

MEETING #14 March 12

At a Regular Meeting of the Madison County Board of Supervisors on March 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
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 advised that Item 6-b (BB&T) and Item 6-c (Permit Extension – Graves’ Mountain Lodge and letter from the County Administrator) will need to be added to today’s Agenda.

Chairman Allen called for further additions, deletions or corrections to today’s Agenda.

Supervisor Butler asked that Item 6d (Discussion/action for public comment during the Workshop Session) be added.

Supervisor Weakley moved that today’s Agenda be adopted as amended, 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



4. Monthly Reports

a. Department Heads (if necessary)

Supervisor Weakley recognized the positive comment from a resident for the outstanding customer service they received from the Building Department, and he also acknowledged the First Responders and emergency services personnel for their efforts during the recent snow storm.

b. Constitutional Officers (if necessary)

Sheriff's Department:

None.

c. VDOT (if necessary)

Roy Tate, Acting Residency Manager, was absent but provided a report of monthly activities for review.

d. School Superintendent (if necessary)

None.

f. Bond Release (if any)

The County Administrator advised the bond issue with Trigon Development Company (Fox Ridge Subdivision) has been paid in full; a future bond issue will be brought forth later regarding Riding Trail Lane.

g. Finance Office

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

On motion of Supervisor Weakley, seconded by Supervisor Lackey, the Certificate of Claims for General Operations (January 2013 – FY2013) totaling \$813,307.07, 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

i. Certificate of Claims- Debt Service (January 2013 – FY2013)

None.



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

None.

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

1. Parks & Recreation #71100-5690;161201	PRA Youth Programs – January Deposits	\$1,708.25
2. Parks & Recreation #71100-5691;161201	PRA Other Payments – January Deposits	\$ 288.00
3. Sheriff – Law Enf. #31200-6009;180916	Insurance Claim – Vehicle Damage	\$1,078.00
4. Sheriff – Law Enf. #31200-6009;180916	Insurance Claim – Vehicle Damage	\$2,195.95
TOTAL:		\$5,270.20

Supervisor Lackey moved that the Board approve the supplemental appropriation requests for January 2013 – FY2013, totaling \$5,270.20, 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

h. Minutes #1 through #8

Supervisor Lackey moved that Minutes #1, through #8 be approved as presented, 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

There was a concern if better audio equipment can be purchased; the County Administrator advised he is looking into possible reconfiguring of County space; the goal is to be able to upload recordings to the website, but the current concern is whether to purchase equipment for the auditorium or another future alternative meeting space.

5. Consent Agenda:

None.

6. Discussion/Action Items:**a. Establish time/location for public hearing on equalized rate (March 25, 2013)**

After discussion, it was the consensus of the Board to schedule the public hearing on the equalized rate for 7:00 p.m. on Monday, March 25, 2013 in the auditorium (414 N. Main Street).



b. BB&T

Ed White, RHU of BB&T Insurance Companies, (consultant to the school and county) was present to provide a full overview of the various healthcare reform options/guidelines, costs and penalties the County will need to be aware of in FY2014.

c. Permit Extension (Graves' Mountain Lodge & Letter) –

The County Administrator advised of an oversight on the part of the County in that the Graves' Mountain Lodge has been advised to continue with their request each month while waiting for site plan information; there is a 180 day clause in place and the time frame has expired; the Board will need to decide whether to extend the application without a penalty or allow the applicant to reapply without a fee.

The County Attorney advised the site plan is almost complete; however, he feels there will be concerns brought forth by the Madison Health Department on this issue.

After discussion, the County Attorney advised the site plan is almost complete; he feels there will be concerns on the part of the Madison Health Department.

The County Administrator advised that Mr. Graves has been advised by the Madison Health Department that camping activities are to cease at the campground (excluding the upcoming Blue Grass Festival) due to a violation regarding complaints of there not being permanent restrooms or a dumping station at the grounds (i.e. port-a-potty units don't comply with State regulations for campgrounds); discussions were held Mr. Dixon to determine workable goals to resolve these concerns - a meeting has been scheduled for April 2, 2013 to discuss all concerns; a draft letter has been prepared for review and advisement by the Board.

Concerns were verbalized as to whether the County could have some assurance in writing from the Madison Health Department; it was also suggested that if other local businesses should encounter circumstances similar to what's being discussed today, then the County should move forward and assist them in whatever way possible.

After discussion, the Board suggested the letter contain a request that the Madison Health Department provide an assurance and that the County suggest the campground be allowed to continue operations for a specified time until the issues are resolved.

