

MEETING #27 July 9

At a Regular Meeting of the Madison County Board of Supervisors on July 9, 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
Phillip Tartaglia, Finance Director
V. R. Shackelford, III, County Attorney
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 changes to today's Agenda.

Amendments to the Agenda included the addition of the following items:

Item 6-e – Musical Entertainment Permit (Dougher); Item 6-f Transfer Station; Item 6-g Courthouse; and Item 10-a County Operations.

After discussion, on motion of Supervisor Butler, seconded by Supervisor Weakley, today's Agenda is adopted 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)

Madison County Animal Shelter:

The County Administrator advised the shelter received its annual inspection by the State on June 20, 2013 – the shelter was found to be 100% compliant in all categories; representatives were also very pleased with the construction project underway at the facility; the Board members conveyed ‘thanks’ to the Shelter Staff for all their efforts and hard work.

b. Constitutional Officers (if necessary)

None.

VDOT

Mark, Nesbit, was present to introduce himself as the recently appointed Warrenton Residency Administrator; also present were Maxwell Carpenter, Residency Office Supervisor and Ben Davis, Engineer Trainee; he expressed his willingness to assist Madison County and the surrounding localities in meeting their transportation needs.

The Board welcomed Mr. Nesbit and his colleagues and expressed appreciation for VDOT’s timeliness in assisting with issues presented by residents on Turner Drive in Madison County, Virginia regarding grass that needed trimming.

d. School Superintendent – Status of Bathroom Renovation Bids (High school/Middle School)

Chairman Allen advised the school board met last evening and awarded a bid for the renovations to the restrooms at the high school (near the auditorium) and at the middle school (outside the gym); he also explained the bid doesn’t include all the restrooms denoted in the school’s CIP project list.

It was also explained that extensive work would be needed to renovate restrooms that are stacked above one another (first and second floor) – it was deemed to move forward with renovations that can be accomplished while school is out of session; a re-evaluation of the remaining renovations will be assessed after the initial work has been completed.

Supervisor Butler asked if the projected work was within the CIP funds that were allocated; the estimate presented by Crabtree, Rohrbaugh Associates, Inc. is \$267,000.000 - \$315,000.00 has been earmarked for the renovations being discussed during today’s session, as per a prior motion by the Board – remaining funds can be allocated toward future renovations that will be needed.



It was also indicated that a meeting was to be held to follow up on questions that were presented to senior representatives at Crabtree, Rohrbaugh Associates, Inc.; however, the school board has advised their Attorney has feels the topics cannot be discussed in a closed session with County representatives and the County Administrator; therefore, it has been suggested that ‘two-on-two’ meetings be held instead.

Supervisor Elliott requested an updated list from Crabtree, Rohrbaugh Associates, Inc. on the new projections.

e. Bond Release (if any)

None.

f. Finance Office

i. Certificate of claims – General Operations (May 2013 – FY2013)

Concerns were verbalized on page 10, page 22, page 24, page 29 and page 33.

On motion of Supervisor Butler, seconded by Supervisor Weakley, the Certificate of Claims for General Operations (May 2013 – FY2013) totaling \$695,429.57 are approved 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

ii. Certificate of Claims- Debt Service (May 2013 – FY2013)

None.

iii. Certificate of claims – Tourism Enhancement (May 2013 – FY2013)

Supervisor Lackey moved that the Board approve the Certificate of Claims for Tourism Enhancement (May 2013 – FY2013) as presented, totaling \$4,493.00, 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

iv. Supplemental Requests – General Operations (May 2013 – FY2013)

- | | | | |
|-----------------------|---------------------|---------------------------------|-------------|
| 1. Park & Recreation | #71100-5690; 161201 | PRA Youth Prog – April Deposits | \$10,279.50 |
| 2. Parks & Recreation | #71100-5691;161201 | PRA Other Pmts – April Deposits | \$19,275.00 |
| 3. Sheriff – Law Eng. | #31200-1720;1803011 | Reimb.- Gang Task Force | \$ 1,872.00 |



