for the Constitutional Officers.

The County Administrator indicated the County has made substantial cuts to the County's budget and will have eliminated four (4) positions during the next budget cycle, with a total of five (5) positions having been eliminated during the past two (2) budget cycles.

Concerns were verbalized as to whether the school system has eliminated any positions, to which the County Administrator advised the Superintendent has indicated the school



system has eliminated five (5) positions within the past two (2) years; however, no documentation has yet been provided on past actions in this area, which will be requested.

After continued discussions, the Board members suggested documentation be provided regarding the positions eliminated as well as other areas in which any cuts were made within the past five (5) years, as there are concerns the only positions eliminated were those occupied by senior teaching staff.

The County Administrator advised that during their recent meeting, the school board discussed the fact there are a lot of tenured positions and many of their senior teachers will be retiring, which will lower overall staffing costs; however, it will be costly to replace these individuals. He advised the school's request has increased by about one percent (1%), which eliminates any savings even if they don't move forward with a salary or healthcare cost increase.

Discussions continued regarding the purchase of school buses and the replacement cycle, and whether there was any guarantee that funding for this purpose wouldn't be used for other things.

The County Administrator advised that based on the fact many of the existing buses in the fleet are already fifteen (15) years old means time has run out; therefore, he feels the school system will be able to justify the need. In closing, he suggested the school system develop a long range plan for about five (5) to ten (10) years for the replacement of buses, and once the County appropriates funding to a specific category, the school system is able to use these funds in any manner they deem appropriate for that particular category.

Chairman Allen questioned whether funding could be donated to the CIP specifically for the purchase of buses. In closing, he mentioned the fact that based on the school's budget report, they have repeatedly overspent in several budget line items.

Supervisor Lackey advised she'd like to know the school's population for each of the past five (5) years, to which the County Administrator advised has remained relative flat, but he will ask for specifics on this issue.

Supervisor Weakley advised the school system spoke about an "SOQ" and the different requirements for grades "K through 5" than grades "6 through 12" with regards to the ratio.

The County Administrator reiterated it's the school's responsibility to oversee the aforementioned aspects; however, the County can review their budget to see how they spend the funding and comment regarding the line items that are being over spent and/or under spent.



The County Administrator advised that in talking with the County Attorney, the proposed budget will only need to be advertised for seven (7) days prior to the meeting; however, once a tax rate is determined, it will need to be advertised along with the equalized rate.

Supervisor Elliott asked if the Board needed to wait on information from the Madison County Board of Equalization, to which the County Administrator advised wouldn't allow enough advertising time and notification to the citizens. In closing, he advised the Board can establish an equalized rate during next week's budget session

**11. Information/Correspondence (if any)**

**Topping Committee**

Supervisor Weakley advised the Topping Committee decided to implement the reduced spay/neuter/adoption program; follow up will be needed in order to provide a report to the Board.

The County Administrator advised he will send some dates to the members to gain a consensus on a future meeting date.

**12. Adjournment**

With no further action being required, on motion of Supervisor Weakley, seconded by Supervisor Lackey, 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

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J. Dave Allen, Chairman  
Madison County Board of Supervisors

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Jacqueline S. Frye, Clerk of the Board

Adopted on: April 9, 2013

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

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