Supervisor Lackey moved that the Board recommend the cost of the special use permit be waived for the requirement for renewal, and that the special use permit be in effect for 180 days, 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



Chairman Allen clarified that today's action would be contingent upon the review of factors that led to today's oversight.

In regards to the draft letter, the County Administrator advised that he will prepare an updated draft and forward to all members for further review.

Supervisor Lackey moved that the Board authorize the County Administrator to send a letter to express the Board's concerns requesting certain information, to include a meeting date (which has already been established) and to establish a date by which the Graves' Mountain Lodge must comply, 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

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 citizens were present to provide public comment:

- a) Bill Campbell
- b) Dave Ashley

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

d. Public Comment at Workshop Session(s)

Supervisor Butler proposed that the Board include public comment at the workshop sessions; in review of the by-laws, there is nothing stated regarding this issue.

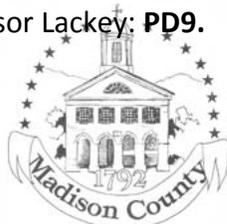
After discussion, Supervisor Butler motioned that all open Board sessions shall include an open public comment period therein, seconded by Supervisor Elliott, with the following vote recorded:

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

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

a. Supervisor Butler: **Planning Commission, Skyline CAP and Town Decoration Committee.**

b. Supervisor Lackey: **PD9.**



- c. Supervisor Weakley: **Skyline CAP Housing Committee and PRA.**
- d. Supervisor Elliott: **Planning Commission.**
- e. Chairman Allen: **Jail Board and the National Park Service.**

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)(3), for discussion of the possible acquisition of real property for a public purpose; and Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel, pertaining to actual or potential litigation, 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)(3) and Virginia Code 2.2-3711(A)(7), 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 at 7:00 p.m. and advised that all members are present and a quorum was established.

Chairman Allen advised the Board entered into a closed session prior to the dinner break – no action was taken as a result of the closed session.

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. Information/Correspondence (if any)

Criglersville Elementary School

A letter was received from Cowan Realty pertaining to the listing for the Criglersville Elementary School to advise the agreement will expire on April 3, 2013; there have been a few inquiries and the agent suggested the price be reduced to \$350,000.00.

Appreciation Breakfast

On behalf of Congressman Hurt, the Board members were reminded of the appreciation breakfast scheduled on Tuesday, March 26, 2013 at 8:00 a.m. at Graves' Mountain Lodge.

Waste Management Services, Inc.

The Board members were advised that Waste Management Services, Inc. plans to conduct interviews on Thursday, March 14, 2013 and Friday, March 15, 2013 for the open position.

Main Street

Favorable information has been received from the Rappahannock Electric Cooperative (i.e. placement of poles); a discussion has been held with VDOT representatives; a letter will be sent to Stellar One, Inc. to request that a pole be placed on the property or in the right-of-way to the property (estimated cost is \$1,200.00) – a budget will be developed to determine necessary funding to allow for the placement of the pole (to be used to display banners along Main Street; a walk-through will be done to assess whether a line can be run under the roadway; Verizon has approved use of the pole on their property; a budget will be constructed for this project.

Christmas Parade (2013)

The annual Christmas Parade has been scheduled for Friday evening, December 6, 2013; a proposal has been received for permanent lights (dawn to dusk) for the flags and to possibly have a line installed underground to allow for the lighting of trees and wreaths (tourism funding can be used for this purpose).

Miscellaneous

- a. The part-time custodian has assumed full responsibility for all custodial duties while the full-time custodian has been working in the above position; he suggested the part-time employee's hours be increased to thirty (30) hours; raise the salary; and make the position the lead with a second part-time custodian being hired to work twenty-five (25) hours per week; savings by eliminating the



full-time position to a part-time one will range from \$15,000.00 to \$22,000.000 annually (to include benefits); review and further discussion will be scheduled for the upcoming budget work session.

- b. Meeting have been scheduled at JMU on chronic waste disease which has been filtering through the deer population throughout the region – the disease is transmitted through large feeding groups of deer (through saliva); the park has a program that tracks deer and obtainable data will be discussed; the new Superintendent will also be on board shortly.
- c. There was mention about parts of the sidewalk along Main Street having fallen off and whether there was any grant funding leftover from the Main Street Project to help with this issue.
- d. There was a request to have members from the Tourism Committee attend the upcoming March Workshop Session to provide and update of activities.
- e. The meeting on biosolids sponsored by DEQ has been rescheduled for Wednesday, March 20, 2013 at 5:00 p.m. in the conference room at Thrift Road.
- f. There was a concern whether a report had been received from the electric company regarding the manner in which power was restored during the recent snow storm.

10. Adjournment

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

J. Dave Allen, Chairman
Madison County Board of Supervisors

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