4.	County Administrator	#1211--5410;180301	Reimb. GE Capital	\$ 781.00
5.	Public Safety	#31400-6014;180301	Reimb. Haz-Mat	\$ 177.00
6.	Line of Duty Act	#35700-2311;240106	LODA Payments	\$ 1,163.44
7.	Line of Duty Act	#35700-2311;240108	LODA Payments	\$ 550.01

TOTAL: \$34,097.95

Supervisor Weakley, moved that the Board approve the supplemental appropriation requests for May 2013 – FY2013, totaling \$34,097.95, seconded by Supervisor Lackey, 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. Minutes #22 through #24

Supervisor Weakley moved that the Board approve Minutes #22 as presented, seconded by Supervisor Lackey, with the following vote recorded:

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

Supervisor Lackey moved that Minutes #24, as amended, and Minutes #25 be approved as submitted, 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

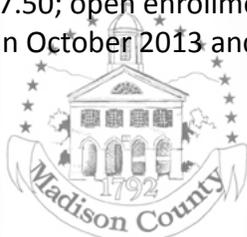
5. Consent Agenda:

None.

6. Discussion/Action Items:

a. Healthcare – Employee Benefit FY2014

The County Administrator followed up on information provided during the recent work session regarding healthcare; the school system has elected to move forward with Local Choice Healthcare; the FY2014 Budget denotes the County's contribution per employee to be \$507.50; open enrollment will commence in August 2013 – the new plan will be effective in October 2013 and will include dental and vision coverage; the County can



elect to split from the school system next year, if so desired; he also advised that social services will join the plan.

Supervisor Lackey moved that the Board approve Local Choice as the County's insurance carrier as described by the County Administrator, and that the Board authorize the County Administrator to enter into a contract with Local Choice Healthcare, 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

Supervisor Elliott advised he wasn't in support of the budgeted amount contained in the FY2014 Budget as adopted.

b. Recycling Center Upgrade – Bid Award

The County Administrator advised that four (4) bids were submitted for the proposed work; the lowest bidder was David Dill Concrete, Inc. totaling \$55,055.00 – references and licensure has been checked; he suggested the Board consider awarding the contract to the lowest bidder as advised. A brief explanation of the proposed work was; the Board will also need to motion to authorize the County Administrator to enter into a contract with the requested bidder; funding was moved from the capital fund to cover the aforementioned costs and the \$55,000.00 will need to be removed said fund for appropriation to the Transfer Station's departmental budget to pay for the contracted amount.

It was also suggested the County increase the requested funding amount by an additional \$2,500.00 to cover the costs for concrete testing – this wasn't included in the bid or contract, but is work the contractor will be required to facilitate; drawings for the proposed were done by an engineer. In the future, there may be discussion to place a roof over the recycling area at the landfill (i.e. DEQ regulations oppose trash to be dumped on the ground in an uncovered area and be picked up by loading equipment).

Supervisor Lackey moved that the Board award the contract for work at the Recycling Center to David Dill Concrete, Inc. in the amount of \$55,055.00, seconded by Supervisor Butler.

Supervisor Elliott questioned the request for additional monies to be used to implement concrete testing, to which it was advised will be done as a separate contract.

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 moved that the Board authorize an appropriation of \$57,555.00 from the capital fund into the County Transfer Recycling Center for proposes as described to extend the retaining wall, seconded by Supervisor Weakley, with the following vote recorded:

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

c. Tyler Technologies – Financial Package

The County Administrator provided a brief overview of the type of financial package that was presented at a previous workshop session; the proposed package will offer:

- An overall lower cost
- No leasing of equipment
- **Cloud hosting-service (\$140,000.000 [2014 costs]; \$92,000.00 [2015 costs])**

Also, there will be a quicker turnaround time if there's a problem, as all support is done remotely; the ultimate goal is to have one financial software system for the entire County to use; however, the cost for cloud hosting service will be about \$40,000.00 above what the County is currently budgeting for the existing software system.

Concerns were verbalized by the Board regarding:

- Whether the school system will be sharing some of the proposed costs
- Whether the proposed system will interface with all County offices
- What will the cost be within the next several years
- What is considered to be an 'upgrade service'
- What about firewall protection

The County Administrator advised the school system currently pays \$23,000.00 toward the existing system – social services also pays about **\$2,700.00** – the RDA System currently charges 'by users' (the county has many users) – the County has more users than the two (2) aforementioned entities; the County may elect to pay the entire fee and then be reimbursed a portion from the other participating entities, or require both entities to pay a portion of the fees up front.

The County Administrator advised the proposed package allows all presented programs as a part of the deal at no additional charge; upgrades will be patched through to the County automatically; there is no additional fee for customer service; there was discussion about Parks & Recreation – they don't currently have a PRA module just yet that allows for online payments/registration, but are building the module now (modules are about \$5,000.00 for the initial licensing) – this will be offered for purchase in the future and may create an additional cost.



The County Attorney questioned if the vendor was aware than when dealing with multi-year contracts - these types of contracts are subject to annual appropriations; he also questioned what termination provisions were possibly included during discussions and whether the County will have the ability to store data.

The County Administrator advised if the County should elect to cancel the contract within the next five (5) years, a buy-out number is calculated for the purchase of the software only (\$50,000.00) – support will continue to be provided; there is also a proposed mechanism in place to allow the County to separate from the proposed service at any time in the future; by electing the cloud hosting service, the County will be able to pull data off their server and store it locally; it's also felt that security protection will be part of the proposed contract since the vendor does provide services to many of governmental offices in the surrounding localities.

A printout was provided to show a list of proposed software options over a period of time; the County Attorney advised that a sample contract has been requested; he and the County Attorney will need to assess any proposed contract before anything is officially finalized.

The County Attorney advised the County Administrator need only to be authorized to negotiate a contact and the document can be reviewed by the Board for approval.

Supervisor Weakley moved that the County authorize the County Administrator and the County Attorney to negotiate a contact with Tyler Technologies, Inc., in support of the 'cloud option', 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

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

Chairman Allen opened the floor for public comment.

The following citizen(s) provided public comment:

- Richard Lambert (right-of-way agreement)

The County Attorney advised he has researched the issue in question; there is currently no order in place as this issue is in litigation at the present time; the County cannot change the minutes of a past meeting despite a court ruling; he suggested all parties wait to see what transpires from the litigation process – the County can then revisit the issue at that time.

- William (Bill) Campbell (Daily Progress article [accumulated leave issue])

With no further public comment being brought forth, the floor was closed.



d. Musical/Entertainment Festival Permit (Taylor)**e. Musical/Entertainment Festival Permit (Dougher)**

Chairman Allen advised that two (2) musical/entertainment festival permit requests have been received (i.e. Taylor [8/10/13;Dougher [8/17/13]) – both events will be hosted by Graves’ Mountain Lodge; both individuals are asking the County waive the \$100.00 festival permit fee for their events.

Chairman Allen explained the event (Taylor) is being done to raise funds for Ruritan Club in memory of her belated husband, J. L. Taylor.

A representative from the Ruritan Club was present and advised the organization is honoring Mr. Taylor for his dedication to the citizens of Madison County by raising money for the “J.L. Taylor Fund” to be assist youngsters in the County who cannot afford athletic registration fees and/or equipment/supplies.

There was a concern as to:

- Whether the fees would be waived in the event the event involved the serving of food and how this would affect the food sales tax.
- Whether the applicants are aware of the County’s Festival Ordinance and its requirements

Although it was denoted the County currently has no policy in place to waive permit fees, it was suggested this goal be accomplished for non-profit organizations in the County within the future; it was also advised the events will be hosted by Graves’ Mountain Lodge and they are very familiar with the requirements of the County’s existing Ordinance.

Supervisor Butler suggested the Board develop a policy for non-profit, festival permits that do not include sales tax.

Chairman Allen verbalized concerns that today’s applicants aren’t non-profit organizations, as the profit will be donated toward a charitable organization.

The County Attorney advised he wasn’t sure of the legal status the Ruritan Club is governed as.

After discussion, Supervisor Butler motioned the County waive the permit fees for the two (2) applicants as requested, seconded by Supervisor Lackey, 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. Transfer Station

Supervisor Elliott verbalized concerns that Waste Management Services, Inc. still hasn't installed new scales or cameras at the landfill; it was made clear when the County entered into the contract that these things would be taken care of – to date (six [6] months), they have not.

The County Administrator advised an email was sent to Waste Management Services, Inc., in July 2013 – no response has yet been received; no timetable has been provided; a scale program is being sought – challenges have evolved regarding the fact that internet connectivity will be needed – an order is being discussed through Comcast Services (letter was provided) – problems are also being addressed pertaining to the scale interface program; he feels reasonably confident the County's interests are being protected; he also advised there is an audit system in place; today's concerns will be passed forward.

Concerns were also verbalized regarding:

- Voided tickets
- The stone piled on the road where the brush is stored

The County Administrator advised he will pull the tickets and provide them for review; also, the area where the brush is stored was very wet – it was deemed that placement of stone in the area will help folks enter the area without sinking in the mud; other areas at the landfill need some maintenance as well; work is being done to help with the drainage in the area.

g. Courthouse

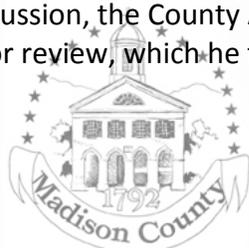
Supervisor Elliott asked to see receipts to show what funds were paid to the architect that weren't a part of the original contract, and who authorized the payments.

It's believed that about \$700,000.00 was paid to the architect that wasn't called for in the contract.

The County Administrator advised that an expense report was provided from 2007 through 2010 that totaled \$963,417.00 (9.3% of the total courthouse job) – the aforementioned costs did include charges for the Clerk of the Works that was assigned to the project.

The County Attorney advised the architect hired to work on the courthouse project started providing more services than the initial contract called for; he advised the architect did come before the Board at various times in the past - he feels there were bills submitted before the Board for approval, which he feels would've been the logical course of action that transpired.

After discussion, the County Administrator advised he will pull the invoices from the project for review, which he feels may provide more detailed information; costs from



Phase I of the project total is \$66,000.00 (5.8%) and Phase II of the project total is \$897,000.00 (10%); there were also add-ons for travel time, advertisements, etc.

7. Board of Supervisors’ Reports: Meetings Attended in Past Month

Supervisor Weakley: Skyline CAP Housing Committee; PRA Monthly Meeting & Workshop Session.

Supervisor Butler: Town Decoration Committee; Thomas Jefferson EMS Counsel; Skyline CAP.

Supervisor Lackey: PRA Monthly Meeting & Workshop Session; PD9; Shenandoah National Park.

Supervisor Elliott: Madison County Planning Commission Meeting & Workshop; CIP Meeting.

Chairman Allen: Jail Board; Piedmont Workforce Network; CIP Committee.

Chairman Allen advised the Board will need to enter into a closed session; anything that requires action as a result of the closed session will take place at the 7:00 p.m. evening session.

Closed Session

a. Closed Session

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

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

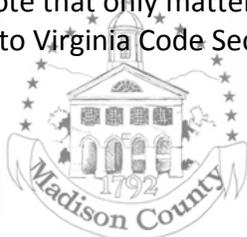
b. Motion to Reconvene In Open Session

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 Lackey, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Section 2.2-3711 (A)(1), and only matters that were identified



in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded:

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

****Dinner Break****

8. Reconvene Meeting:

Chairman Allen reconvened the meeting; all members are present and a quorum was established.

Chairman Allen advised that no action was taken as a result of the closed session during the afternoon session; he thanked Sheriff, Erik Weaver, for providing documentation on the issue that was recently published in the newspaper – this concern has been addressed with the employee in question.

****7:00 p.m. Public Comment Opportunity (not to exceed five [5] minutes)****

Chairman Allen opened the floor for public comment, not pertaining to the Six Year Road Improvement Plan public hearing.

The following citizen(s) provided public comment:

- William (Bill) Campbell

In regards to comments made by the citizen, the Board verbalized concerns pertaining to:

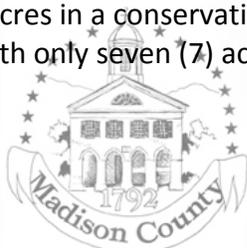
- Remarks being made are incorrect and without substantiation
- Misrepresentation of information

It was also suggested a meeting could be held with any Board member or the County Administrator to receive correct information.

Additional information provided by the Board included:

- On September 6, 2013, Anthony Hurlock, VDOT representative, reviewed/approved the entrance for the campground at Graves' Mountain Lodge.
- The County Administrator conversed with representatives from the Health Department regarding the County approving a special use permit for the lodge
- A County Ordinance cannot be passed without a public hearing taking place

In closing, a concern was verbalized regarding the fact the County's Ordinance requires ten (10) acres in a conservation district and the applicant was granted a special use permit with only seven (7) acres.



With no public comment being brought forth, the public comment opportunity was closed.

9. Information/Correspondence (if any)

State “opt-in/opt-out” Long-term Disability Insurance For New Hires: The County Administrator advised the State has an ‘opt-in/opt-out’ deadline approaching regarding long-term/short-term disability insurance for new hires as of January 1, 2014; all VRS participants will need to make a determination on this issue – similar to the LOD program – the deadline has been extended to January 1, 2014 (County has applied); at the current time, it appears that most localities are opting out; this issue will be added to the July Workshop Session for further discussion/advisement.

Storage Facility – Transfer Station: The County Administrator advised if the Board desires, there is funding set aside in the capital fund to purchase a storage facility (possible pole barn [with concrete slab and aluminum walls]) at the landfill; eighty percent (80%) of the building will be used as secure storage, vehicle repairs, etc. for the Sheriff’s Office – a portion of the building could possibly be used as storage space for the County. be used as storage space for the County; a cost assessment will be done and provided to the Board for review before a bid is put forth.

Recycling Funds: The County Attorney advised the County got almost \$7,500.00 last year for litter recycling; he advised an idea has been assessed to establish a ‘re-use’ center at the landfill – the County could look to purchase a pre-fabricated shed near the recycling area and allow folks to place things in the building that are ‘reusable’ and open for anyone to remove if they’d like; recycling numbers increased significantly from last year – he anticipates the increase will be significant next year as a result of the chipping that has been done, along with the single stream recycling program.

After discussion, some members were in favor of today’s suggestion; however, there was a concern as to whether the aforementioned suggestions transpire in other localities.

The County Administrator advised that some localities do offer provide ‘reuse’ recycling; funding to purchase a building can be taken from the recycling line item; employees from Waste Management Services, Inc. can be charged with policing and maintaining the building; this proposed program can become unruly, which is why it’s an advantage to have someone manage the site.

10. Woodberry Forest School (Bond Issue)

Eric Chafin, Treasurer, and Kenneth Deane, CPA, were present on behalf of Woodberry Forest School.

Mr. Chafin advised the school is here to ask the Board to approve a bond issuance through the Madison Industrial Development Authority to assist the school with building a new structure at the school; he provided a brief overview of the proposed building and its future use; the proposed project (\$21,500,000.00) will last about eighteen (18)



months and will be completed in the Spring of 2015; the school is looking at a variety of financing techniques (i.e. educational bonds, private placement debt, long-term debt); current enrollment is 402 students – the school normally budgets for 385 students each year so expenses aren't over-budgeted.

It was questioned as to whether the sub-contractors working on the project will stay onsite or if lodging will be required; however, it was deemed the sub-contractors will probably travel to and fro.

The County Attorney advised the school has hired Chris Culp of Hunton-Williams, Inc.; the school is asking to borrow \$10,000,000.00 (tax exempt), which will impose no effect on the County's ability to borrow; the IDA approved a resolution, which will also need to be approved by the County, as required per the State Code; the bond issue will then go before the bond council, the school's financial advisors, and the lender (public or private) – the bond will be issued sometime in August 2013. The term of the bonds can range from ten (10) years to thirty (30) years – the school will be required to make annual reports to the IDA, as they have done in the past with former bond issues.

Supervisor Lackey moved that the County approve the Resolution of the Board of Supervisors of Madison County, Virginia, Concurring with a Financing Undertaken by the Industrial Development Authority of Madison County, Virginia, to Benefit Woodberry Forest School, 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

a. County Operations:

Supervisor Butler provided a handout pertaining to establishing goals and suggestions from 2010 (copy attached to the minutes)

Supervisor Lackey suggested the Board set an annual retreat with a facilitator in order to establish goals/objectives for the County.

After discuss, it was suggested the aforementioned topic be added to the July Workshop Session for discussion.

Supervisor Butler also referred to the fact the new County vehicle in need of having the County logo applied.

b. Sheriff's Vehicles:

The County Administrator advised the Sheriff has indicated he is close to finalizing the order for the new law enforcement vehicles; he is currently working with the



state contractor on this issue to make a direct purchase, as per the County’s procurement policy – the Sheriff was advised that if there’s an emergency, this can be approved through the Administrator’s Office.

11. Adjournment

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

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

J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Clerk of the Board

Adopted on: September 10, 2013

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

Resolution Adopted on July 9, 2013:

Resolution #2013-9 [Resolution of the Board of Supervisors of Madison County, Virginia Concurring with a Financing Undertaken by the Industrial Development Authority of Madison County, Virginia, to Benefit Woodberry Forest School]



**RESOLUTION OF THE BOARD OF SUPERVISORS OF MADISON COUNTY, VIRGINIA,
CONCURRING WITH A FINANCING UNDERTAKEN BY THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF MADISON COUNTY, VIRGINIA,
TO BENEFIT WOODBERRY FOREST SCHOOL
Resolution #2013-9**

WHEREAS, Woodberry Forest School (the “School”), a non-profit Virginia nonstick corporation which owns and operates an independent preparatory school for boys, has requested the Industrial Development Authority of Madison County, Virginia (the “Authority”), to issue its educational facilities revenue bonds (the “2013 Bonds”) pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.1, Code of Virginia of 1950, as amended (the “Act”), in an amount not to exceed \$10,000,000; and

WHEREAS, the campus of the School is located in Madison County, Virginia, and the School’s mailing address is 10 Woodberry Forest Station, 898 Woodberry Forest Road, Woodberry Forest, Virginia 22989; and

WHEREAS, the Authority has considered the School’s application requesting the Authority to issue the 2013 Bonds, in an amount currently estimated not to exceed \$10,000,000, to finance (a) various capital improvement projects on its Campus, including one or more of the following: a new multi-purpose building of approximately 66,000 square feet (to provide space for a dining hall, mathematics and computer science classrooms), related projects including demolition of certain existing structures, the construction of a service road, utility relocation, and site work, the renovation of approximately 8,000 square feet of the existing Walker Building, and such other capital projects as the School may deem necessary, and (b) all or a portion of the costs of issuance incurred in connection with the issuance of the 2013 Bonds; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) and Section 15.2-4906 of the Act require that the governmental unit (a) having jurisdiction over the area in which any facility financed with the proceeds of the 2013 Bonds is located and (b) on whose behalf the 2013 Bonds are issued, approve the issuance of such 2013 Bonds; and

WHEREAS, Section 15.2-4906 of the Act requires that such public hearing required by Section 147(f) of the Code be conducted by the Authority, and Section 147(f) of the Code permits such action by the Authority; and

WHEREAS, ON July 8, 2013, in accordance with the requirements of Section 147(f) of the Code and Section 15.2-4906 of the Act, the Authority held a public hearing and adopted a resolution approving the issuance of the 2013 Bonds (the “Authority Resolution”); and



WHEREAS, the School has requested the Board of Supervisors of Madison County, Virginia (the "Board"), to approve the issuance of the 2013 Bonds to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Authority Resolution, a record of the public hearing and a fiscal impact statement with respect to the issuance of the 2013 Bonds have been filed with the Board.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MADISON COUNTY, VIRGINIA:

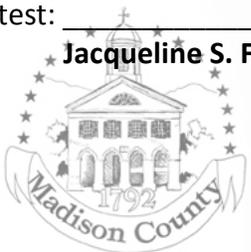
1. The Board hereby approves the issuance of the 2013 Bonds by the Authority for the purposes described above, as required by Section 147(f) of the Code and Section 15.2-4906 of the Act.
2. The approval of the issuance of the 2013 Bonds does not constitute an endorsement of the 2013 Bonds or the creditworthiness of the School. Madison County, Virginia, does not have any obligation to pay the 2013 Bonds or the interest thereon or whatever costs incident thereof.
3. As required by Section 15.2-4906 of the Act, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged thereof, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.
4. All acts and doings of the officers of the County and members of the Board that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confirmed.
5. This resolution shall take effect immediately upon its adoption.

Adopted on July 9, 2013 on motion of Supervisor Lackey, seconded by Supervisor Butler.

J. Dave Allen, Chairman
Madison County Board of Supervisors

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

Attest: _____
Jacqueline S. Frye, Clerk of the Board





Agenda (Amended)
Madison County Board of Supervisors
Tuesday, July 9, 2013, beginning at 3:00 p.m. & 7:00 p.m.
County Administration Building Auditorium
414 N. Main Street, Madison, Virginia

Agenda

3:00 p.m.

1. Call to Order/ Determine Presence of a Quorum
2. *Pledge of Allegiance & Moment of Silence*
3. Adoption of Agenda
4. Monthly Reports:
 - a. Department Heads (if necessary)
 - b. Constitutional Officers (if necessary)
 - c. VDOT - D. Mark Nesbit, Warrenton Residency Administrator
 - d. School System – Status of bathroom renovation bids
 - e. Bond Release (if any)
 - f. Finance Office
 - i. Certificate of Claims – General Operations (May 2013 – FY2013)
 - ii. Certificate of Claims – Debt Service (May 2013 - FY2013)
 - iii. Certificate of Claims – Tourism Enhancement (May 2013 – FY2013)
 - iv. Supplements (May 2013 – FY2013)
 - g. Minutes
 - i. #22 through #24
5. Consent Agenda – None
6. Discussion/Action Item(s)
 - a. Healthcare – Employee benefits FY2014
 - b. Recycling Center Upgrade – Bid Award
 - c. Tyler Technologies – Financial Package
 - d. Musical/Entertainment Festival Permit (Taylor)
 - e. Musical/Entertainment Festival Permit (Dougher)



f. **Transfer Station**

g. **Courthouse**

7. **Board of Supervisors' Reports: Meetings Attended in Past Month**

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

- ***Closed Session (if necessary) will begin at or about 4:30 p.m.***
 - i. ***Motion to Convene in Closed Meeting, pursuant to Virginia Code 2.2-3711 (the specific section will be read as part of the motion to convene in a closed meeting)***
 - ii. ***Return to Open Session***
 - iii. ***Certification of Closed Meeting***
- ***NOTE: Board Action, if necessary, resulting from matters discussed in Closed Meeting will take place during the evening session***

****Dinner break from 6:00 PM. – 7:00 PM.****

7:00 p.m.

8. **Reconvene Meeting**

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

9. **Information & Correspondence (if any)**

10. **Woodberry Forest School (Bond Issue)**

a. County Operations

11. **Adjournment**

NOTE: Any unaddressed items from the 3:00 p.m. session will be carried over to the 7:00 p.m. session;

****Items on the agenda not specified by time will generally be taken up in order; however, they may come before or after a time specific item;***

****AMENDMENTS DENOTED IN ROYAL BLUE****

